



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

MINUTES
REGULAR MEETING

5:00 PM

August 11, 2015

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the flag was led by Josie Guzman, Clerk of the Board.

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order at **5:00 p.m.** by 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 Caspary, Lewitt, Peterson, Polan, and Renger

Absent: None

Staff Present: David Pedersen, General Manager
Josie Guzman, Clerk of the Board
Larry Miller, Water System/Facilities Manager
Carlos Reyes, Director of Resource Conservation and Public Outreach
Don Patterson, Director of Finance and Administration
Wayne Lemieux, District Counsel

2. APPROVAL OF AGENDA

General Manager David Pedersen noted that Item 12B was not needed, and he requested this item be removed from the agenda.

Director Caspary moved to approve the Agenda as amended. Motion seconded by Director Renger. Motion carried unanimously.

3. **PUBLIC COMMENTS**

None.

4. **CONSENT CALENDAR**

A List of Demands: August 11, 2015

B Minutes: Regular Meeting of July 28, 2015

C Directors' Per Diem: July 2015

D Investment Report for the Month of June 2015

E Appointment of Deputy Secretary: Josie Guzman

Appoint Josie Guzman, Executive Assistant/Clerk of the Board, as Deputy Secretary.

F Tapia Water Reclamation Facility Channel Mixing Improvements: Approval of Change Order No. 2

Authorize the General Manager to approve change Order No. 2, adding 55 calendar days to the contract duration for the Tapia Water Reclamation Facility Channel Mixing Improvements Project.

Director Caspary moved to approve the Consent Calendar as presented. Motion seconded by Director Renger. Motion carried unanimously

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

A Legislative and Regulatory Updates

General Manager David Pedersen noted that the State Legislature was out on summer recess and would reconvene on August 17th. He also noted the Governor was reviewing and signing bills during the recess, and most of the bills being tracked by District staff were still pending. He stated there were no major regulatory updates to report.

B Water Supply Conditions and Drought Responses

Hal Helsley, Calabasas resident, spoke in support of budget based water rates and monthly billing, although he prefers bimonthly billing. He expressed concern with the District planning for long-term impacts due to a growing population. He also expressed concern with mature trees dying due to lack of irrigation, and he suggested the installation of drip irrigation systems. He also suggested the Board consider including wastewater customers in the rate structure redesign. He commended the Board on the

District's use of recycled water, compost, and water saving devices. He responded to questions posed by the Board regarding trees surviving wildfires when they are irrigated, and his comments regarding installation of drip systems and water consumption by larger sized families.

General Manager David Pedersen reported the District recorded a 37 percent reduction in water usage in July 2015 compared to July 2013. He noted that the compliance period began on June 1st; therefore, the actual cumulative reduction was approximately 35.2 percent. He also noted that hundreds of written warnings had been sent but very few monetary citations were issued to customers for violation of water use restrictions.

6. TREASURER

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

7. BOARD OF DIRECTORS

A Board of Directors' Code of Conduct: Review and Comment

Review and comment on the draft Board of Directors' Code of Conduct.

The Board briefly discussed this item.

Director Renger moved to approve Item 7A as presented. Motion seconded by Director Lewitt. Motion carried unanimously.

8. LEGAL SERVICES

A Updated Las Virgenes Municipal Water District Code: Adoption

Pass, approve, and adopt Resolution No. 2468, adopting the updated Las Virgenes Municipal Water District Code

RESOLUTION NO. 2468

A RESOLUTION OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT ADOPTING THE LAS VIRGENES MUNICIPAL WATER DISTRICT CODE AND REPEALING RESOLUTION NO. 7-90-2046

Hal Helsley commended staff on their efforts in preparing the revised code.

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

B Long-Term Water Use Efficiency: Establishment of Administrative Penalties for Unsustainable Potable Water Use

Approve, pass, and adopt Resolution No. 2469, finding that unsustainable water is a violation of the District's rules and regulations and subject to escalating administrative penalties.

Hal Helsley expressed his support of this item, and suggested the Board consider replacing the word "unsustainable" with "wasteful."

A discussion ensued regarding Mr. Helsley's suggestion; encouraging water sustainability at all times; the fact that Proposition 218 does not apply to establishing fines; the due process for homeowners to request adjustments to their water budgets; and the fact that the penalties would not be in effect until after the budget based rates are adopted.

Director Renger moved to approve item 8B as amended by replacing the word "unsustainable" with "wasteful." Motion seconded by Director Caspary. Motion carried unanimously.

RESOLUTION NO. 2469

A RESOLUTION OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT AMENDING RESOLUTION NO. 2468 (LAS VIRGENES CODE) AS IT RELATES TO ESTABLISHING MONETARY PENALITIES FOR WASTEFUL WATER USE

9. NON-ACTION ITEMS

A Organization Reports

- (1) MWD Representative Report

Board President Peterson reported the MWD had not met that day. He spoke regarding the three million gallons of spilled mine waste in the Animas River in Colorado. He noted that MWD held an event earlier in the day at Randy's Donuts where they unveiled a billboard promoting water conservation.

- (2) Other

B Director's Reports on Outside Meetings

Director Renger reported he attended the City of Calabasas' public workshop regarding Las Virgenes Creek Restoration Project Phase 2. Director Caspary reported he also attended this workshop, and noted he submitted a written comment regarding the long-term plan for maintaining the creek on his own behalf. Director Polan reported he also attended this workshop, and noted that the three Directors in attendance did not discuss any District-related business.

C General Manager Reports

(1) General Business

General Manager David Pedersen noted that the Southern California Water Committee would be hosting a water use efficiency workshop on August 12th and that he would be participating on a panel to discuss outdoor water use efficiency, the District's Mow No Mow Program, use of compost, and measures taken to reduce water usage. He mentioned the Board would hold a Special Board Meeting on August 13 at 9:00 a.m., for a workshop on budget based rates and recycled water rates. He also mentioned a news release was issued announcing the opening of the JPA recycled water fill station beginning on August 22nd.

(2) Follow-Up Items

D Director's Comments

Director Polan inquired regarding amount of water currently being put into the creek for flow augmentation. Water Reclamation Manager Brett Dingman responded that the flow was approximately 460 gallons per minute, trimming the creek flow to 2.7 cubic feet per second (cfs).

Director Polan expressed concern with trees dying in the parkway due to lack of irrigation. General Manager David Pedersen noted that some cities are being innovative by taking compost to make tree wells and watering with the use of a water truck.

Director Caspary stated that flow augmentation to the creek has a dollar cost, which is being paid by the ratepayers. He suggested acknowledging their efforts by issuing a news release indicating the value of the water released for flow augmentation.

10. FUTURE AGENDA ITEMS

Board President Peterson requested including an item on the JPA agenda to consider the Board of Directors' Code of Conduct.

11. PUBLIC COMMENTS

Hal Helsley expressed concern with the City of Calabasas' landscaping projects on Las Virgenes Road and Mulholland Highway. He suggested that District staff meet with staff from the Cities of Calabasas, Westlake Village, and Agoura Hills, and the County to discuss planting drought tolerant plants, use of recycled water, and use of a swale instead of a mound; he also encouraged the District to include an informational flyer with its monthly bills. He also expressed concern with the installation of median islands by the middle school and the city boundary, and suggested that recycled water lines be installed to extend recycled water service before the roads are completed and paved. Board President Peterson noted that the District is currently designing a recycled water line extension to the Woodland Hills Country Club. He asked General Manager David Pedersen to speak with the Calabasas City Manager regarding this project.

Director Polan noted that the Cities of Westlake Village and Agoura Hills are using Measure R funds to install bio-swales, and they are only watering heritage trees in the urban forest.

12. CLOSED SESSION

A Conference with Labor Negotiator (Government Code Section 54957.6):

Agency Designated Representative: David W. Pedersen, General Manager; Donald Patterson, Director of Finance and Administration; Sherri Paniagua, Human Resources Manager; and Peter Brown, Liebert Cassidy Whitmore

Employee Organization(s): Las Virgenes Manager, Supervisor, Professional and Confidential Employees Association

B Conference with District Counsel – Existing Litigation (Government Code Section 54956.9(a)): (Removed from the agenda)

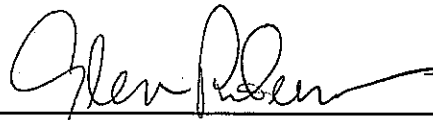
Las Virgenes - Triunfo Joint Powers Authority v. United States Environmental Protection Agency and Heal the Bay, Inc. v. Lisa P. Jackson

The Board recessed to closed session at **5:55 p.m.** and reconvened to open session at **6:12 p.m.**

13. OPEN SESSION AND ADJOURNMENT

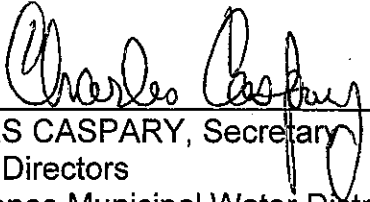
District Counsel Wayne Lemieux reported that the Board provided direction regarding labor negotiations during the closed session.

Seeing no further business to come before the Board, the meeting was duly adjourned at **6:13 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)