



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

**MINUTES  
REGULAR MEETING**

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5:00 PM

August 25, 2015

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance to the flag was led by Deborah Peters, Public Affairs Associate.

**1. CALL TO ORDER AND ROLL CALL**

The meeting was called to order at **5:00 p.m.** by Board President Peterson in the Board Room at Las Virgenes Municipal Water District headquarters at 4232 Las Virgenes Road, Calabasas CA 91302. Josie Guzman, Clerk of the Board, conducted the roll call.

Present: Directors Lewitt, Peterson, Polan, and Renger

Absent: Director Caspary (arrived at 5:02 p.m.)

Staff Present: David Pedersen, General Manager

Josie Guzman, Clerk of the Board

David 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**

General Manager David Pedersen stated there were no changes to the agenda.

Director Renger moved to approve the Agenda as presented. Motion seconded by Director Polan. Motion carried by the following vote:

AYES: Lewitt, Peterson, Polan, Renger  
NOES: None  
ABSENT: Caspary

3. **PUBLIC COMMENTS**

None.

4. **CONSENT CALENDAR**

- A List of Demands: August 25, 2015 Approve
- B Minutes: Special Meetings of March 23, June 3, and August 13, 2015; Regular Meeting of August 11, 2015 Approve
- C Investment Report for the Month of July 2015 Receive and file
- D Annual Supply and Delivery of Sodium Hypochlorite: Rejection of Bids and Authorization of New Request for Bids

Reject all bids and authorize a new request bids with revised specifications for the annual supply and delivery of sodium hypochlorite; and authorize the General Manager to approve an amendment to the Purchase Order with JCI Jones Chemical, Inc., in an amount not to exceed \$75,000, to allow for on-going supply and delivery of sodium hypochlorite during the bidding process.

- E Board of Directors' Code of Conduct: Approval

Approve, pass, and adopt Resolution No. 2470, establishing the Board of Director's Code of Conduct.

**RESOLUTION NO. 2470**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT AMENDING RESOLUTION NO. 2468 (LAS VIRGENES CODE) AS IT RELATES TO THE BOARD OF DIRECTORS' CODE OF CONDUCT**

Director Lewitt moved to approve the Consent Calendar as presented. Motion seconded by Director Renger. Motion carried by the following vote:

AYES: Lewitt, Peterson, Polan, Renger  
NOES: None  
ABSENT: Caspary

Director Caspary arrived at 5:02 p.m.

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

**A Las Virgenes Unified School District: Approval and Presentation of Check for 4/5 Science Team Water-related Curriculum**

Approve a check to Las Virgenes Unified School District, in the amount of \$107,000, to fund the water-related curriculum taught by the 4/5 Science Team during the 2015-16 school year.

General Manager David Pedersen provided introductory remarks.

Public Affairs Associate Tiffany Wright provided a PowerPoint presentation.

Director Polan suggested the school district consider using humor and contemporary music for the water-related curriculum.

Director Renger moved to approve Item 5A as presented. Motion seconded by Director Lewitt. Motion carried unanimously.

The Board presented a check in the amount of \$107,000 to representatives from the Las Virgenes Unified School District.

Jill Gaines, Las Virgenes Unified School District Board Member, thanked the LVMWD Board of Directors for their support.

**B Legislative and Regulatory Updates**

General Manager David Pedersen reported that the State Legislature had reconvened the previous week. He noted that ACWA had sent an alert regarding a proposed bill for a public goods charge for water. He stated that ACWA opposes this proposed bill, and ACWA recommends that its members oppose it as well. After a brief discussion, it was the consensus of the Board that the General Manager send letters to the local legislators in opposition to this proposed bill, and schedule a meeting with Senator Fran Pavley to discuss the proposal in more detail.

**C Water Supply Conditions and Drought Responses**

General Manager David Pedersen stated that although El Niño conditions are expected, it was unknown whether there would be sufficient snowpack in Northern California to alleviate current drought conditions. Director of Facilities and Operations David Lippman spoke regarding preparations for El Niño events.

**D Proposed Renovation of Building No. 1: Status Report**

Director of Facilities and Operations David Lippman provided an oral report of alternatives for renovation of Building No. 1 in order to bring the building up to current standards and attract medical center tenants.

Eric Rohlfing, representing ENRdesign Architecture, provided a PowerPoint presentation of the proposed design concept.

Mr. Lippman outlined the next steps, including the permitting process through the City of Calabasas, seeking future approval from the Board to call for bids and approve a contract to begin renovation, and having Westcord Commercial Real Estate Services develop marketing materials while the building is under renovation.

A discussion ensued regarding landscaping, marketing efforts, renovation timeline, and return on investment analysis.

Linda Lo-Hill noted there was a new commercial development at the end of Las Virgenes Road and Thousand Oaks Boulevard, which would be targeted to medical tenants. She suggested the Board consider leasing Building No. 1 to non-medical tenants. She also stated there was concern with traffic congestion on Las Virgenes Road. Board President Peterson noted that the building was previously leased to a medical billing company.

## **6. TREASURER**

Director Lewitt stated that the Treasurer's report was in order.

## **7. BOARD OF DIRECTORS**

### **A Regular Board Meeting on September 22, 2015**

**Consider rescheduling the regular Board meeting on September 22, 2015, and if approved, cancel the meeting and reschedule it for an alternate date.**

Director Caspary moved to cancel the regular Board meeting on September 22, 2015, and call a special Board meeting on September 21, 2015. Motion seconded by Director Renger. Motion carried unanimously.

### **B ACWA Region 8 Board Election Ballot**

**Determine whether to vote for the Nominating Committee's Recommended Slate or individual Board Candidate nominations; if voting for individual candidates, select candidates for Chair, Vice Chair and Board Members (maximum of five); and authorize the General Manager to execute and return the completed ballot to ACWA no later than September 30, 2015.**

Director Caspary moved to vote for the Nominating Committee's recommended slate, and authorize the General Manager to execute and return the completed ballot to ACWA no later than September 30, 2015. Motion seconded by Director Renger. Motion carried by the following vote:

AYES: Caspary, Lewitt, Peterson, Renger  
NOES: None  
ABSTAIN: Polan

**C ACWA Committee Appointment Nominations for 2016-2017 Term**

**Select candidates for ACWA committee appointment or re-appointment.**

Director Polan moved to approve Item 7C as follows: Board President Peterson reappointed to the State Legislative Committee; Director Renger reappointed to the Water Quality Committee; Director Polan appointed to the Water Management Committee; Director Lewitt appointed to the Federal Affairs Committee; Director of Facilities and Operations David Lippman reappointed to the Energy Committee; and Public Affairs and Communications Manager Jeff Reinhardt reappointed to the Communications Committee. Motion seconded by Director Caspary. Motion carried unanimously.

**8. FACILITIES AND OPERATIONS**

**A Palo Comado Canyon Road Potable Water Main Relocation Project**

Find that the proposed water main relocation is exempt from the California Environmental Quality Act and authorize the General Manager to file a Notice of Exemption; approve a budget and appropriation of \$150,000 for relocation of the water main; approve a Call for Bids for the work upon completion of design; and authorize the General Manager to award a construction contract to the lowest responsible bidder, provided the bid amount is within the approved appropriation, for the Palo Comado Canyon Road Potable Water Main Relocation Project

General Manager David Pedersen presented the report and responded to questions posed by the Board.

Director Caspary moved to approve Item 8A as presented. Motion seconded by Director Polan. Motion carried unanimously.

**9. FINANCE AND ADMINISTRATION**

**A General Liability and Property Insurance: Renewal**

Approve the general liability and property insurance proposal from Tolman & Wiker Insurance Services, LLC, in the aggregate amount of \$713,889.20, for the term of October 1, 2015 through October 1, 2016, and authorize the General Manager to execute the related contracts and forms.

General Manager David Pedersen provided introductory remarks.

Jeff Dodds, Insurance Broker representing Tolman & Wiker Insurance Services, LLC, reviewed the proposal summary for renewal of the District's general liability and property insurance policies.

The Board discussed reducing the earthquake coverage deductible from 15 percent to 10 percent.

Director Polan moved to approve Item 9A as amended with the reduction of the earthquake deductible to 10 percent, and approve the increase to the insurance premium by \$18,935.00 for the cost to reduce the earthquake deductible, for a total of \$732,824.20. Motion seconded by Director Caspary. Motion carried unanimously.

#### **B Proposed Potable Water, Recycled Water, and Sanitation Rates: Public Hearing**

**Set the time and place of a public hearing on proposed potable water, recycled water and sanitation rates for October 26, 2015, at 6:00 p.m. at Las Virgenes Municipal Water District Headquarters, 4232 Las Virgenes Road, Calabasas.**

Director Lewitt moved to approve Item 9B as presented. Motion seconded by Director Caspary. Motion carried unanimously.

### **10. NON-ACTION ITEMS**

#### **A Organization Reports**

- (1) MWD Representative Report/Agenda(s)

Board President Peterson reported that the MWD Board completed the performance reviews for three of the Board's direct reports; however, they did not set salaries due to the need for additional data. He noted that the MWD Board was going through negotiations with all of the unions. He also reported that the MWD Board discussed bills by Senators Dianne Feinstein and Barbara Boxer, and the MWD Board decided to set policy principles rather than support an individual bill. He noted that one of the principles set was that the State Water Project not be placed at risk by any bill.

- (2) Other

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

Director Caspary noted that the Santa Monica Bay Restoration Commission Governing Board meeting was canceled.

Director Renger reported he attended the California Association of Sanitation Agencies (CASA) Conference in San Diego. He summarized a presentation on Net Zero Energy Management.

Director Lewitt reported he also attended the CASA Conference. He commented regarding the session dealing with recycled water and the drought documentary entitled *Eyes on the Sky*. He also reported he attended the City of Agoura Hills Water Conservation Summit and Conservation Expo, and he commended General Manager David Pedersen on his presentation at this event.

Director Polan reported he attended the CASA Conference, the City of Agoura Hills Water Conservation Summit and Conservation Expo, and a meeting of The Westlakers. He noted that several attendees at the CASA Conference suggested that the *Eyes on the Sky* documentary be posted on water districts' websites. He also commented on the presentation regarding public/private partnerships, and noted a conference would be held on October 28, 2015 at Stanford University regarding the benefits of performance-based infrastructure.

## **C General Manager Reports**

### **(1) General Business**

General Manager David Pedersen reported that the recycled water fill station opened on August 22, 2015, at the Rancho Las Virgenes Compositing Facility. He noted that 15 customers have been trained, including JPA Director Orkney, and four customers picked up approximately 400 gallons of free recycled water. Staff responded to questions posed by the Board regarding training for picking up recycled water.

Mr. Pedersen also reported that staff was working on completing the Proposition 218 notice for the proposed rate changes to potable water, recycled water, and sanitation service rates, and the draft notice would be provided to the Board prior to mailing. He noted that community meetings have been scheduled for September 30, 2015, from 6:30 p.m. to 8:30 p.m., at the City of Agoura Hills Event Center, and on October 7, 2015, from 6:30 p.m. to 8:30 p.m., at the Agoura Hills-Calabasas Community Center.

Mr. Pedersen also noted that the City of Agoura Hills State of the City Luncheon would be held on October 28, 2015, and the Board should contact Clerk of the Board Josie Guzman if they are interested in attending.

### **(2) Follow-Up Items**

General Manager David Pedersen noted that staff would be bringing back information regarding the condition and health of the Russell Valley Basin.

## **D Director's Comments**

Director Polan expressed his concern regarding comments made by a Fox News reporter regarding the potential for bacterial growth due to the release of shade balls in Reservoir No. 2.

**11. FUTURE AGENDA ITEMS**

None.

**12. PUBLIC COMMENTS**

None.

Director Caspary departed from the meeting at 6:38 p.m.

**13. CLOSED SESSION**

**A Conference with District Counsel – Potential Litigation (Government Code Section 54956.9):**

City of Los Angeles (Los Angeles Department of Water and Power) v. Metropolitan Water District of Southern California

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

Las Virgenes - Triunfo Joint Powers Authority v. United States Environmental Protection Agency and Heal the Bay, Inc. v. Lisa P. Jackson

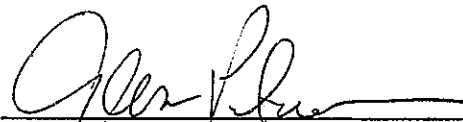
The Board recessed to Closed Session at 6:38 p.m. and reconvened into Open Session at 6:49 p.m.

**14. OPEN SESSION AND ADJOURNMENT**

District Counsel Keith Lemieux reported the Board discussed and received a report on the City of Los Angeles (Los Angeles Department of Water and Power) v. Metropolitan Water District of Southern California, and no action was taken. He also reported that discussion on Closed Session Item 13B was tabled.

Seeing no further business to come before the Board, the meeting was duly adjourned in memory of Jacqueline Marley at 6:50 p.m.





GLEN PETERSON, President  
Board of Directors  
Las Virgenes Municipal Water District

ATTEST:



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

(SEAL)