



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

**MINUTES**  
**REGULAR MEETING**

---

5:00 PM

December 13, 2016

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by Ken Reed.

**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 Charles Caspary, Jay Lewitt, Len Polan, Lee Renger, and Glen Peterson

Absent: None

Staff Present: David Pedersen, General Manager  
David Lippman, Director of Facilities and Operations  
Angela Saccareccia, Finance Manager  
Carlos Reyes, Director of Resource Conservation and Public Outreach  
Josie Guzman, Clerk of the Board  
Keith Lemieux, District Counsel

**2. APPROVAL OF AGENDA**

Board President Peterson stated he would reorder the agenda by moving Item 5A, Oath of Office, to follow the Consent Calendar, and Items 7A, 7B, and 7C to follow Item 5A.

General Manager David Pedersen stated there was no update for the items listed under Closed Session Item 12B, and he recommended that they be removed from the

agenda.

Director Lewitt moved to approve the agenda as amended. Motion seconded by Director Caspary. Motion carried unanimously.

**3. PUBLIC COMMENTS**

None.

**4. CONSENT CALENDAR**

**A List of Demands: December 13, 2016: Ratify**

**B Minutes: Regular Meeting of November 22, 2016: Approve**

**C Directors' Per Diem – November 2016: Ratify**

**D Monthly Cash and Investment Report: October 2016**

**Receive and file the Monthly Cash and Investment Report for October 2016.**

Director Lewitt 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 Oath of Office for Charles Caspary and Len Polan**

Josie Guzman, Clerk of the Board, administered the Ceremonial Oath of Office to reappointed Directors Charles Caspary and Len Polan. The formal Oaths of Office were administered prior to the meeting.

Director Caspary stated it has been a pleasure to serve the customers of the District and to work with its dedicated employees.

Director Polan echoed Director Caspary's comments and stated that it was an honor to serve the District.

**7. BOARD OF DIRECTORS**

**A Election of Officers: President, Vice-President, Secretary and Treasurer**

**Nominate and elect Directors to serve two-year terms as President, Vice-President, Secretary and Treasurer of the Board of Directors.**

Board President Peterson opened the nominations for President.

Director Renger moved to nominate Glen Peterson as President. Motion seconded by

Director Lewitt.

Director Renger moved to close the nominations for President and elect Glen Peterson. Motion seconded by Director Lewitt. Motion carried unanimously.

Board President Peterson opened the nominations for Vice-President.

Director Renger moved to nominate Charles Caspary as Vice-President. Motion seconded by Director Polan.

Director Renger moved to close the nominations for Vice-President and elect Charles Caspary. Motion seconded by Director Polan. Motion carried unanimously.

Board President Peterson opened the nominations for Secretary.

Director Caspary moved to nominate Jay Lewitt as Secretary. Motion seconded by Director Renger.

Director Renger moved to close the nominations for Secretary and elect Jay Lewitt. Motion seconded by Director Caspary. Motion carried unanimously.

Board President Peterson opened the nominations for Treasurer.

Director Caspary moved to nominate Lee Renger as Treasurer. Motion seconded by Director Lewitt.

Director Polan moved to nominate Len Polan as Treasurer. Motion seconded by Director Lewitt.

Director Renger moved to close the nominations for Treasurer. Motion seconded by Director Lewitt.

Motion to elect Lee Renger as Treasurer carried by the following vote:

AYES: Caspary, Lewitt, Peterson

NOES: Polan, Renger

ABSTAIN: None

ABSENT: None

## **B Appointment of Deputy Secretaries and Deputy Treasurer**

**Appoint David W. Pedersen, General Manager, and Josie Guzman, Executive Assistant/Clerk of the Board, as Deputy Secretaries, and Donald Patterson, Director of Finance and Administration, as Deputy Treasurer.**

General Manager David Pedersen presented the report.

Director Caspary moved to approve Item 7B. Motion seconded by Director Lewitt. Motion carried unanimously.

**C ACWA/JPIA Board Member Alternate**

**Nominate and elect a Director to serve as the District's alternate representative to the ACWA/JPIA Board.**

Board President Peterson opened the nominations for the District's alternate representative to the ACWA/JPIA Board.

Director Lewitt moved to nominate Charles Caspary as the District's alternate representative.

Director Renger moved to close the nominations for the District's alternate representative and elect Charles Caspary. Motion seconded by Director Lewitt. Motion carried unanimously.

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

**B Presentation to Senator Fran Pavley**

Board President Peterson acknowledged Senator Fran Pavley on her retirement and for her many years of service.

Director Renger recognized Senator Pavley and expressed his hope that she would continue to be available to assist the District.

Director Caspary acknowledged Senator Pavley for being a champion for the District.

Director Lewitt thanked Senator Pavley and stated that he was proud to have her represent the District.

Director Polan acknowledged Senator Pavley and expressed his gratitude for her influence in the legislature.

The Board presented a proclamation to Senator Pavley in recognition of her dedicated service. Senator Pavley thanked the Board and shared her experiences using the District as an example in Sacramento.

**C Proclamation in Recognition of Upcoming Retirement of Ken Reed**

The Board presented a proclamation to Ken Reed in recognition of his upcoming retirement from the District. Mr. Reed thanked the Board, District employees, and his family, and stated that it was an honor to work for the District. He introduced his wife Shelley, son Jordan, daughter Jessica, and son-in-law John.

**D Legislative Update by MWD Executive Legislative Representative Kathy Cole**

Board President Peterson introduced Kathy Cole and noted that she recently received the Association of California Water Agencies (ACWA) 2016 Emissary Award.

Board President Peterson departed from the meeting at 5:26 p.m. Vice President Caspary presided over the remainder of the meeting.

Kathy Cole, MWD Executive Legislative Representative, provided a PowerPoint presentation of the 2016 State Legislative Year accomplishments and a preview of the 2017 State Legislative Year.

Director Renger presented a floral arrangement to Ms. Cole in recognition of her receiving the ACWA Emissary Award.

The Board recessed to a break at 5:55 p.m., and reconvened at 6:15 p.m.

**6. TREASURER**

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

**8. INFORMATION ITEMS**

**A Reportable Reimbursable Expenses for Fiscal Year 2015-16**

**9. NON-ACTION ITEMS**

**A Organization Reports**

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

No report was given.

- (2) Other

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

Director Renger reported that he attended the ACWA Fall Conference. He shared information regarding the session on energy storage options.

Director Lewitt reported that he also attended the ACWA Fall Conference where he attended the Federal Affairs Committee meeting. He shared information regarding the presentation by ACWA Executive Director Tim Quinn regarding building a partnership between the state and federal governments with a focus on three objectives: co-equal goals for the Delta, collaborative decision-making, and comprehensive solutions. He

also shared information regarding the sessions on the effects of soot and sediment on water treatment facilities due to forest fires and climate change.

Director Polan reported that he also attended the ACWA Fall Conference where he attended the Water Management Committee meeting. He shared information regarding sessions on updates to Integrated Regional Water Management Plans, assessment of current water resources and future risks, and water sustainability. He also noted that ACWA is reinstating the Water Recycling Committee.

Director Caspary reported that he also attended the ACWA Fall Conference. He shared information regarding the session on energy storage options and time of use rates, the City of San Diego's participation in a session regarding indirect potable reuse, and the possibility of modification to the Endangered Species Act. He suggested that staff bring back a report at a future meeting regarding the Water Resources Development Act.

### **C General Manager Reports**

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

General Manager David Pedersen reported that the California Department of Water Resources and the Los Angeles Department of Water and Power dewatered the Angeles Tunnel to remove sediment and discovered six adult quagga mussels in the tunnel. He stated that MWD would increase monitoring efforts. He also reported that MWD issued a press release regarding new lease agreements with farmers for land owned by MWD in the Palo Verde Valley. Lastly, he recommended the Board cancel the December 27, 2016 Board meeting as there were no items scheduled for the agenda. Vice President Caspary directed staff to cancel the December 27, 2016 Board meeting due to lack of quorum.

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

### **D Directors' Comments**

None.

## **10. FUTURE AGENDA ITEMS**

None.

## **11. PUBLIC COMMENTS**

None.

## **12. CLOSED SESSION**

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

Shapell Industries, Inc. v. Moulton Niguel Water District, et al. (copper pipe pitting)

**B Conference with District Counsel – Existing Litigation (Government Code Section 54956.9(a)): - (This item was removed from the agenda.)**

1. Las Virgenes – Triunfo Joint Powers Authority v. United States Environmental Protection Agency and Heal the Bay, Inc. v. Lisa P. Jackson (TMDL cases)
2. Las Virgenes – Triunfo Joint Powers Authority v. United States Environmental Protection Agency (FOIA case)
3. Las Virgenes Municipal Water District v. The Harp, LLC dba NuLife Treatment Centers

The Board recessed to Closed Session at **6:37 p.m.** and reconvened to Open Session at **6:50 p.m.**

District Counsel Keith Lemieux announced that during the Closed Session the Board received a report regarding Closed Session Item 12A and approved participation in an amicus brief.

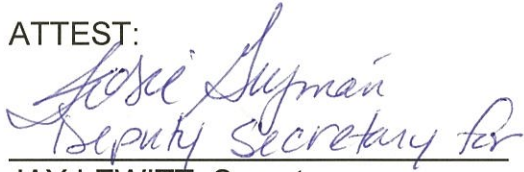
**13. OPEN SESSION AND ADJOURNMENT**

Seeing no further business to come before the Board, the meeting was duly adjourned at **6:51 p.m.**



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

ATTEST:



\_\_\_\_\_  
JAY LEWITT, Secretary  
Board of Directors  
Las Virgenes Municipal Water District

(SEAL)