



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

MINUTES
REGULAR MEETING

5:00 PM

November 11, 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 5:01p.m., by Board President Caspary in the District offices. Daryl Betancur, 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

Daryl Betancur, Clerk of the Board

David R. Lippman, Director of Facilities and Operations

Carlos Reyes, Director of Resource Conservation and Public Outreach

Don Patterson, Director of Finance and Administration

Keith Lemieux, District Counsel

2. APPROVAL OF AGENDA

A Approval of agenda

General Manager Pedersen indicated that there was no need for the closed session item listed.

Director Renger moved to approve the agenda with the deletion of the closed session item(s). Motion seconded by Director Polan. Motion carried unanimously.

3. PUBLIC COMMENTS

Pamm Fair, Representative for the Office and General Units of local 721 spoke advocating for employees to have Veterans Day as a holiday.

Director Steinhardt moved to have on the agenda that staff looks into having Veteran's Day off next year. Motion seconded by Director Polan.

Board President Caspary commented that he wanted to remind Board members that the District was currently in labor negotiations and this could be a point of discussion.

4. CONSENT CALENDAR

Board President Caspary stated that he wished to pull item D from the Consent Calendar for a separate discussion.

Director Renger moved to approve the consent calendar items 4A, B C and E. Motion seconded by Director Steinhardt. Motion carried unanimously.

Director Polan had a question about the minutes of October 14, 2014 and stated that there was a typo on page 3.

Director Steinhardt offered a substitute motion to pull item D and E from the Consent Calendar. Motion seconded by Director Polan. Motion carried unanimously.

Following the vote on the substitute motion, the original motion was amended to approve consent calendar items 4A-4C. Motion carried unanimously.

A Minutes of Regular Meetings of October 14, 2014 and October 28, 2014. Approved

B Director's Per Diem: October 2014 Ratified

C List of Demands: November 11, 2014 Approved

D Agoura Hills State of the City Address Approved (Pulled)

Authorize Board Member per diem compensation for the Agoura Hills State of the City Address held at the Sheraton Agoura Hills Hotel on October 29, 2014.

Board President Caspary made brief comments about the purpose for this item and stated that these types of items will not be eligible for per diem in accordance with the District Code; however, the item was within the authority of the Board to approve.

There was a brief discussion on the item and Board members commented that this item is something that should not be allowed as a per diem; that a number of other local cities have similar events; and that it serves no function the attendance at these events. Director Steinhardt commented that these events have been paid for as a per diem for the last few years.

Director Renger moved to deny per diem compensation for the Agoura Hills State of the City event as a qualified per diem. Motion seconded by Director Peterson. Motion carried by the following roll call vote:

Motion carried by the following roll call vote:

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

Board President Caspary asked staff that when reviewing policy as part of the Administrative Code review that this be clarified.

E Invitation for Director-Elect Jay Lewitt to Attend Events Approve (Pulled)

Invite Director-Elect Jay Lewitt to attend the AWA Waterwise Breakfast Meeting on November 20, 2014, and ACWA 2014 Fall Conference in San Diego from December 2 through December 5, 2014; and authorize expense reimbursement for the events in accordance with District Policy.

Director Renger commented that it is a good idea for the Board to help new directors get up to speed on matters pertinent to the Board affairs.

Director Steinhardt commented that he agreed that new directors should attend these types of events, though he questioned as to why the new Board-elect was not present.

Director Peterson offered motion to approve the recommendation. Motion seconded by Director Renger. Motion carried by the following roll call vote:

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

5. ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS

A Legislative and Regulatory Updates

General Manager Pedersen updated the Board on the passage of Proposition 1, the State Water Bond Issue by 61.7%.

6. TREASURER

Director Polan commented that he had reviewed the demands with staff and found everything in order.

7. FINANCE AND ADMINISTRATION

A Proposed Change of Dental Insurance Provider

Authorize the General Manager to execute a two-year agreement with MetLife Insurance Company, at an annual cost of \$155,290, to provide dental insurance coverage.

Sherri Paniagua, Human Resources Manager and Sherri Scarda representative from Poms and Associates presented the staff report highlighting the changes from one provider to another, speaking of the benefits and answering questions from the Board relative to service levels and customer service.

Director Steinhardt moved to approve as presented. Motion seconded by Director Polan. Motion carried unanimously.

B Resolution of Intent for Continuation of Potable Water Standby Charge

Pass, approve and adopt the proposed Resolution No. 2462 of Intent for continuing the standby Charge pursuant to Municipal Water District Law of 1911; order notification for those properties that changed ownership since the last Standby Charge assessment; order publication of a Notice of Public Hearing in a newspaper of general circulation once a week for a two-week period; and set a public hearing on the matter for 5:00 p.m. on January 13, 2105.

(Reference is hereby made to Resolution No. 2462 on file in the District's Resolution Book and by this reference the same is incorporated herein and made part of hereof.)

General Manager Pedersen stated that this is the first step in the process that the Board takes each year in order to continue the standby charge and that this was a charge imposed by the District since 1995 and authorized in the Water Code of 1911; explained the purpose of the charge and what it is used for; and answered Board's question. Director Renger suggested that this information be also posted to the District's website.

Director Peterson requested that staff make mention of the standby charge deferral program as part of one of its publications to be sure customers are aware of it.

Director Peterson moved to pass, approve and adopt the proposed Resolution of Intent for continuing the standby charge. Motion seconded by Director Renger. Motion carried unanimously.

C Claim from Calabasas Country Club: Knight-Calabasas, LLC

Authorize the General Manager to settle the claim from Knight-Calabasas LLC, in the amount of \$12,776.47, for repairs of damages cause by rupture of the District's water main at the Calabasas Country Club on August 21, 2014.

General Manager Pedersen presented the staff report. Mr. Pedersen answered questions from the Board relative to the incident and what it had taken place.

Director Renger moved to authorize the General Manager to settle the claim. Motion seconded by Board President Caspary. Motion carried unanimously.

D Wonderware SCADA Software: Support Renewal

Authorize the General Manager to issue a purchase order to Wonderware West, in the amount of \$31,736.46, for the Wonderware Customer FIRST Support Renewal- Standard Level.

Director Polan moved to authorize the General Manager to issue a purchase order to Wonderware West in the amount of \$31,736.46. Motion seconded by Director Renger. Motion carried unanimously.

8. LEGAL SERVICES

A Update of Las Virgenes Municipal Water District Code: Review Session No. 5

General Manager Pedersen stated that staff is making good progress and that this review is for the sanitation portion of the Code; commented that this item was on the agenda only to seek Board members comments relative to the subject matter in question for the Board to provide direction to staff.

Mr. Pedersen highlighted some of the major changes in terms of the language and wording; commented that the purpose of this revision was to also make this portion of the system consistent with the two previous code sections, which dealt with potable and recycled water.

There were a number of questions from the Board relative to the assessment for the sewer district, who maintains the sewer lines, definition of the term "maintenance district", the relationship of this district with the Topanga Tax Zone, several grammatical errors that need to be corrected, and irrevocable letter of credit as an option.

Direction was provided to staff to make the necessary adjustments and corrections as noted in the comments from the Board.

9. NON-ACTION ITEMS

A Organization Reports

(1) MWD

Director Peterson reported that MWD did not have a meeting due to Veteran's Day; commented on the MWD General Manager giving a talk at the LA Times regarding infrastructure and attending the NWRA in San Diego.

(2) Other

None

B Director's Reports on Outside Meetings

None

C General Manager Reports

(1) General Business

Updated the Board on the Calabasas tank rehabilitation; stated that the exterior blast cleaning had been completed; that staff is preparing to take the tank off-line; spoke about the potable water system tour for which Director Renger was the host and it was well-attended.

(2) Follow-Up Items

None

D Director's Comments

Directors Polan commented that one of his constituent participated in the water tour and found it to be useful and terrific; spoke about having attended the ACWA Regions 8, 9, and 10 conference in San Diego and found it to be beneficial; commented on the minutes of October 14 when a member of the public stated that conservation efforts alone will not solve the water shortage problems.

Director Renger stated that Director Renger asked that staff consider three issues: 1) placement of large signs for sprayfields to indicate the purpose/need and fact that it was recycled water; 2) process selection of color for 5 MG tank and possibility of using camouflage pattern or painting trees in it; and 3) providing a tour of the solar facility.

Board President Caspary asked staff to look at State Water Resources Control Board reports on water consumption on its website as he noted that water usage data was posted (R-GPCD) and sewer spill information; he expressed concern that there may be inaccurate data.

10. FUTURE AGENDA ITEMS

None

11. PUBLIC COMMENTS

There were no other public comments.

12. CLOSED SESSION

No closed session was held.

A Conference with District Counsel- Anticipated Litigation (Pursuant to Government Code Section 54956.9 (b))

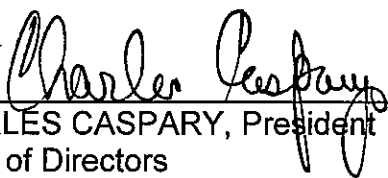
Number of Potential Cases: 1

B Conference with District Counsel. Existing Litigation. Pursuant to Government Code Section 54956.9 (a)

1. San Diego County Water Authority v. Metropolitan Water District of Southern California, et al.
2. Las Virgenes- Triunfo Joint Powers Authority v. United States Environmental Protection Agency and Heal the Bay, Inc. v. Lisa P. Jackson.

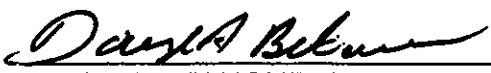
13. OPEN SESSION AND ADJOURNMENT

Seeing no further business to come before the Board, the meeting was duly adjourned at **6:00 p.m.**



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

ATTEST:



DARYL BETANCUR, Deputy Secretary
Board of Directors
Las Virgenes Municipal Water District

(SEAL)