



LAS VIRGENES MUNICIPAL WATER DISTRICT
4232 Las Virgenes Road, Calabasas, CA 91302

MINUTES
REGULAR MEETING

5:00 PM

January 22, 2013

PLEDGE OF ALLEGIANCE

At the request of President Caspary, the Pledge of Allegiance was led by Director Polan.

1. CALL TO ORDER AND ROLL CALL

A Call to order and roll call

The meeting was called to order at 5:01 p.m. in the District offices. Deputy Secretary Conklin called the roll. Those answering present were Directors Caspary, Peterson, Polan, Renger and Steinhardt.

2. APPROVAL OF AGENDA

A Approval of agenda

On a motion by Director Lee Renger, seconded by Director Glen Peterson, the Board of Directors voted 5-0 to Approve the agenda for the Regular Meeting of January 22, 2013 as presented.

AYES: Director(s) Caspary , Peterson , Polan , Renger , Steinhardt

3. PUBLIC COMMENTS

No speaker cards were received from the public.

4. ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS

A Legislative and Regulatory Updates

No report was given.

5. CONSENT CALENDAR

On a motion by Director Glen Peterson, seconded by Director Lee Renger, the Board of

Directors voted 5-0 to Approve Consent Calendar 5A-5D as presented in the recommendations.

AYES: Director(s) Caspary , Peterson , Polan , Renger , Steinhardt

- A** Minutes: Adjourned Regular Meeting of December 12, 2012 and Special Meeting of December 12, 2012. **Approve**
- B** List of Demands: January 22, 2013. **Approve**
- C** Investment Report for the Month of December 2012. **Approve**
- D** Investment Review for the Fourth Quarter 2012. **Receive and File**

6. TREASURER

Treasurer Polan reported he had reviewed the list of demands with Director of Finance and Administration Hicks; found one small dispute, which he clarified with Principal Engineer Zhao; and stated all other checks were in order.

7. BOARD OF DIRECTORS

A California Water Policy 22 (POWER): 2013 Sponsorship

The Board of Directors to discuss its interest in sponsoring the annual POWER conference for 2013; if sponsorship is selected, authorize the General Manager to issue payment to Sacramento River Watershed Program.

General Manager Pedersen provided a history of sponsorship of the California Water Policy Conference and stated board member attendance was authorized in Las Virgenes Code.

A summary of Board comments included: Caspary: provides scholarships to students, concerns regarding reference to Sacramento River Watershed versus POWER; Steinhardt: cost (Pedersen: \$389 for conference registration), support at \$1,000; Renger: support at \$1,500.

Director Lee Renger made a motion to provide sponsorship in the amount of \$1,500, the motion died for lack of a second.

President Caspary stated sponsorship had failed and noted board members could attend at the conference rate.

B Board Recognition of Retiring Employees

Provide direction to staff as to the Board's preference(s) in recognizing retiring employees.

A summary of Board comments and responses included: Peterson stated he was in support of a retiree proclamation and requested the retiree be invited to a board meeting for the presentation (Lippman: invitations will be issued, but attending board meetings is the retirees choice); Steinhardt: if not in attendance at a board meeting then the proclamation should not be provided (Peterson, Caspary, Renger disagreed).

On a motion by Director Glen Peterson, seconded by Director Lee Renger, the Board of Directors voted 4-1 to Approve issuing retirees a proclamation from the Board of Directors, staff to invite retiree to a board meeting for presentation, and if unable to attend the proclamation would be mailed to the retiree.

AYES: Director(s) Caspary , Peterson , Polan , Renger

NOES: Director(s) Steinhardt

8. FACILITIES AND OPERATIONS

A Malibu Creek Watershed Emerging Issues - Update

Review and approve the draft talking points on the Malibu Creek and Lagoon Benthic Community Effects, Sedimentation and Benthic Macroinvertebrates TMDL.

General Manager Pedersen stated he proposes staff develop a strategy in the event the TMDL is adopted; closed session item to discuss how to deal with the TMDL; and draft talking points for feedback.

A summary of Board comments and responses included: Renger: are we engaging local officials for support (Pedersen: EPA is not driven by politics as their agency head is appointed by the President), microfiltration as brine won't go away; Peterson: we may want to consult with former EPA Under Secretary Pete Silva on the TMDL, process for TMDL (Pedersen: US EPA administrative approval, RWQCB to implement, can be appealed to SWRCB), Polan: CASA speakers Adam Krantz and Lisa Jackson (EPA) stated you can't make one TMDL fit all, is criteria part of consent decree (Pedersen: limits weren't established in consent decree, Legal Counsel Lemieux: there is a discussion as to whether waterways are subject to TMDLs); Caspary: bullet points are good, provide comments to the public (Pedersen: letter is currently at 50 pages for scientific comments and continue to build support with stakeholders), recycled water already meets drinking water standards (Lippman: yes, fairly close), submit Las Virgenes' comments by January 25th; Lemieux: in 2015 Las Virgenes can appeal the TMDL administratively through the court.

President Caspary requested Director Renger's comment regarding brine be included in the draft talking points.

On a motion by Director Leonard Polan, seconded by Director Lee Renger, the Board of Directors voted 5-0 to Approve the recommendation as presented with an amendment to include Director Renger's talking point regarding brine.

AYES: Director(s) Caspary , Peterson , Polan , Renger , Steinhardt

9. FINANCE AND ADMINISTRATION

A Second Quarter Financial Review

Receive and file.

Director of Finance and Administration Hicks stated the enterprises are at the approximate levels expected; referenced potable water sales, which were lower than expected due to rain and cold weather (Director Polan suggested lower than expected water sales may be related to potential sanitation savings through conservation).

On a motion by Director Lee Renger, seconded by Director Glen Peterson, the Board of Directors voted 5-0 to Approve the recommendation as presented.

AYES: Director(s) Caspary , Peterson , Polan , Renger , Steinhardt

10. LEGAL SERVICES

A Potable Water Replacement Fund Standby Charge

The full reading of the proposed Ordinance No. 01-13-271 as it relates to continuation of the Water Replacement Fund Standby Charge for fiscal year commencing July 1, 2013, be waived, and the Board order publication within 30-days of adoption using a summary of the ordinance. The Board by a roll call vote of Ayes: Noes: Abstain: Absent: that Rules and

Regulations for Water Standby Charge Deferrals be approved; and the proposed Ordinance No. 01-13-271 as it relates to continuation of the Water Replacement Fund Standby Charge for fiscal year commencing July 1, 2013, given second reading by title only, be passed, approved and adopted as presented. ORDINANCE NO. 01-13-271 AN ORDINANCE OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT AS IT RELATES TO STANDBY CHARGES FOR THE FISCAL YEAR COMMENCING JULY 1, 2013 (Reference is hereby made to Ordinance No. 01-13-271 on file in the District's Ordinance Book and by this reference the same is incorporated herein and made a part of hereof.)

On a motion by Director Glen Peterson, seconded by Director Lee Renger, the Board of Directors voted 5-0 to Approve the recommendations as presented in paragraph one. AYES: Director(s) Caspary , Peterson , Polan , Renger , Steinhardt

On a motion by Director Lee Renger, seconded by Director Charles Caspary, the Board of Directors voted 5-0 to Approve by a roll call vote of Ayes: 5; Noes: 0; Abstain:0; Absent: 0; conducted by Deputy Clerk Conklin, the recommendations as presented in paragraph two. Legal Counsel Lemieux gave the second reading of the Ordinance by title only. AYES: Director(s) Caspary , Peterson , Polan , Renger , Steinhardt

11. INFORMATION ITEMS

- A** Claim from Richard Witkin
- B** Secretary: Appointment of Deputy Secretary

12. NON-ACTION ITEMS

- A** Organization Reports (1) MWD a. Representative Report/Agenda(s); (2) Other

(1) MWD Representative Peterson reported on general business of Metropolitan Water District including Bay Delta restoration projects (fishery, Twitchell Island carbon sequestration); Westlands Water District old bypass (Sacramento); Delta Stewardship Council update (process is going through an Administrative Judge); and stated he had been nominated as the alternate to the Colorado River Board.

(2) Director Steinhardt reported on his attendance at the CASA conference including a presentation by Mike Sullivan, County of Sanitation Districts of Los Angeles County who discussed their Westlake Farms Composting Facility (44% composting, aerating compost piles, using gore cover system for waste treatment); Orange County Water District has a successful partnership with Orange County Sanitation District for a groundwater replenishment system and stated CASA is looking at modifying the number of conference they hold each year. Director Polan reported on his attendance at the CASA conference including additional comments on The Westlake Farms Composting Facility (the facility is 180 miles from Los Angeles, there are 95 truck trips per day made to the facility, not cost effective due to fuel costs, plan for Chevron pipeline did not work out, AQMD wants 80% odor containment and gore provides 90%); Adam Krantz, National Association of Clean Water Agencies stated the culture of water needs to change in regards to use and treatment, and the Clean Water Act needs to be brought up to the 21st Century. Director Caspary reported on his attendance at the January 14th EPA Public Meeting on the proposed Malibu Creek and Lagoon Nutrient TMDL including a flow diversion discussion related to Ventura River (sounded like pumping control versus diversion), promote flows to underground versus runoff; and the January 17th AWA meeting discussing fracking in Monterey Formation, Steve Bachman of United Water Conservation District stated fracking has been done in Southern California since 1947 and doesn't believe it will impact Ventura County's water supply. Director Peterson reported on his attendance at the AWA meeting and discussed Senator Pavley's fracking disclosure bill.

B Director's Reports on Outside Meetings

Director Peterson report on his attendance at the January 18th, ACWA State Legislative Committee meeting during which they reviewed all bills including groundwater, groundwater rights, storage and the public's right to clean water.

C General Manager Reports

General Manager Pedersen provided an update on general business of the District including ACWA/CASA DC conferences (overlapping dates and both are being held the same day as the February 26th regular board meeting); plans on attending the January 24th Calabasas Mayor's State of the City Address; February 2nd quarterly wastewater tour (Director Caspary stated he would attend the upcoming tour and in the future, would like to have a board member host each quarterly public tour); and thanked the Board and staff for their assistance during his first couple of weeks as general manager.

D Director's Comments

Director Peterson discussed the Colorado River Aqueduct tour and stated this year's trip would not be visiting Hoover Dam, and requested the two newly seated council members for City of Agoura Hills be invited. Director Polan discussed a Los Angeles Times article on native grasses and policies on water use in the county (illusion there is plenty of water).

13. FUTURE AGENDA ITEMS

None.

One speaker card was received from the public related to Closed Session 14. A-1: APN 2069-020-001: (1) Hal Helsley discussed disposition of property, potential of water into system, stated APN 4455-025-010 is adjacent to digesters, use for third digester, digesters have odors and if houses are built at the site there will be odor complaints, buy 34-acre parcel to avoid litigation.

14. CLOSED SESSION

The meeting convened into break at 6:20 p.m.

The meeting reconvened into Closed Session at 6:25 p.m.

A Conference with District Counsel - Property Acquisition and Disposition (Government Code Section 54956.8):

1. APN 2069-020-001

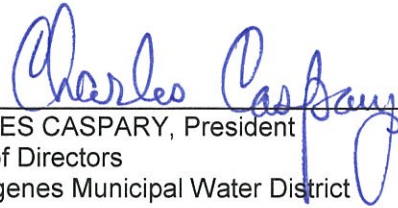
B Conference with District Counsel - Potential Litigation (Government Code Section 54956.9): Two Cases

1. In the opinion of District Counsel, disclosure of the identity of the litigants would be prejudicial to the district.

15. OPEN SESSION AND ADJOURNMENT

The meeting convened into Open Session at 7:34 p.m. No reportable actions were taken during Closed Session.

The Chair declared the meeting adjourned at 7:35 p.m.



CHARLES CASPARY, President
Board of Directors
Las Virgenes Municipal Water District

ATTEST:



BARRY STEINHARDT, Secretary
Board of Directors
Las Virgenes Municipal Water District

(SEAL)