



April 8, 2008

Next Resolution No. 04-08-2380
Next Ordinance No. 04-08-254

LAS VIRGENES MUNICIPAL WATER DISTRICT
4232 Las Virgenes Road
Calabasas, California

AGENDA
REGULAR MEETING

CLOSING TIME FOR AGENDA IS 8:30 A.M. ON THE TUESDAY PRECEDING THE REGULAR BOARD MEETING. GOVERNMENT CODE SECTION 54954.2 PROHIBITS BOARD TAKING ACTION ON ITEMS NOT ON POSTED AGENDA UNLESS AN EMERGENCY, AS DEFINED IN GOVERNMENT CODE SECTION 54956.5 EXISTS OR UNLESS OTHER REQUIREMENTS OF GOVERNMENT CODE SECTION 54954.2(B) ARE MET.

5:00 p.m.

APRIL 8, 2008

PLEDGE OF ALLEGIANCE

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order at ___ p.m. by ___ in the District offices, and the Secretary called the roll.

| <u>Board of Directors</u> | <u>Present</u> | <u>Left</u> | <u>Absent</u> |
|-----------------------------------|----------------|-------------|---------------|
| Joseph M. Bowman, President | _____ | _____ | _____ |
| Lee Renger, Vice President | _____ | _____ | _____ |
| Jeff Smith, Secretary | _____ | _____ | _____ |
| Charles Caspary, Treasurer | _____ | _____ | _____ |
| Glen Peterson, MWD Representative | _____ | _____ | _____ |

2. APPROVAL OF AGENDA

It was moved by Director _____, seconded by Director _____, and _____, that the agenda for the Regular Meeting of April 8, 2008, be approved as presented/amended.

3. PUBLIC FORUM

Members of the Public may address the Board on items that do not appear on the agenda; and on items within the jurisdiction of the Board, providing that no action shall be taken on any item not appearing on the agenda unless authorized by Subdivision (b) of Government Code Section 54954.2. The President of the Board may limit the time available for each subject and each speaker.

4. **ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS**

Legislative Update

5. **CONSENT CALENDAR**

- A Minutes: Regular Meeting of February 26, 2008. APPROVE
- B List of Demands – 04/08/08. APPROVE
- C Directors' Per Diem for March 2008. APPROVE
- D Los Angeles County Auditor Controller, Agreement for Billing of Direct Assessments: Increase the fee charged for direct assessments on the tax roll from \$0.20 to \$0.25 per parcel. APPROVE
- E Authorize Joseph Bowman's attendance at National Water Resources Association meetings for calendar year 2008. APPROVE
- F Claim submitted by Te'sha Johnson and Subrogation Claim submitted by State Farm Insurance. DENY
- G Award of Bid for Cla-Val Parts: Authorize the General Manager to issue a one-year contract with two one-year renewal options to Famcon Pipe & Supply, Inc. for the purchase and delivery of cla-val parts at 28% below cla-val's published list price. APPROVE

Moved by Director _____, seconded by Director _____, and _____, that Consent Calendar Items 5A-5G be approved and adopted as presented.

6. **TREASURER**

Miscellaneous Report from Treasurer

7. **FINANCE AND ADMINISTRATION**

Service Employees International Union, Local 721 – Recognition Agreement

Moved by Director _____, seconded by Director _____, and _____, that the Board authorize the General Manager to execute the recognition agreement between Service Employees International Union, Local 721 and Las Virgenes Municipal Water District.

8. **FACILITIES & OPERATIONS**

Call for Bids: Annual Weed Abatement at Various Facilities

Moved by Director _____, seconded by Director _____, and _____, that the Board authorize a Call for Bids for Annual Weed Abatement at Various Facilities.

9. **BOARD OF DIRECTORS**

Nomination of Candidate; LAFCO Representative

10. **NON-ACTION ITEMS**

- A Organization Reports
 - (1) MWD
 - (2) Other
- B Directors' Reports on Outside Meetings
- C Information Items
- D General Manager Reports

11. **FUTURE AGENDA ITEMS/DIRECTOR COMMENTS**

12. **PUBLIC FORUM**

Members of the Public may address the Board on items that appear on the agenda; and on items within the jurisdiction of the Board, providing that no action shall be taken on any item not appearing on the agenda unless authorized by Subdivision(b) of Government Code Section 54954.2. The President of the Board may limit the time available for each subject and each speaker.

13. **CLOSED SESSION**

Conference with District Counsel – Existing Litigation

- A Cooper, et al. v. Calabasas Park Estates, et al.
Smith, et al. v. Calabasas Park Estates, et al.
- B Mehta Construction Company v. LVMWD
- C Property Acquisition APN #'s 2063-008-008 and 2063-012-003

14. **OPEN SESSION AND ADJOURNMENT**

UPCOMING EVENTS

| | |
|------------------------|--------------------|
| CASA Spring Conference | April 23-26, 2008 |
| ACWA Spring Conference | May 6-9, 2008 |
| CASA Fall Conference | August 20-23, 2008 |
| ACWA Fall Conference | December 2-5, 2008 |

MINUTES
REGULAR MEETING OF THE
BOARD OF DIRECTORS
LAS VIRGENES MUNICIPAL WATER DISTRICT

February 26, 2008

1 The Board of Directors of Las Virgenes Municipal Water District met in Regular Meeting at 4232 Las Virgenes Road, in Calabasas, California, at 5:00 PM on Tuesday, February 26, 2008

President Bowman called the meeting to order at 5:00 PM

The Pledge of Allegiance to the Flag was given, led by President Bowman and Deputy Secretary Mundy called the roll.

Directors present: Directors Bowman, Caspary Peterson and Renger were present. Director Smith attended the meeting via teleconference.

The Chair declared a quorum present.

2 It was moved by Director Renger, seconded by Director Caspary and carried unanimously, by roll-call vote - Ayes: Directors Bowman, Caspary, Peterson, Renger and Smith, Noes: None, Abstain: None, Absent: None, that the agenda for the Regular Meeting of February 26, 2008 be approved as presented.

3 Public Forum – No speaker cards were received from the public.

4 Illustrative and/or Verbal Presentation Agenda Items - Legislative Update - Customer & Public Affairs Manager Reinhardt stated the District received letters from 11 agencies supporting appropriation of Water Resources Development Act funding; and provided an update pertaining to Federal and State legislation activities.

5 It was moved by Director Peterson, seconded by Director Renger and carried unanimously, by roll-call vote - Ayes: Directors Bowman, Caspary, Peterson, Renger and Smith, Noes: None, Abstain: None, Absent: None, that the Consent Calendar Items 5A-5G be approved as presented.

A Minutes: Regular Meetings of January 8 and January 22, 2008. APPROVE

B List of Demands – 02/26/08. APPROVE

C Investment Report for the Month of January 2008. APPROVE

D Call for Bids for the Supply and Delivery of Cla-Val Parts. APPROVE

E Approval of a Purchase Order by the General Manager to Emissions Compliant Controls Corporation in the amount of \$40,261.65 for repairs to filter water pump # 1 at the Westlake Filtration Facility. RATIFY

F Authorization of a purchase order by the General Manager to Vaughn's Industrial Repair Co., Inc. in the amount of \$41,437 for the overhaul of # 2 effluent pump and motor at the Tapia Water Reclamation Facility. RATIFY

G Eastern Recycled Water Pump Station Expansion, Spiess Construction Co., Inc. Change Orders 2 & 3 in the amount of \$16,434.00 and \$37,769.19 respectively. RATIFY

6 Miscellaneous Report from Treasurer – None.

5A

7 Rancho Las Virgenes Composting Facility Amendment Baghouses - It was moved by Director Peterson, seconded by Director Caspary, and carried unanimously, by roll-call vote - Ayes: Directors Bowman, Caspary, Peterson, Renger and Smith, Noes: None, Abstain: None, Absent: None, that the board, authorize the General Manager to issue a purchase order to MikroPul in the amount of \$45,420 with a 10% contingency for unanticipated items for the overhaul of the two amendment baghouses at RLV Composting Plant.

8 A Nomination of Candidate; LAFCO Representative – after a brief discussion the Board opted not to nominate anyone to serve as a representative.

B Board of Directors Compensation 2008 - President Bowman made a motion, that the compensation for Board members be decreased from \$206.78 to \$200.00 per day, the motion was seconded by Director Renger and carried unanimously, by roll-call vote - Ayes: Directors Bowman, Caspary, Peterson, Renger and Smith, Noes: None, Abstain: None, Absent: None. A Resolution will be presented at the March 11, 2008 board meeting to amend Article 4, Section 2-2.401(c) of the Las Virgenes Code.

9 A Organization Reports
(1) MWD – None.
(2) Other – None

B Directors' Reports on Outside meetings – Director Caspary discussed his attendance at the Santa Monica Bay Restoration Commission meeting of January 21, 2008. President Bowman and Director Renger discussed their attendance at the AWA meeting of January 21, 2008.

C Information Items - None

D General Manager Reports - General Manager Mundy informed the Board of a small digester spill (133 gallons) at Rancho Las Virgenes and that the Los Angeles County Health Department had deemed the spill to be of no health hazard. General Manager Mundy discussed the March 5th Water Run-Off Conference and that Director attendance would be ratified at the March 11, 2008 board meeting; and stated Triunfo Sanitation District on their board meeting agenda had an item to request Las Virgenes conduct a Budget Workshop in March, President Bowman asked that Triunfo be reminded during an earlier Joint Powers Authority meeting, Las Virgenes had committed to provide budget information during the April 7, 2008 meeting; and that Ethics Training is required every two years and is available at the ACWA Conference in May 2008.

10 Future Agenda items/Director Comments – President Bowman requested the Board be provided an information packet prior to the March 21, 2008 Action Plan/General Manager Review Workshop and to add Objective 6.3 to the Action Plan related to AB 32. Director Caspary stated he would route a copy of the Santa Monica Bay Restoration Commission annual report to the Board. Director Peterson inquired as to whether or not Liberty Canyon Homeowners Association had recycled water and staff responded that there is one recycled water meter that serves the common areas.

11 Public Forum – A speaker card was received from Melina Watts representing The Resource Conservation District of the Santa Monica Mountains. Ms. Watts provided the Board with a summary of events related to The Water Run-Off Conference on March 5, 2008, and extended an invitation for them to attend.

12 The meeting convened into Closed Session at 5:50 p.m.

Conference with District Counsel – Existing Litigation

A Cooper, et al. vs. Calabasas Park Estates, et al.
Smith, et al. vs. Calabasas Park Estates, et al.

B Mehta Construction Company v. LVMWD

13 The meeting reconvened into Open Session at 5:56 p.m. The Chair declared the meeting adjourned at 5:57 p.m.

JOSEPH M. BOWMAN, President
Board of Directors
Las Virgenes Municipal Water District

ATTEST:

JEFFERY A. SMITH, Secretary
Board of Directors
Las Virgenes Municipal Water District

(SEAL)



April 8, 2008 Board Meeting

TO: Board of Directors
FROM: Finance and Administration

**Subject Claim Submitted by Te'sha Johnson and
Subrogation Claim Submitted by State Farm Insurance**

SUMMARY

Te'sha Johnson of Canoga Park filed a claim for water damage to her townhouse caused by water coming in through the base boards. Ms. Johnson said that the city had been working on the street before the event.

Staff reviewed the claim and determined that the District has no water pipes near Ms. Johnson's townhouse. Ms. Johnson was notified of these findings and given a claim form for the City of Los Angeles. Ms. Johnson seemed satisfied with the explanation and will pursue her claim elsewhere.

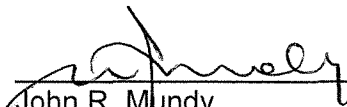
Ms. Johnson's insurance company, State Farm, also submitted a subrogation claim for what they have paid for the water damage. The insurance adjuster was notified of the District findings and given the contact information for the Los Angeles Department of Water and Power.

District Counsel recommends that both claims be denied rather than pulled.

RECOMMENDATION

- Deny the claim submitted by Te'sha Johnson of Canoga Park, and
- Deny the subrogation claim submitted by State Farm Insurance.

Sandra Schmidt, Director of Finance and Administration prepared this report.



John R. Mundy 4/2/08
General Manager Date

SF



April 8, 2008 Board Meeting

TO: Board of Directors
FROM: Finance and Administration

Subject: Award of Bid for Cla-Val Parts

SUMMARY

On February 26, 2008, the board of directors approved a call for bids for the purchase of cla-val parts for maintenance of hydraulic control valves used in pump stations, water tanks, and regulating valves for the operations department. Bids were received and publicly opened on Monday, March 17, 2008.

RECOMMENDATION

The Board of Directors authorize the General Manager to issue a one year contract with two one-year renewal options to Famcon Pipe & Supply, Inc. for the purchase and delivery of cla-val parts at 28% below cla-val's published list price.

DISCUSSION

Bid packages were sent to seven suppliers, five responses were received as follows:

Table with 4 columns: Supplier Name, 1st yr discount, 2nd yr discount, 3rd yr discount. Rows include Famcon Pipe & Supply Inc., Ferguson Enterprises, Bavco, Astra Industrial, and Western Water Works.

Although, both Famcon and Ferguson have the same average percentage discount over the three years period at 28%, Famcon has been our supplier for the last three years, and have provided a quality product and service. Staff feels it would be beneficial to the district to continue this service with Famcon for the supply of these highly specialized parts.

Famcon Pipe and Supply, Inc. is the apparent lowest responsible bidder for these parts. Staff has reviewed the required documentation and recommends that Famcon Pipe and Supply, Inc. be awarded this contract for the purchase and delivery of Cla-Val parts.

FISCAL IMPACT

Total annual cost to the district for these parts is estimated at \$85,000 - \$93,500. Funds for these parts are available in the current budget and will be proposed in future budgets.

Prepared by Carmen Ripley, Sr. Buyer

Sandra Schmidt signature and date 3-19-08, Director of Finance and Administration

John R. Mundy signature and date 3/19/08, General Manager

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April 8, 2008 Board Meeting

TO: Board of Directors
FROM: Finance and Administration

Subject: Service Employees International Union, Local 721 – Recognition Agreement

SUMMARY

Service Employees International Union Local 700 (SEIU) has been the recognized exclusive representative of two District bargaining units, General and Office Units. In June 2006 the International Executive Board of SEIU decided to charter four new public sector local unions and proposed that existing public sector locals be merged into new locals based on geographical relationships. In January 2007 the SEIU President issued charters to the newly elected local charters including Local 721.

In the spring of 2007, local 721 informed LVMWD that it was assuming the duties and responsibilities of Local 700 and that Local 700 no longer existed. The Union requested that the District recognize Local 721 as the exclusive representative of District represented employees. Instead the District, based on suggestions by employment law attorneys Liebert, Cassidy, Whitmore, requested the Union seek an amendment of certification in accordance with PERB regulations. While the Union never sought to file a petition with PERB to amend its certification or otherwise pursue its request for recognition with the District, in other jurisdictions in California, SEIU filed petitions with PERB and reached agreements with local agencies regarding recognition. Significantly, such agreements contain hold harmless and indemnity language, provisions not previously in the SEIU's request for recognition.

Based on these developments, Liebert, Cassidy, Whitmore advised the District to move to recognize Local 721 if the Union agreed to include a stronger hold harmless and indemnity clause. On February 27, 2008, the District informed Mr. Robert F. Hunt, legal counsel for SEIU Local 721, that the District would recommend to its Board of Directors that recognition of Local 721 be approved if it incorporated in the agreement the indemnity language as suggested.

On Friday March 21, 2008 the Union delivered the attached signed Agreement with the indemnity clause the District recommended.


RECOMMENDATION

- Authorize the General Manager to execute the recognition agreement between Service Employees International Union, Local 721 and Las Virgenes Municipal Water District.

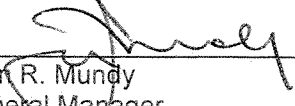
FINANCIAL IMPACT

None.

Hector Valdez, Human Resources Manager, prepared this report.

 4-2-08

Sandra Schmidt Date
Director of Finance and Administration

 4/2/08

John R. Mundy Date
General Manager



April 8, 2008 Board Meeting

TO: Board of Directors
FROM: Facilities and Operations

Subject: Call for Bids
Annual Weed Abatement at Various Facilities

Las Virgenes Municipal Water District (LVMWD) and Triunfo Sanitation District Joint Powers Authority have approved funding for this matter in the Joint Powers Authority Budget. This recommendation is before the LVMWD Board of Directors for action, as administering agent, as authorized under the Joint Powers Authority Agreement.

SUMMARY

Annually, the District must comply with the County of Los Angeles Weed Abatement Division notice to destroy weeds, remove brush, rubbish and refuse prior to fire season. The work is performed under contract for the District's largest sites, including Tapia Water Reclamation Facility, Rancho Las Virgenes Composting Facility, Westlake Filtration Plant and various potable and recycled water sites. The entire cost for weed abatement is expected to exceed \$25,000; however, the work will be bid as potentially 4 separate contracts to ensure both the lowest cost and the timely completion of the work.

Bid Schedule

| | |
|---------------|----------------|
| First Notice | April 14, 2008 |
| Second Notice | April 21, 2008 |
| Bid Opening | May 5, 2008 |
| Bid Award | May 13, 2008 |

RECOMMENDATIONS

- Authorize a Call for Bids for Annual Weed Abatement at various facilities.


FINANCIAL IMPACT

The Fiscal Year 07-08 budget provides funding in the operating budget for weed abatement at all facilities.

Carlos Reyes, Operations Manager, prepared this report.

 3/27/08

 David R. Lippman Date
 Director of Facilities and Operations

 3/27/08

 John R. Mundy Date
 General Manager