



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

MINUTES
SPECIAL MEETING

5:00 PM

September 29, 2015

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by Donald Patterson.

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 Caspary, Lewitt, Renger, and Peterson
Absent: Director Polan (arrived at **5:01 p.m.**)
Staff Present: David Pedersen, General Manager
Josie Guzman, Clerk of the Board
Carlos Reyes, Director of Resource Conservation and Public Outreach
Donald Patterson, Director of Finance and Administration
John Zhao, Principal Engineer
Wayne Lemieux, District Counsel

2. APPROVAL OF AGENDA

There were no changes to the agenda.

3. PUBLIC COMMENTS

None.

Director Polan arrived at 5:01 p.m.

4. **CONSENT CALENDAR**

- A List of Demands: September 29, 2015 Ratify
- B Minutes: Regular Meetings of June 9 and September 8, 2015 Approve
- C Investment Report for the Month of August 2015 Approve
- D Emergency Drought Response: Approval to Continue Inspection Services Approve

Authorize the General Manager to increase the amount of the contract with Dial Security for continuation of water use restriction inspections by \$25,000, from \$26,950 to \$51,950.

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 reported that the State Legislature was not in session; the Governor was in the process of reviewing several bills; and there was no update to provide.

B Water Supply Conditions and Drought Responses

General Manager David Pedersen reported that the District's water conservation efforts in September were expected to reflect a 34 to 35 percent reduction. Board President Peterson inquired whether the data submitted to the State Water Board included the potable water supplement to the recycled water system and flow augmentation to the creek. Mr. Pedersen responded he was not certain; however, he stated this information could be included to highlight all of the activities the District is conducting in order to meet its water conservation target. Director Lewitt noted that the month of September was unseasonably hot, and he suggested informing the State Water Board of the current average temperatures compared to temperatures in 2013.

6. **TREASURER**

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

7. **BOARD OF DIRECTORS**

- A ACWA Vice President for 2016-17 Term: Resolution of Support for Brent Haste

Pass, approve and adopt Resolution No. 2471, supporting Brent Hasteley for the position of ACWA Vice President.

RESOLUTION NO. 2471

A RESOLUTION OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT TO NOMINATE AND SUPPORT BRENT HASTEY AS A CANDIDATE FOR THE POSITION OF ACWA VICE PRESIDENT

(Reference is hereby made to Resolution No. 2471 on file in the District's Resolution Book and by this reference the same is incorporated herein.)

Board President Peterson presented the report and spoke in support of nominating Brent Hasteley as a candidate for the position of ACWA Vice President.

Director Caspary moved to approve Item 7A as presented. Motion seconded by Director Polan. Motion carried unanimously.

8. FACILITIES AND OPERATIONS

A Backbone Improvements Program 5-Million-Gallon Tank: Final Acceptance

Approve execution of a Notice of Completion by the Secretary of the Board and have the same recorded and, in the absence of claims from subcontractors and others, release the retention in the amount of \$537,574.86 30-calendar days after filing the Notice of Completion for the Backbone Improvements Program 5-Million-Gallon Tank Project.

General Manager David Pedersen presented the report. He noted the project came in five percent under budget. He also summarized Change Order No. 6, which was approved under his authority.

Director Renger moved to approve Item 8A as presented. Motion seconded by Director Caspary. Motion carried by the following vote:

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

B Backbone Improvements Program Westlake Filtration Plant Expansion and Pump Station Upgrade Project: Call for Bids

Authorize a Call for Bids for the Westlake Filtration Plant Expansion and Westlake Pump Station Upgrade Project.

General Manager David Pedersen presented the report.

Director Caspary moved to approve Item 8B as presented. Motion seconded by Director Lewitt.

Principal Engineer John Zhao responded to questions posed by the Board regarding keeping staff from City of Westlake Village informed of the project schedule and scope of work; the cost for redoing the plumbing according to the State Division of Drinking Water requirements; the cost for replacing equipment; and the increased costs due to inflation.

General Manager David Pedersen noted that although the project would be bid as a single project, contractors may bid on one or both scopes of the project and the project could be awarded to more than one contractor.

A discussion ensued regarding concerns with the need to move forward with this project. General Manager David Pedersen stated that staff would include detailed information regarding the merits of the project when the project award is brought back for the Board's consideration.

Motion carried unanimously.

C Standby Charge and Deferral Program Administration: Contract Award

Accept the proposal from Psomas and authorize the General Manager to execute a three-year Professional Services Agreement, in an amount not to exceed \$82,425 with an optional one-year extension at a 5% increase to the annual amount, for on-going administration of the standby charge and deferral program.

General Manager David Pedersen presented the report.

Director Caspary moved to approve Item 8C as presented. Motion seconded by Director Lewitt.

A discussion ensued regarding going out to bid when the contract term ends.

Motion carried unanimously.

D Corrosion Control Study: Award of Contract

General Manager David Pedersen presented this information item. No further was action taken.

9. FINANCE AND ADMINISTRATION

A 23371 Palm Canyon Lane, Malibu: Approval of Detachment

Pass, approve, and adopt the proposed Resolution Nos. 2472 and 2473, approving the detachment of APN 4452-027-009 from the District's service area.

RESOLUTION NO. 2472

JOINT RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES, THE BOARD OF DIRECTORS OF THE LAS VIRGENES MUNICIPAL WATER DISTRICT, THE BOARD OF DIRECTORS OF THE LAS VIRGENES MUNICIPAL WATER IMPROVEMENT DISTRICT NO. 12, THE BOARD OF TRUSTEES OF THE LOS ANGELES COUNTY WEST VECTOR AND VECTOR-BORNE DISEASE CONTROL DISTRICT, AND THE BOARD OF DIRECTORS OF THE RESOURCE CONSERVATION DISTRICT OF THE SANTA MONICA MOUNTAINS APPROVING AND ACCEPTING THE NEGOTIATED EXCHANGE OF PROPERTY TAX REVENUES RESULTING FROM THE ANNEXATION OF PROPERTY DESIGNATED AS ANNEXATION 29-3, AS PART OF LOCAL AGENCY FORMATION COMMISSION REORGANIZATION 2014-06, TO LOS ANGELES COUNTY WATER WORKS DISTRICT NO. 29, MALIBU

RESOLUTION NO. 2473

JOINT RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES, THE BOARD OF DIRECTORS OF THE LAS VIRGENES MUNICIPAL WATER DISTRICT, THE BOARD OF DIRECTORS OF THE LAS VIRGENES MUNICIPAL WATER IMPROVEMENT DISTRICT NO. 12, THE BOARD OF TRUSTEES OF THE LOS ANGELES COUNTY WEST VECTOR AND VECTOR-BORNE DISEASE CONTROL DISTRICT, AND THE BOARD OF DIRECTORS OF THE RESOURCE CONSERVATION DISTRICT OF THE SANTA MONICA MOUNTAINS APPROVING AND ACCEPTING THE NEGOTIATED EXCHANGE OF PROPERTY TAX REVENUES RESULTING FROM THE ANNEXATION OF PROPERTY DESIGNATED AS ANNEXATION 29-3, AS PART OF LOCAL AGENCY FORMATION COMMISSION REORGANIZATION 2014-06, TO LOS ANGELES COUNTY WATER WORKS DISTRICT NO. 29, MALIBU

(Reference is hereby made to Resolutions No. 2472 and 2473 on file in the District's Resolution Book and by this reference the same is incorporated herein.)

General Manager David Pedersen presented the report.

Director Renger moved to approve Item 9A as presented. Motion seconded by Director Polan. Motion carried unanimously.

B Fiscal Year 2016-17 Proposed Sanitation Rate for Consolidated Sewer Maintenance District, Topanga Tax Zone

Approve the current monthly billing rate of \$55.40 per Equivalent Residential Unit for the Consolidated Sewer Maintenance District, Topanga Tax Zone, for Fiscal Year 2016-17.

General Manager David Pedersen presented the report.

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

C Claim from Grant A. and M. Lynn Bitter

Deny the claim from Grant A. and M. Lynn Bitter.

General Manager David Pedersen presented the report.

Director Renger moved to deny the claim from Grant A. and M. Lynn Bitter. 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 the MWD Integrated Resource Planning Committee met earlier in the day, and noted the MWD would hold a Public Outreach Workshop on October 22, 2015, for an update regarding its Integrated Water Resources Plan. He reviewed the items presented on the September 22, 2015 MWD agenda, and noted the Engineering and Operations Committee would tour Eagle Mountain and Lake Perris on October 21, 2015, to view the repairs done at these locations.

- (2) Other

B Director's Reports on Outside Meetings

None.

C General Manager Reports

- (1) General Business

General Manager David Pedersen reported on the City of Calabasas' construction activities for the Las Virgenes Corridor Scenic Widening Project and the project by Blue Marble Development on Las Virgenes Road. He also reported that the District transitioned to monthly billing and experienced some technical issues due to variable billing cycles. He stated that customers affected by these technical issues would receive an adjustment in their October bill. He noted that information was posted on the District's website.

- (2) Follow-Up Items

D Directors' Comments

Director Lewitt reported that he, Board President Peterson, General Manager David Pedersen, and Public Affairs & Communications Manager Jeff Reinhardt met with Senator Pavley and staff on September 28, 2015, to discuss District issues, including the need to supplement recycled water with potable water and the proposal for using the Encino Reservoir for recycled water storage. He commented that he believed Senator Pavley would be very supportive of the District. Board President Peterson added there was also discussion regarding SB 20 related to a public goods charge.

Board President Peterson noted the MWD Board also discussed proposed projects on the Delta Islands that could be funded by Proposition 1 funds.

11. FUTURE AGENDA ITEMS

Board President Peterson noted that staff would be bringing back a report on the need for the Westlake Filtration Plant Expansion and Westlake Pump Station Improvements.

12. PUBLIC COMMENTS

None.

13. CLOSED SESSION

The Board recessed to Closed Session at 5:47 p.m. to discuss the following items:

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)):

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

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


Disclosure of the parties would be prejudicial to the District.

14. OPEN SESSION AND ADJOURNMENT

The Board reconvened to Open Session at 6:09 p.m.

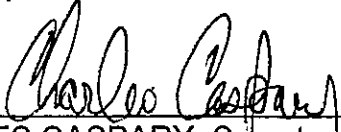
District Counsel Wayne Lemieux reported the Board provided direction to staff to proceed with preparation of draft Memoranda of Understanding on Closed Session Item 13A; there was no reportable action taken on Closed Session Item 13B; and the Board approved a course of action to avoid litigation on Closed Session Item 13C.

Seeing no further business to come before the Board, the meeting was duly adjourned at **6:10 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)