

AMENDED 10/22/2013



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

MINUTES
REGULAR MEETING

5:00 PM

August 27, 2013

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by Board President, Charles Caspary.

1. CALL TO ORDER AND ROLL CALL

A Call to order and roll call

The meeting was called to order at 5:03 p.m. by Board President, Charles Caspary in the District offices. Deputy Secretary, Kimmey Conklin call the roll. Those answering present were Directors Charles Caspary, Glen Peterson, Lee Renger, and Barry Steinhardt. Directors absent: Leonard Polan.

2. APPROVAL OF AGENDA

A Approval of agenda

On a motion by Director Lee Renger, seconded by Director Barry Steinhardt, the Board of Directors voted 4-0 -1 to Approve the agenda for the Regular Meeting of August 27, 2013, as presented.

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

ABSENT: Director(s) Polan

Director Leonard Polan arrived at 5:05 p.m.

3. PUBLIC COMMENTS

No speaker cards were received from the public.

4. ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS

A Conrad N. Hilton Foundation: Proclamation in Recognition of Conservation Efforts

Board President Caspary presented Patrick Modugno (Vice President, Administration and

AMENDED 10/22/2013

Chief Financial Officer) and Katherine Miller (Facilities and Office Services Manager) of the Conrad N. Hilton Foundation with a proclamation in recognition of their foundation's conservation efforts.

Mr. Modugno discussed the foundation's work and invited the Board of Directors and staff to tour their facilities.

B Ad Hoc Committee Report: Probability Analysis

Director Polan reported that he had attempted to contact Professor James Famiglietti, University of California Irvine regarding the probability analysis, has been unable to reach him, and knows this is important as we need to move forward with whether or not to build the tank. Director Renger stated there are going to be a lot of issues to quantify.

C Legislative and Regulatory Updates

General Manager, David Pedersen reported letters in support of increased water bond funding for recycled water projects had been issued on behalf of Las Virgenes Municipal Water District and Las Virgenes-Triunfo Joint Powers Authority; staff met with Regional Water Quality Control Board staff in regards to the Malibu Creek TMDL (their Executive Officer, Samuel Unger indicated he wanted to work with Las Virgenes' staff on the implementation, phased implementation if there is other data and that new findings only would be taken into consideration).

5. CONSENT CALENDAR

On a motion by Director Glen Peterson, seconded by Director Leonard Polan, the Board of Directors voted 5-0 to Approve Consent Calendar 5A-5B as presented in the recommendations.

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

A List of Demands: August 27, 2013. Approve

B Investment Report for the Month of July 2013. Approve

6. TREASURER

Board Treasurer Polan reported list of demands information was okay.

7. BOARD OF DIRECTORS

A Calabasas Road 10-inch Water Main Repair and Replacement: Continuation of Emergency Authorization

Approve continuation of the emergency authorization for the General Manager to replace approximately 1,500 feet of deteriorated 10-inch water main on Calabasas Road following informal bidding procedures in an amount not to exceed \$700,000.

General Manager Pedersen provided an update including: progress is going well, 900-feet of the 1500-feet have been slip-lined, services need to be re-established, work should be completed the first or second week of September, and the repairs are within budget.

On a motion by Director Barry Steinhardt, seconded by Director Leonard Polan, the Board of Directors voted 5-0 to Approve the recommendation as presented.

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

8. FACILITIES AND OPERATIONS

A 5633 Trancas Canyon Road: Detachment Request

AMENDED 10/22/2013

Approve in concept the detachment of 5633 Trancas Canyon Road from the Las Virgenes Municipal Water District's service area.

General Manager Pedersen provided an overview of the request for detachment concept, owner is looking for a more reliable water supply, five parcels within District service area, reorganization requires detachment process with LAFCO, detachment is in concept only until after such time as parcel(s) are annexed and LAFCO has approved.

One speaker card was received from the public: (1) Don Schmitz (President of Schmitz and Associates who was representing the property owner, Tom Techentin) gave a presentation entitled "Detachment from LVMWD into the Trancas Utility Improvements Assessment District No. 2013-1", and stated his clients own two small houses; water to both properties is currently provided by a well; Los Angeles County Fire Department is adamant about fire flows, which are not currently being met; not practical for LVMWD to serve; eighty plus lots are within the assessment district; his clients are cutoff from LVMWD; owners want to meet fire flow and have a reliable source of water; property neighbors State Park land and they frown upon going through their property with water lines; map in agenda is not accurate, looks like a Thomas Guide; California Coastal Commission issues; District 29, LVMWD, LAFCO all three say the best way to get water is to detach; City of Malibu says District 29 must provide service through assessment district.

General Manager Pedersen stated the recommendation in the agenda includes only two parcels, but since the approval is in concept only he would ask that all five parcels be included as part of the recommendation.

On a motion by Director Barry Steinhardt, seconded by Director Leonard Polan, the Board of Directors voted 5-0 to Approve the recommendation as amended to approve in concept the detachment of five parcels on Trancas Canyon Road from Las Virgenes Municipal Water District's service area (Parcel No. 173: APN 4469-046-008; Parcel No. 174: APN 4471-027-047; Parcel No. 175: APN 4471-027-048; Parcel No. 176: APN 4471-027-032; Parcel No. 177: APN 4471-027-020).

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

B 5-Million-Gallon Tank: Approval of Plans, Specifications and Pre-Qualification Packages for General Contractor and Blasting Subcontractor

Approve the plans, specifications and pre-qualification packages for General Contractor and Blasting Subcontractor for the 5-Million-Gallon Storage Tank Project.

General Manager Pedersen provided an overview of plans, specifications and pre-qualifications for a general contractor and blasting subcontractor for the 5-million-gallon tank; and stated the revised engineering estimate was \$8.5-million.

On a motion by Director Glen Peterson, seconded by Director Lee Renger, the Board of Directors voted 4-1 to Approve the recommendation as presented.

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

NOES: Director(s) Steinhardt

C Maintenance Agreement Renewal for Sewer Metering Stations

Authorize the General Manager to issue a purchase order to ADS Environmental Services for maintenance and reporting services for sewer metering stations in the amount of \$32,311.00

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

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

AMENDED 10/22/2013

D Twin Lakes Pump Station: Pump No. 1 Overhaul

Waive formal bidding requirements for the overhaul of Pump No. 1 at the Twin Lakes Pump Station, authorize the General Manager to issue a purchase order in the amount of \$33,109.39 to California Centrifugal Pump, Inc., and appropriate additional funds in the amount of \$15,525 to complete the work.

The Board of Directors had multiple questions regarding pump size, age of pump, life-cycle, cost of replacement pump versus repair of existing pump; Facilities and Operations staff were not present at the board meeting to respond to the questions therefore Board President Caspary requested the item if non-urgent be tabled and brought back to a future board meeting (General Manager Pedersen stated the pump overhaul was not urgent and would be brought back for consideration once questions could be answered and costs obtained).

"Twin Lakes Pump Station: Pump No. 1 Overhaul" was tabled and no further action was taken by the Board of Directors.

9. FINANCE AND ADMINISTRATION**A Request for Leave to File Late Claim**

Deny the request for leave to file a late claim submitted by Dorna McKee.

General Manager Pedersen provided an overview of the history of claims; claimant was notified 8-months ago of the need to present late claim, which was received after the deadline; incident occurred 3-years ago.

One speaker card was received from the public: (1) Dorna S. McKee who discussed the history of employee lawsuit; killing of dog; and trial date of August 14, 2014.

Board President Caspary requested "Request for Leave to File Late Claim" be heard in Closed Session.

The Board of Directors convened into Closed Session at 6:30 p.m. to consider "15. A: Conference with District Counsel - Existing Litigation (Government Code Section 54956.9(a)) 1. Dorna S. McKee v. Las Virgenes Municipal Water District".

The Board of Directors reconvened into Open Session at 6:56 p.m.

Legal Counsel Wayne Lemieux notified Ms. McKee that General Manager David Pedersen would be in contact with her in regards to Closed Session direction provided to him by the Board of Directors.

On a motion by Director Lee Renger, seconded by Director Glen Peterson, the Board of Directors voted 5-0 to Approve tabling of "9. A: Request for Leave to File Late Claim".

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

10. LEGAL SERVICES**A Reduction of Employer Paid Member Contributions for Manager, Supervisor, Professional and Confidential Employees Association**

Pass, approve and adopt the proposed Resolution No. 08-13-2445, reducing the amount of Employer Paid Member Contributions (EPMC) for the Manager/Supervisor, Professional and Confidential (M/SPC) Employees Association to zero.

AMENDED 10/22/2013

RESOLUTION NO. 08-13-2445: A RESOLUTION OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT AMENDING EMPLOYER PAID MEMBER CONTRIBUTIONS (EPMC) FOR EMPLOYEES OF THE MANAGER, SUPERVISOR, PROFESSIONAL AND CONFIDENTIAL EMPLOYEES ASSOCIATION

(Reference is hereby made to Resolution No. 08-13-2445 on file in the District's Resolution Book and by this reference the same is incorporated herein and made a part of hereof.)

On a motion by Director Leonard Polan, seconded by Director Charles Caspary, the Board of Directors voted 5-0 to Approve the recommendation as presented.

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

11. INFORMATION ITEMS

A 2014 ACWA/JPIA Medical Insurance Plan Premiums

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 and how will it affect rates; Agriculture Committee presentation by Mike Wade (California Farm Water Coalition); and Clayton Record IV passed away.

(2) None.

B Director's Reports on Outside Meetings

Director Steinhardt reported on his attendance at the August 8th, Southern California Water Workshop during which Congresswoman Grace Napolitano discussed outreach to elected officials in regards to water conservation; Eastern MWD (Municipal Water District) General Manager Paul Jones discussed recycling, water systems, desalination, brackish water; West Basin MWD General Manager Rich Nagel discussed recycling, use of ocean water, five different qualities of recycled water; San Diego County Water Authority Director of Water Resources Ken Weinberg discussed Metropolitan Water District usage at 50% or less by 2020, desalination; Los Angeles County Department of Public Works Assistant Director Mark Pestrella discussed groundwater; Orange County Water District General Manager Mike Markus discussed groundwater basins, aging water system, one-third of workforce to retire soon within the water industry.

Director Polan reported on his attendance at the August 22nd-23rd, CASA Conference during which there were discussions of being the utility of the future, will need branding and possible name change; wastewater industry is slow to develop; think outside of the box; don't settle for status quo; energy in waste-stream; turn cost center into revenue center; and Union Sanitary District requires Grade III certification within 2-years of employment; inquired as to whether Las Virgenes' Board has a policy in regards to encouraging ideas through bonuses (Board President Caspary responded "no"); State Water Resources Control Board, Board Chair Felicia Marcus discussed contacting her in regards to issues or problems related to regulations, encouraged rainwater capture; communications session presented by Las Virgenes' Public Affairs and Communications Manager Jeff Reinhardt during which social media and organizational (Boy Scouts/Girl Scouts, etc.) involvement was discussed; and

AMENDED 10/22/2013

stated everyone should go on the watershed tour.

Director Peterson also provided a report on his attendance at CASA during which re-branding of reclamation to resource recovery plant was discussed; excellent presentation by Jeff Reinhardt; and agency of the future topics, which Las Virgenes has done for 30-years.

Director Caspary reported on his attendance at the Santa Monica Bay Restoration Commission meeting of August 15th during which there were discussions of the Draft Bay Restoration Plan Update, Resource Manager, Dr. Randal Orton is discussing plan issues with their staff, Governing Board is in the process of issuing a red-line version for review; approved grant request from California State Parks for Arroyo Sequit Steelhead and Stream Restoration Project; review of Fiscal Year 2014 Work Plan; next meeting is October 17th; and event at Annenberg House honoring H. David Nahai, Fran Pavley and Mel Levine.

C General Manager Reports

- (1) General Business
- (2) Follow-Up Items

(1) General Manager Pedersen provided an update on general business of the District including: the deadline for submittals related to the Call for Suggestions ends at 5:00 p.m. on Friday, September 6th, judging panel formed except for Board Member; board room is now equipped with public wi-fi, which can be used without a password and there is a firewall between district/public computers; State Water Project tour is November 1-3, 2013; newsclips will be posted on the District web page; garden classes in progress; AWA Reagan Library event on September 26th; District booth at September 21st Malibu Canyon Dirt Dash, presented by The Salvation Army; and elected officials and city managers were invited to attend a watershed tour on September 28th.

(2) No report was given.

D Director's Comments

Director Renger discussed his attendance at a recent Las Virgenes Homeowners Association meeting during which there was a discussion of rodenticides and secondary effects on wildlife eating rodents (General Manager Pedersen stated other options were being looked at).

Director Polan inquired about rodents on the dam (General Manager Pedersen stated this was very important as rodents can damage the dam face and that staff would comeback with rodenticide information); deadline today in regards to toxic pollutants (General Manager Pedersen provided an overview of organism testing for effluent, chronic toxicity testing is expensive, staff is monitoring as this may effect the next permit, and stated staff would provide a report at the October 7th, JPA Board Meeting); Calleguas Municipal Water District intertie (General Manager Pedersen stated staff would be meeting with Calleguas again in early September).

13. FUTURE AGENDA ITEMS

None.

14. PUBLIC COMMENTS

No speaker cards were received from the public.

AMENDED 10/22/2013

Board President Caspary discussed having two public comment periods (items not appearing on the agenda) and stated public comments on agenda items were also accepted.

The meeting convened into break at 7:34 p.m.

15. CLOSED SESSION

The meeting reconvened into Closed Session at 7:37 p.m.

A Conference with District Counsel – Existing Litigation (Government Code Section 54956.9(a)):

1. Dorna S. McKee v. Las Virgenes Municipal Water District
2. Las Virgenes Municipal Water District v. Millgee Investment Company, Inc.

B Conference with District Counsel - Potential Litigation (Government Code Section 54956.9): One Case

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

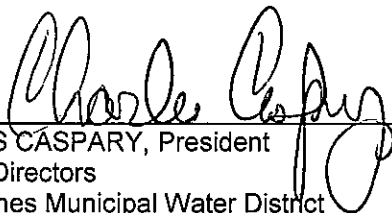
C Conference with District Counsel – Existing Litigation:

1. Heal the Bay, Inc. v. Lisa P. Jackson

16. OPEN SESSION AND ADJOURNMENT

The meeting convened into Open Session at 7:39 p.m. No reportable actions were taken during Closed Session.

The Chair declared the meeting adjourned at 7:40 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)