

MINUTES

REGULAR MEETING OF THE

BOARD OF DIRECTORS

LAS VIRGENES MUNICIPAL WATER DISTRICT

March 24, 2009

1 The Board of Directors of Las Virgenes Municipal Water District met in Regular Meeting at 4232 Las Virgenes Road, in Calabasas, California, at 5:00 PM on Tuesday, March 24, 2009

President Caspary called the meeting to order at 5:00 PM

The Pledge of Allegiance to the Flag was given, led by President Caspary.

Secretary Peterson called the roll. Those answering present were Directors Bowman, Caspary, Peterson, Renger and Smith.

The Chair declared a quorum present.

2 General Manager Mundy requested 12-Urgency Ordinance Adopting Further Water Conservation Measures be heard prior to 11-Administrative Code-Review Chapters 3 and 4. It was then moved by Director Renger, seconded by Director Peterson, and unanimously carried, that the agenda for the Regular Meeting of March 24, 2009 be approved as amended, reordering items 12 and 11.

3 Citizen of the Month - the Board of Directors presented a Proclamation in Recognition of the Contributions of Eleanor de Carteret as a Founder of Las Virgenes Municipal Water District. Eleanor de Carteret and her family were in attendance; and Ms. de Carteret discussed her involvement with the first local area newspaper that eventually became the Las Virgenes Enterprise.

4 Public Comments – No speaker cards were received from the public.

5 Illustrative and/or Verbal Presentation Agenda Items

A Water System Backbone Improvements Update – Principal Engineer Zhao; and AECOM project Managers Dan Ellison and Tom Barnes presented an overview of the 1235-ft Backbone Improvements Preliminary Designs and CEQA Study. The Board requested a tour of proposed tank sites prior to selection of the site and conducting public outreach for the CEQA process.

B Legislative Update – General Manager Mundy discussed the March 12, 2009 legislative meetings in Washington D.C., attended by him, Directors Bowman and Caspary and Director of Facilities and Operations Lippman during which Water Resources Development Act, Title XVI, Omnibus Public Lands Bill (HR 146) and the Federal Stimulus package were discussed. Senator Waxman does not want to support appropriation requests within his congressional district and Senator Feinstein's aide said State Revolving Funds appear to be the only funding program available to the District at this time. President Caspary requested staff review green/shovel ready projects and Director Peterson requested staff consider utilizing the services of Phil Isenberg in regards to obtaining funding.

6 It was moved by Director Renger, seconded by Director Smith, and unanimously carried, that Consent Calendar Items 6A-6D be approved as presented.

A Minutes: Regular Meetings of January 27, 2009 and February 10, 2009. APPROVE

B List of Demands: 03/24/09. APPROVE

C Investment Report for the Month of February 2009. APPROVE

D Claim by Terry and Laurie Boykoff. DENY

7 Miscellaneous Report from Treasurer –None

8 Modifications to Flow Diversion Structure on El Cañon Ave. Project - Award of Contract – It was moved by Director Peterson, seconded by Director Renger, and unanimously carried, that the Board award the contract for the Modifications to Flow Diversion Structure on El Cañon Ave. Project to Timothy J. Ferrie, Inc. in the amount of \$59,950.00, and that all remaining bids be rejected upon receipt of duly executed contract documents; accept the proposal from RMC Water and Environment for engineering support services during construction in an amount not to exceed \$7,920.00 and waive minor bid irregularities; appropriate an additional \$28,811.00 to fund the project up to completion.

9 A Proposed Compensation Policies – General Manager Mundy discussed the proposed compensation principles and policies. Director Bowman requested that the Board approve the agencies Las Virgenes compares to; general objectives to be set; provide the Board with a list of who the people are in the EMSPC Group; and provide what the percentage spreads are at other agencies. Human Resources Manager Valdez stated that as part of a compensation study Las Virgenes will be comparing 25-30 benchmark positions. Director Peterson requested Las Virgenes not use Metropolitan Water District or Rancho Cucamonga, but to add Vallecitos and Eastern Municipal Water Districts.

Hearing no objections from the Board, President Caspary requested item 12-Urgency Ordinance Adopting Further Water Conservation Measures be heard before 9B-Classification and Compensation Study - Request for Proposals as a member of the public had been waiting since 5:00 p.m. to speak in regards to the water conservation urgency ordinance.

12 An Urgency Ordinance of the Board of Directors of Las Virgenes Municipal Water District Amending Ordinance No. 11-86-161 (Las Virgenes Code) Adopting Further Water Conservation Measures – one Speaker Request Card was received from Bob Tobias representing Raleigh Enterprises. Mr. Tobias stated that a minimum number of notifications had been sent out regarding the Public Hearing of March 10, 2009; in 2008 there was a 30% cutback; the new plan points to 2008 usage, he has clients who utilize gray water; pressure regulators and other efficiencies have been installed at Rosenthal Vineyards. General Manager Mundy responded that Las Virgenes is using 2004, 2005 and 2006 base years established by Metropolitan Water District and that the District would be reviewing classifications (i.e. residential vs. commercial) as commercial are typically more efficient than residential. The Board requested information as to how low the water usage can go without damaging vines and what Mr. Tobias was requesting of the Board. Mr. Tobias stated that Raleigh Enterprises may not need District water until June, July, August or September and evapo-transpiration does not work on a day to day basis. President Caspary stated that Las Virgenes had advertised the March 10, 2009 Public Hearing in the newspaper; provisions had been added to the March 10<sup>th</sup> Ordinance; and outreach had also been conducted through correspondence and staff attendance at homeowner association meetings.

It was moved by Director Peterson, seconded by Director Renger, and unanimously carried, that full reading of the proposed urgency ordinance amending Ordinance 11-86-161 (Las Virgenes Code) as it relates to Water Conservation, be waived.

It was moved by Director Renger, seconded by President Caspary, and unanimously carried, by a roll call vote taken by Secretary Peterson of: Ayes: 5; Noes: 0; Absent: 0, that the proposed urgency ordinance amending Ordinance 11-86-161 (Las Virgenes Code) as it relates to Water Conservation be approved and read by title only. ORDINANCE 03-09-256 - AN URGENCY ORDINANCE OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT AMENDING ORDINANCE NO. 11-86-161 (LAS VIRGENES CODE) ADOPTING FURTHER WATER CONSERVATION MEASURES - (Reference is hereby made to Ordinance No. 03-09-256 on file in the District's Ordinance Book and by this reference the same is incorporated herein and made a part of hereof.)

11 Administrative Code – Review Chapters 3 and 4; hearing no objections by the Board and the hour being 7:20 p.m. President Caspary stated that due to the length of discussion required on this item, that review of the Administrative Code was to be tabled.

9 B Classification and Compensation Study-Request for Proposals – It was moved by Director Bowman, seconded by Director Renger, and carried, that the Board authorize the General Manager to request proposals from qualified firms to conduct a classification and compensation study.

10 A Amendment – MWD CII Conservation Program Agreement No. 66649. It was moved by Director Peterson, seconded by Director Smith, and unanimously carried, that the Board authorize the General Manager to approve Amendment No. 1 of Agreement No. 66649 with the Metropolitan Water District of Southern California.

B ACWA/National Geographic "Water for Tomorrow" Magazine – Director Peterson discussed that participation must be committed to all four issues and that the name of the publication had been updated to read "California Water for Tomorrow". After a discussion by the Board, it was moved by Director Bowman, seconded by Director Renger, and unanimously carried, that the Board approve staffs' recommendation to participate in the "Water for Tomorrow" magazine subscription, and the Board's consideration and direction regarding the specific subscription commitment (the Board unanimously selected Option C at a cost of \$52,600 with mailings to customers by National Geographic). President Caspary stated that when the customer listing is provided to National Geographic that they must ensure the privacy of customer names and addresses and that the mailing list is not to be sold or used for any other purpose other than the mailing of "California Water for Tomorrow".

13 A Organization Reports

(1) MWD Representative Peterson provided an update regarding general business of Metropolitan Water District including water allocations.

(2) Other – Director Renger discussed his attendance at the AWA breakfast of March 19, 2009. Director Peterson discussed his attendance at the March 18, 2009 ACWA Legislative Day in Sacramento including the centennial event.

B Directors' Reports on Outside meetings – None

C Information Items – Director Bowman provided the Board, General Manager Mundy and Legal Counsel Lemieux with documents pertaining to the topics of "what belongs in an Administrative Code" and "water situation in the world"; and discussed farmers holding onto water and what utilities should be doing in regards to climate change.

D General Manager Mundy provided an update regarding general business of the District including the April 14, 2009 poster contest judging prior to the regular board meeting, April 16, 2009 AWA Symposium; water shortage committee nominations; and his request for vacation May 4-8, 2009.

E Director's Comments – None

14 Future Agenda Items – The Board requested a workshop be held on a Saturday in April or May to tour the proposed Backbone Improvement tank sites in the area surrounding Westlake Filtration Plant and to review the Administrative Code.

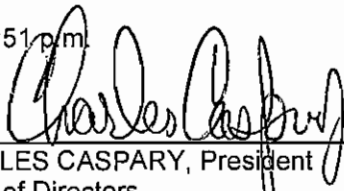
15 The meeting convened into Closed Session at 7:41 p.m.

Conference with District Counsel - Potential Litigation

A Metha Construction Company v. LVMWD

B LVMWD vs. Onsite Power Systems, Inc.

16 The Chair declared the meeting adjourned at 7:51 p.m.

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

ATTEST:

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

(SEAL)