



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

MINUTES  
CORRECTED  
REGULAR MEETING

5:00 PM

April 8, 2014

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 **5:00 p.m.** by Board President Caspary in the District offices. Joanne Bodenhamer, Acting Clerk of the Board conducted the roll call.

Present: Directors, Polan, Renger, Steinhardt, Peterson and Board President Caspary.

Absent: None

Staff Present: David Pedersen, General Manager  
Joanne Bodenhamer, Acting Clerk of the Board  
David Lippman, Director of Facilities and Operations  
Carol Palma, Manager of Resource Conservation and Public Outreach  
Don Patterson, Director of Finance and Administration  
Wayne K. Lemieux, District Counsel

Board President Caspary stated that due to the crowd and the solar cup presentation that he would like to change the order of the agenda as published and make item 5A, the Solar Cup presentation the first item on the agenda; followed by public comments, and the consent calendar etc.

General Manager Pedersen stated that he would like to request that Item 8 B be removed from the agenda due to discussions with the developer that are on-going and occurred after the agenda was published.

**5 A Solar Cup Presentation**

General Manager Pedersen made brief comments related to the presentation and asked Deborah Low,

Public Affairs Associate to introduce the two teams. Ms. Low introduced the two teams; Camp David Gonzalez and Calabasas High School; and stated that this is one of the events that the District sponsors for the spring.

## 2. APPROVAL OF AGENDA

### A Approval of agenda

Director Polan moved to approve the agenda as modified. Seconded by Director Renger and carried unanimously.

## 3. PUBLIC COMMENTS

Following the Solar Cup presentation, the Board moved on to the public comments section of the agenda.

Pam Fair of SEIU local 721 in Ventura addressed the Board regarding the employees they represent; the good work that the employees do for the community and that they have been a welcomed presence in the community until the issues with Three Springs developed, which was a decision by the Board not the employees. She further commented that residents in this area are quite unhappy with the project moving forward and that a handful of residents are getting angrier and angrier by the day and are taking their frustrations out on the men and women who have nothing to do with the Board's decision; that these employees are simply trying to complete their assigned duties for the District. She stated that the District as a government body has a duty to keep these employees safe and free from harassment.

She articulated for the Board the harassing situations that these employees have been subjected to from some residents of the Three Springs neighborhood and provided details relative to how employees have been verbally abused; stated that facilities have been tampered with; and that intimidating threats have been made to District employees to the extent that the Sheriff's had to be notified; she stated that the situation is escalating and urged the Board to take action before the situation gets worse.

Following Ms. Fair's statement, there were comments and questions from the Board with Director Steinhardt stating that he does not appreciate being singled out and that such area is not his area; he commented that he has friends throughout the District and that he knows a lot of people in many parts of the District and inquired as to why he was being singled out.

Ms. Fair stated that she made mention of his name because he has been quite vocal in his opposition to the project and people have been ramped up and now the employees are asking for him to help ramp them down.

Director Steinhardt stated that he does not nor will he advocate for any type of violence against anyone and that he will not condone nor tolerate any harassment against any District employee.

## 4. CONSENT CALENDAR

A List of Demands: April 8, 2014. Approve

B Minutes: Regular Meeting of February 11, 2014. Approve

C Director's Per Diem: March 2014. Ratify

General Manager Pedersen requested that item 4C be pulled from the consent calendar to allow for discussion.

#### 4. C Director's Per Diem: March 2014. Ratify

General Manager Pedersen stated that he had requested this item be pulled from the consent calendar to allow the Board to address a question with respect to the Board's policy and past practice for per diem compensation for Directors as to what is referred to as travel days. Mr. Pedersen indicated that clarification is needed relative to whether or not a travel day in qualifies in accordance with District policy and the Administrative Code for per diem compensation.

Director Polan stated that he prefers to travel the day before especially if the meeting is in Sacramento in order to be ready for the next day as opposed to traveling the morning of the actual event; he stated that he advocates that the Board allows payment/reimbursement for travel days.

Board President Caspary stated that if there is a valid reason it makes sense to do that; that there have to be some qualifiers so that everybody knows what the specific rules are;

Director Peterson commented that he currently attends meetings at 10:00 a.m. on the ACWA State Legislative Committee and that it is not an issue.

Board President Caspary stated that staff is to bring changes predicated on the provisions of the LV code, and that this could be better spelled out

Director Renger stated that he will be traveling to the CASA Conference in Monterey in May and that he has a committee meeting at 10:00 a.m. and that he plans to drive the night before; that however, he will not be seeking a per diem, that the hotel for the night before provided by the District is sufficient.

Board President Caspary sought clarification from District Counsel about what the code says about travel days with Mr. Lemieux stating that the code does not mention travel other than for expense reimbursement purposes; that the question is whether travel can be considered service rendered at the request of the Board and that is something that the Board needs to decide; that if the Board desires staff to bring back a policy statement as an amendment to the administrative code that can be done; an amendment to the code is not on the agenda this evening.

Director Steinhardt commented that this has been a policy of the Board and management since he joined the Board; that he had sat down with staff to be instructed on how to fill out the per diem, expense reports etc., and he was told what to do; that this is the first time this has come up; that if he has to take off from work he loses money.

After a lengthy discussion on the subject, Board President Caspary asked for a motion. Director Steinhardt moved to approve all ten days as presented. Motion seconded by Director Polan and carried by the following roll call vote:

AYES: Director(s): Polan, Steinhardt, and Board President Caspary  
NOES: Director(s): Peterson  
ABSTAIN: Director(s): Renger

Direction was provided to General Manager Pedersen to bring back a revised policy statement for the Board's consideration.

#### 5. ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS

##### B Award Presentation by Ventura County APWA for Project of the Year, Emergency Repair Category: Calabasas Road Pipeline Replacement Project

General Manager Pedersen commented that the District was fortunate to receive an award on a project for which many employees worked hard; and that Ms. Julia Aranda, the Vice President of the American Public Works Association (APWA) Ventura County Chapter was there to present the award.

Ms. Aranda made brief comments related to the work that was done and commented about the efficient and timely response of District staff.

**C Legislative and Regulatory Updates**

General Manager Pedersen stated he had no substantial updates.

**6. TREASURER**

Treasurer Polan stated that he had nothing to report.

**7. BOARD OF DIRECTORS**

**A ACWA Polling for 2014 Water Bond: Request for Contribution**

**Approve a \$5,000 contribution to ACWA for the collection of polling data to determine the level of support for a modified 2014 Water Bond.**

General Manager Pedersen made brief comments on this item related to Mr. Tim Quinn's earlier briefing relative to the Water Bond.

Director Peterson moved to approve the recommendation. Motion seconded by Director Renger and carried unanimously.

AYES: Director(s): Polan, Renger, Steinhardt, Peterson and Board President Caspary  
NOES: Director(s): None  
ABSTAIN: Director(s): None

**8. FACILITIES AND OPERATIONS**

**A 24563 Piuma Road (APN 4453-025-003): Approval of Proposed Water Main Extension Concept**

**Approve the water main extension concept for 24563 Piuma Road (APN 4453-025-003) and authorize the General Manager to execute a water main extension agreement with the property owner in a form approved by the District's Legal Counsel.**

General Manager Pedersen indicated that this item deals with the conceptual proposal to extend an existing water main that terminates near Piuma Road and Casa Del Sol Way to serve a new home being constructed.

David Lippman, Director of Facilities and Operations explained for the Board what the proposal entailed.

There were some comments and questions from the Board related to the issues associated with the easement, costs, limited service agreement and the length of the extension.

The record reflects Board's approval of staff's recommendation by unanimous consent.

**B Tract No. 46799-02: Quitclaim of Surplus Easement**

**Declare the blanket easement for Tract No. 46799-02, Los Angeles County Recorder's Document No. 01-1954455, surplus and authorize the General Manager to quitclaim the easement.**

Item 8 B was removed from the agenda at the request of General Manager Pedersen.

## 9. FINANCE AND ADMINISTRATION

### A Regulatory Maintenance and Replacement Program: Contract for Purchase and Delivery of Cla-Val Parts and Products.

Authorize the General Manager to execute a month-to-month contract with Famcon Pipe & Supply, Inc., through June 30, 2014 for an amount not-to-exceed \$100,000, for the purchase and delivery of Cla-Val parts and products.

General Manager Pedersen explained that this is a three-year regular replacement program; that it is due to the District experiencing a number of regulator failures; that its purpose is to replace those regulators that are over 10 years old and most likely to fail; that there are a total of 1,580 regulators that require maintenance or replacement and that these will be replaced over a three-year span.

There were some brief comments from the Board.

Director Steinhardt moved to approve staff's recommendation. Motion seconded by Director Polan. Motion carried unanimously.

### B Ford Meter Box Parts and Fittings: Award of Bid

Accept the bid from Famcon Pipe and Supply, Inc., and authorize the General Manager to execute a one-year contract in the amount of \$49,373.53, with three one-year renewal options, for the supply of Ford Meter Box parts and fittings.

General Manager Pedersen presented the staff report and answered questions from the Board relative to the bid process.

Director Steinhardt moved to accept staff's recommendation. Motion seconded by Board President Caspary and carried unanimously.

## 10. RESOURCE CONSERVATION AND PUBLIC OUTREACH

### A Water Based Water Rates: Approval of Proposals for Consulting Services and Aerial Imagery, and Update on Automated Meter Reading Implementation Project.

Approve the proposal from Tom Asch & Associates and authorize the General Manager to execute a professional services agreement to provide advisory consulting services in an amount not-to-exceed \$37,500 for transitioning to budget-based water rates; and approve the proposal from Eagle Aerial Imaging and authorize the General Manager to execute a professional services agreement for an amount not-to exceed \$49,220, plus applicable sales tax, to provide aerial imagery and irrigated area data for District-served parcels.

Mr. Pedersen, General Manager stated that item 10A and B are interrelated; however, they will be discussed separately; commented that Tom Ash will continue assisting on this issue by providing consulting services in terms of transitioning to budget-based water rates in accordance with the timeline established by the Board on March 25; spoke about the proposal from Eagle Aerial and update on the AMR/AMI effort that the District is working on.

Carlos Reyes, Director of Resource Conservation and Public Outreach presented the staff report and spoke about the following: that this item is seeking approval for the General Manager to be authorized to engage in two consulting service agreements; that on the Automated Meter Reading (AMR) implementation project, no action is required tonight.

Mr. Reyes explained in detail item 10B stating that this item deals with the financial rate study to support and compliment the District's transition to budget-based water rates.

Following Mr. Reyes presentation, there was an extensive discussion with comments and questions from the Board.

Director Peterson moved to accept staff's recommendation. Motion seconded by Board President Caspary and carried unanimously.

**B Financial Analysis and Rate Study: Approval of RFP**

General Manager Pedersen presented the staff report along with Don Patterson, Director of Finance and Administration. Mr. Patterson highlighted for the Board some of the key components of the study, among these: sanitation rates; potable rates; water rates and recycled water rates as well as other miscellaneous fees that have not been reviewed for a long time such as deposit fees, late fees; those types of fees that are occasional.

Following Mr. Patterson's presentation, there were some comments and questions from the Board related to: hook-up fees; objectives; monthly readings; conservation efforts; estimates on how many people could be expected to violate the norms and use that as part of the information to set the rate structure and other related topics.

Director Renger moved to approve staff's recommendation. Motion seconded by Director Peterson and carried unanimously.

**11. INFORMATION ITEMS**

**A Backbone Improvement Program 5-Million-Gallon Tank Project: Questions about Blasting and Dam Safety**

Board President Caspary stated that for the record; that there are letters from the Division of Safety and Dams etc.

There were no questions from the Board.

**12. NON-ACTION ITEMS**

**A Organization Reports**

**(1) MWD**

**a. Representative Report/Agenda (s)**

Director Peterson reported on MWD having two new directors; spoke about being appointed as Delegate to the Colorado River Board; the bi-annual budget hearing; and that the rate increases are to be kept to a minimum.

**(2) Other**

**B Director's Reports on Outside Meetings**

Director Steinhardt reported on having attended the ACWA Board meeting where he came in as the replacement for Chair for the meeting; reported on the Executive Committee and that there is a new hire who is Sean Randall who is replacing Marsha Wolfe. Also, reported on a discussion related to a problem with PERS that ACWA is involved with.

**C General Manager Reports**

**(1) General Business**

General Manager Pedersen reported on the Calabasas pipeline and stated that it is now completed; reported on the New Executive Assistant/Clerk of the Board who will be starting on April 14; and thanked Joanne Bodenhamer for her stepping in as temporary Clerk of the Board and having done an excellent job. Mr. Pedersen also spoke about some of the items on the calendar that are coming up.

**(2) Follow-up Items**

**D Director's Comments**

Board President Caspary thanked staff for the event on Thursday night that was well executed.

**13. FUTURE AGENDA ITEMS**

None

**14. PUBLIC COMMENTS**

Director Polan made comments related to rodenticides stating that this impacts the food chain with the predators dying; and that he would like to have an agenda item on the topic with staff to bring back other recommendations. Director Polan moved to have this on the next agenda. Director Steinhardt seconded.

**15. CLOSED SESSION**

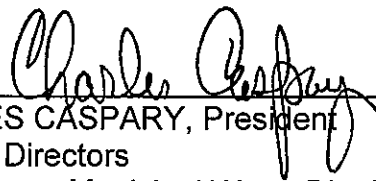
District Counsel Lemieux indicated that there was no need for closed session.

**A. Conference with District Counsel- Existing Litigation pursuant to 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. San Diego County Water Authority v. Metropolitan Water District of Southern California, et al.

**16. OPEN SESSION AND ADJOURNMENT**

Seeing no further business to come before the Board, the meeting was duly adjourned at 7:55 p.m.

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

ATTEST:

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

(SEAL)