



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

MINUTES
REGULAR MEETING

5:00 PM

October 8, 2013

PLEDGE OF ALLEGIANCE

At the request of Board President, Charles Caspary, the Pledge of Allegiance to the Flag was led by Director, Leonard Polan.

1. CALL TO ORDER AND ROLL CALL

A Call to order and roll call

The meeting was called to order at 5:06 p.m. by Board President Caspary in the District offices. Deputy Secretary, Kimmey Conklin called the roll. Those answering present were Directors Charles Caspary, Glen Peterson, Leonard Polan, Lee Renger, and Barry Steinhardt.

2. APPROVAL OF AGENDA

A Approval of agenda.

Board President Caspary requested "10.A: 2014 Metropolitan Water District Solar Cup Participation" be heard after "3. Public Comments"; and Legal Counsel, Wayne Lemieux stated no report would be provided on Closed Session "15.A: Conference with District Counsel - Existing Litigation (Government Code Section 54956.9(a)): 1. Las Virgenes - Triunfo Joint Powers Authority v. United States Environmental Protection Agency; and 2. Heal the Bay, Inc. v. Lisa P. Jackson".

On a motion by Director Lee Renger, seconded by Director Barry Steinhardt, the Board of Directors voted 5-0 to Approve the agenda for the Regular Meeting of October 8, 2013, as amended.

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

3. PUBLIC COMMENTS

No speaker cards were received from the public.

At this point in the board meeting consideration of "10.A: 2014 Metropolitan Water District Solar Cup Participation" was heard.

4. ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS

A Call for Suggestions: Results of Judging Process

General Manager, David Pedersen discussed the Call for Suggestions process including: advertising, judging, panel review and recognition; on July 29th the advertisement and rules were posted to the District's website; five member judging panel included the General Manager, Director Renger, Community Member Neil Maithel who is a student at Calabasas High School and active in local government, Ramiro Adeva, P.E. an engineer with City of Agoura Hills, and David Byrum, P.E. an engineer with Civiltec Engineering; Clerk of the Board Conklin received all submittals and redacted all identifying factors such as names, email and residential addresses; panel received redacted submittals and a scoring matrix totaling 100-points; ten submittals were received; submittals numbered # 1 and # 3 were not scored as the judging panel determined they were comments versus alternative ideas; the top two submittals were from Tony Galterio, P.E. of WHPacific who submitted an idea for an AWWA D115 tank and Martin Jansen who submitted an idea for an interconnection with Calleguas Municipal Water District, although this is not a new idea as the Board had previously directed staff to pursue the interconnection and a recycled interconnection already exists; originally there was supposed to be top three, but after the top two, scores dropped off significantly; the top two were both invited to tonight's board meeting and as neither person is in attendance their proclamation in recognition of placing in the top two will be mailed to them; the judging panel was also invited to tonight's board meeting to receive a certificate of recognition for their participation in the judging panel and in attendance is Ramiro Adeva.

General Manager Pedersen presented a certificate of recognition to Mr. Adeva who stated it was a privilege to serve on the panel.

Director Renger stated there was a letter in The Acorn two weeks ago implying the tank decision had already been made, and after serving on the ad hoc committee and judging panel he is convinced the tank is the right option.

Director Polan was interested in hearing the difference between a D110 and D115 tank (both will work, both are comparable in cost; D110 is used most often in California; D115 is used most often in other states and overseas; D110 is prestressed, advantage is very accurate when strand is wound around tank and strand is wrapped around the outside of concrete; D115 is post-tensioned, so pressure is unknown until the end of the process; both can be designed to seismic specifications; D110 is earthquake successful in the field, D115 not so much as earthquakes are not likely to happen in the locations where this type of tank is typically installed; California standard is D110); cost is comparable, but submittal says cost is less (there was a study done, which compared D110 and D115 and the cost was found to be comparable); regional costs may be less in California due to experience with D110 (D110 has to be circular, D115 can vary in shape, circular is better due to seismic reliability and water circulation); how thick is shotcrete on tanks; shotcrete doesn't expand and contract, terrific study, believes in Calleguas inertia (Calleguas' term sheet is worked out along with language including "if water is available"; study brings up whether tank is needed or not).

Director Caspary inquired of Director Polan as to whether he believed the Calleguas inertia alleviated the need for the tank to which Director Polan responded "yes"; Director Peterson stated fires normally start in Ventura County and spread into Los Angeles County.

Director Caspary inquired as to whether each of the ten people submitting alternative ideas

had been thanked or not to which General Manager Pedersen stated "no, but that is a good idea", and each person will be thanked.

Director Polan discussed salt intrusion in the Oxnard Plain, which causes concerns in regards to recycled water aquifers, Director Caspary stated Calleguas is not on the Oxnard Plain, but they have a brine line.

B Legislative and Regulatory Updates

No report was given.

5. CONSENT CALENDAR

A List of Demands: October 8, 2013. Approve

B Directors' Per Diem: September 2013. Ratify

C Greater Los Angeles Water Summit Approve

Authorize Board Member attendance and per diem compensation for the Greater Los Angeles Water Summit to be held in Long Beach on October 16 and 17, 2013.

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

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

6. TREASURER

Treasurer, Leonard Polan stated the checks look good.

7. BOARD OF DIRECTORS

A Calabaras 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 Calabaras Road following informal bidding procedures in an amount not to exceed \$700,000.

General Manager Pedersen provided an update including: project is complete; final acceptance is scheduled for October 22nd; total cost was approximately \$525,000, which is within the Board approved not to exceed amount of \$700,000; emergency declaration needs to continue until the final payment and release of retention is made.

On a motion by Director Glen Peterson, 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 Ordinance Amending Penalties for Violation of Pretreatment Standards

Waive the full reading of the proposed Ordinance, Amending Ordinance No. 11-86-161 (Las Virgenes Code) As It Relates To Violation of Pretreatment Standards, and order publication within 30 days of adoption using a summary of the Ordinance.

The Board of Directors by a roll call vote of Ayes: Noes: Abstain: Absent that the proposed Ordinance, Amending Ordinance No. 11-86-161 (Las Virgenes Code) As It Relates To

Violation of Pretreatment Standards be given first reading by title only.

General Manager Pedersen discussed the change to penalties, which requires adoption of the proposed Ordinance.

Director Polan inquired as to how many locations are subject to pretreatment and why isn't this a Joint Powers Authority (JPA) item (there are two locations Rantec and Nanofilm; Legal Counsel Lemieux stated the JPA does not have Ordinance enforcement and regulators want fines set by Ordinance, Las Virgenes as Administering Agent sets penalties/fines within their Code).

Director Polan asked staff to report back on what Nanofilm does and if there are any provisions for testing the wastewater stream for nanoparticles.

*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 Charles Caspary, seconded by Director Lee Renger, the Board of Directors voted 5-0 to Approve by roll call vote conducted by Deputy Secretary Conklin of Ayes: 5; Noes: 0; Abstain: 0; Absent: 0, the recommendation as presented in paragraph two. Legal Counsel Lemieux gave the first reading of the proposed Ordinance as it relates to violation of pretreatment standards by title only.
AYES: Director(s) Caspary , Peterson , Polan , Renger , Steinhardt*

9. FINANCE AND ADMINISTRATION

A Claim by Bradly Cohn

Deny the claim from Bradly Cohn.

*On a motion by Director Lee Renger, seconded by Director Barry Steinhardt, the Board of Directors voted 5-0 to Approve the recommendation as presented.
AYES: Director(s) Caspary , Peterson , Polan , Renger , Steinhardt*

B Fiscal Year 2014-15 Proposed Sanitation Rate for Consolidated Sewer Maintenance District, Topanga Tax Zone

Approve a billing rate of \$54.50 per Equivalent Residential Unit per month for the Consolidated Sewer Maintenance District, Topanga Tax Zone, effective July 1, 2014.

Director Caspary inquired as to what happens to sewage from the trailer park at the top of Topanga and where does the sewage go (General Manager Pedersen stated he was not sure, but staff would determine how the homes in and around Navajo Lane receive sewer service as they do not appear to be part of the Consolidated Sewer Maintenance District, and will report back to the Board).

Director Peterson inquired as to whether the increase is subject to Prop 218 (General Manager Pedersen stated when legal counsel was asked they said no as the county will go through the Prop 218 process).

*On a motion by Director Lee Renger, 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*

10. RESOURCE CONSERVATION AND PUBLIC OUTREACH

A 2014 Metropolitan Water District Solar Cup Participation

Approve a sponsorship in the amount of \$4,000 for a team from Calabasas High School to participate in the 2014 Metropolitan Water District Solar Cup.

General Manager Pedersen discussed City of Calabasas High School's interest in participating in the Solar Cup along with Camp David Gonzales.

A summary of Board comments included: why is Calabasas High School being sponsored at \$4,000 and Camp David Gonzales at \$2,500 (funding for the first year of participation is higher as Camp David Gonzales already has some of the materials for constructing of the Solar Cup boat); is there sufficient money in the budget to sponsor Calabasas High School (money was budgeted in Fiscal Year 2013-14 for education programs, and if money is not sufficient at year-end, funds would be available from other accounts within the Resource Conservation and Public Outreach department that had not been depleted); looks forward to Solar Cup; math and science is important to curriculum and the Solar Cup promotes both; why doesn't Agoura Hills High School participate (they haven't expressed an interest); Public Service Announcement from this years' Solar Cup was outstanding.

*On a motion by Director Glen Peterson, 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*

B Update on Water Conservation Program Incentives

No action is required at this time.

Director of Resource Conservation and Public Outreach, Carlos Reyes gave a presentation entitled "Update on Water Conservation Program Incentives", which discusses 20% x 2020 strategies for compliance; effectiveness of allocation based rates; water budgets implementation plan; strategies for compliance; potential recycled water conversions; mow no mow program recap including rebate increase, participation and results, economics, payback period from the customer's perspective, a photograph of a lawn removal project; Metropolitan Water District program changes including a public agency landscape program, targeted fitness center incentive program, turf removal program, new device incentives, and conservation incentives for recycled water users.

A summary of Board comments included: rain barrels are expensive; disagrees as barrel water is great in yards and requires active participation on behalf of the customer; not fond of mow no mow; two board members stated their preference for native landscaping; is there any data available on larger properties like in Hidden Hills, can distribution system be modified for recycled water (staff is looking at how difficult it would be to attach smaller users and the Master Plan looks at larger users).

Director Caspary asked staff to report back with more information regarding the post-installation water usage of the 14 customers who participated in the Mow-No-Mow Program to help understand why there is so much variation; and to follow up with customers on their post-installation water usage six and twelve months after project completion.

No action was requested by staff, or taken by the Board of Directors.

11. INFORMATION ITEMS

A Claim by William and Ilyse Saranow

B Dorna S. McKee v. Las Virgenes Municipal Water District: Acceptance of Settlement

**C Las Virgenes Municipal Water District v. Millgee Investment Company, Inc.:
Acceptance of Settlement**

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: Chair Foley attended today's board meeting; new Directors Russell Lefevre, City of Torrance and Don Dear, West Basin Municipal Water District were introduced; General Manager, General Counsel and General Auditor compensation was discussed, a two-step cost of living adjustment was approved for a total increase of 5.7%; Upper Basin Salinity Program, previously a salt disbursement construction project at Paradox Valley in Colorado wherein the land was opened up is believed to have caused an earthquake; Moab Tailings Project on the banks of the Colorado River.

(2) Director Peterson reported on his attendance at the Water Education Foundation annual event in New Mexico during which Minute 319: United States and Mexico relations over the Colorado River were discussed.

Director Steinhardt reported on his attendance at an ACWA Region 8 meeting during which there were discussions of the ACWA Fall Conference, speakers will include Felicia Marcus, Board Member-State Water Resources Control Board; General Manager David Pedersen; and Legal Counsel Wayne Lemieux; budget gap of \$165,000, dues increase of 2% and greater use of reserves, dues will be looked at; water bond proposals; and ACWA nominations - slate elected.

Directors Polan, Renger, Peterson and Caspary reported on their attendance at the September 26th, AWA Reagan Library event during which California Secretary for Natural Resources, John Laird spoke in regards to water and environmental issues facing the state. Director Caspary requested a copy of Secretary Laird's speech be posted to the District's website.

B Director's Reports on Outside Meetings

Director Steinhardt reported on his attendance at the October 3rd San Gabriel Valley Water Forum, area has the largest superfund; Felicia Marcus was main speaker; Bay Delta Conservation Plan; growth of reuse sites, ozone, removal of contaminants of emerging concern; and Erin Brockovich spoke on people getting together to take care of land.

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: a piece of pipe and a flange from the Calabasas Road 10-inch water main repair project was available in the board room if Directors were interested in viewing them; Greater Los Angeles Water Summit organized by Urban Water Institute was being held in Long Beach on October 16th-17th; on October 3rd he had a meet and greet with Ruskin Hartley, Chief

Executive Officer of Heal the Bay; is continuing to work with City of Westlake Village on mitigation measures, which will go to the Board and City Council, City of Westlake Village will provide an overview of mitigation items with the City Council; October 18th there will be a ground breaking event for the Solar Project at Rancho, attendees will include Senator Fran Pavley, Assemblyman Richard Bloom, Senior Field Deputy Susan Nissman, Supervisor Linda Parks and during the event one solar panel will be installed; retirement of Sandra Hicks, so there will be an internal and external recruitment done for the position of Director of Finance and Administration; contractor staging at Mureau, work delayed due to potential cost saving ideas.

(2) General Manager Pedersen discussed follow-up item # 2 in regards to verification that change in wastewater billing methodology using winter-time water demands is revenue neutral, and reported that based on the first six months of 2013, \$19,600, which is less than 1/4 of 1% therefore basically revenue neutral.

D Director's Comments

None.

13. FUTURE AGENDA ITEMS

Director Steinhardt requested a future agenda item be added to discuss Las Virgenes hosting a joint local area water forum with Calleguas.

14. PUBLIC COMMENTS

No speaker cards were received from the public.

Legal Counsel Lemieux stated no report would be provided on Closed Session: "15.A: Conference with District Counsel - Existing Litigation (Government Code Section 54956.9(a)): 3. Weber v. Las Virgenes Municipal Water District".

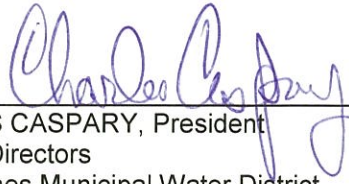
15. CLOSED SESSION

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

1. Las Virgenes - Triunfo Joint Powers Authority v. United States Environmental Protection Agency
2. Heal the Bay, Inc. v. Lisa P. Jackson
3. Weber v. Las Virgenes Municipal Water District

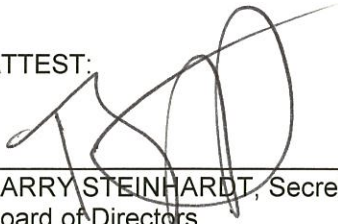
16. OPEN SESSION AND ADJOURNMENT

The Chair declared the meeting adjourned at 7:18 p.m.; and at the request of Director Peterson the meeting was adjourned in memory of Charlie Cook.



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

ATTEST:



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

(SEAL)