



LAS VIRGENES MUNICIPAL WATER DISTRICT
4232 Las Virgenes Road, Calabasas CA 91302
Teleconference Location: 3950 Las Vegas Boulevard South, Las Vegas, NV 89119

**MINUTES
REGULAR MEETING**

5:00 PM

January 10, 2017

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by Doug Barrow.

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. Director Lewitt participated from the teleconference location at 3950 Las Vegas Boulevard South, Las Vegas, NV 89119. Josie Guzman, Clerk of the Board, conducted the roll call.

Present: Directors Charles Caspary, Jay Lewitt, Leonard Polan, Glen Peterson, and Lee Renger.

Absent: None

Staff Present: David Pedersen, General Manager
David Lippman, Director of Facilities and Operations
Harold Matthews, Information Systems Manager
Jeff Reinhardt, Public Affairs and Communications Manager
Josie Guzman, Clerk of the Board
Keith Lemieux, District Counsel

Board President Peterson announced that due to the teleconference all action items would require a roll call vote.

2. APPROVAL OF AGENDA

General Manager David Pedersen stated there was no update for Closed Session Item 13A, and he recommended that it be removed from the agenda.

Director Caspary moved to approve the agenda as amended. Motion seconded by Director Polan. Motion carried unanimously upon roll call vote.

3. PUBLIC COMMENTS

General Manager David Pedersen introduced newly hired Associate Engineer Jared Adams.

4. CONSENT CALENDAR

A List of Demands: January 10, 2017: Ratify

B Minutes: Regular Meeting of December 13, 2016: Approve

C Directors' Per Diem: December 2016: Ratify

D Monthly Cash and Investment Report: November 2016

Receive and file the Monthly Cash and Investment Report for November 2016.

E J.D. Edwards Software: Annual Support and Maintenance Agreement

Authorize the General Manager to execute an annual support and maintenance agreement with Oracle Corporation, in the amount of \$69,681.42, plus applicable taxes, for the District's J.D. Edwards financial software.

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

5. ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS

A 30-Year Service Award: Director Glen Peterson

Director Caspary presented a certificate and service award pin to Board President Peterson in recognition of his 30 years of faithful and dedicated service to the District.

Board President Peterson thanked the Board and staff, and stated that it has been an honor to serve on the Board of Directors.

Director Renger commended Board President Peterson on his service.

The Board recessed to a break at 5:08 p.m. and reconvened at 5:16 p.m.

B Legislative and Regulatory Updates

General Manager David Pedersen reported that the State Water Resources Control Board would be holding a public workshop on January 18, 2017, to receive input on the Emergency Regulations for Urban Water Conservation. He stated that staff would submit a comment letter requesting that the regulations be allowed to expire without further extension, and that the self-certification process be maintained and utilized in the future if necessary. He also reported that the State Water Resources Control Board is requesting comments by January 26, 2017, for the proposed Basin Plan Amendment for the TMDL Implementation Plan. He stated that staff would prepare a comment letter in support of the plan without changes. He reviewed the California Senate Committee assignments and the California Assembly Leadership Team and Committee Chairs assignments. He noted that newly elected Senator Henry Stern opened his office in Calabasas and his staff includes District Director Nancy Farias and Field Representative Jeremy Wolf. He also reviewed the key provisions of the Water Infrastructure Improvements for the Nation (WIIN) Act, Senate Bill 612.

C Water Supply Conditions and Drought Response

General Manager David Pedersen noted that a handout was provided showing the most recent changes in water supply conditions and hydrology; the current weather forecast; the Northern Sierra precipitation 8-station index showing 41.9 inches; the San Joaquin precipitation 5-station index showing 30.8 inches; the statewide summary of snow water content; and the current reservoir conditions. He stated that the District achieved a 28.8 percent reduction in water usage for the month of December as compared to 2013, and reduced water usage of 19 percent for calendar year 2016, as compared to 2013.

6. TREASURER

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

7. FACILITIES AND OPERATIONS

A Pure Water Project Las Virgenes-Triunfo: Resolution for Grant Application to U.S. Bureau of Reclamation for Demonstration Project and

B Pure Water Project Las Virgenes-Triunfo: Resolution for Grant Application to U.S. Bureau of Reclamation for Title XVI Feasibility Study

Pass, approve and adopt Resolution No. 2503, authorizing the General Manager to apply for a Water Recycling and Reuse Research grant; and, if awarded, enter into grant agreements with the U.S. Bureau of Reclamation.

RESOLUTION NO. 2503

A RESOLUTION OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT AUTHORIZING THE GENERAL MANAGER TO ENTER INTO

AGREEMENTS FOR FUNDING WITH THE UNITED STATES DEPARTMENT OF INTERIOR BUREAU OF RECLAMATION FOR WATER RECYCLING AND REUSE RESEARCH UNDER TITLE XVI WATER RECLAMATION AND REUSE PROGRAM FOR FISCAL YEAR 2017

(Reference is hereby made to Resolution No. 2503 on file in the District's Resolution Book and by this reference the same is incorporated herein.)

Pass, approve and adopt Resolution No. 2504, authorizing the General Manager to apply for a Title XVI Feasibility Study grant; and, if awarded, enter into grant agreements with the U.S. Bureau of Reclamation.

RESOLUTION NO. 2504

A RESOLUTION OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT AUTHORIZING THE GENERAL MANAGER TO ENTER INTO AGREEMENTS FOR FUNDING WITH THE UNITED STATES DEPARTMENT OF INTERIOR BUREAU OF RECLAMATION FOR WATERSMART: DEVELOPMENT OF FEASIBILITY STUDIES UNDER THE TITLE XVI WATER RECLAMATION AND REUSE PROGRAM FOR FISCAL YEAR 2017.

(Reference is hereby made to Resolution No. 2503 on file in the District's Resolution Book and by this reference the same is incorporated herein.)

General Manager David Pedersen presented the reports for Items 7A and 7B concurrently.

Director Renger moved to approve Items 7A and 7B. Motion seconded by Director Caspary. Motion carried unanimously upon roll call vote.

C Water System Design Report for Tract 45465: Approval of Addendum No. 2

Approve Addendum No. 2 to the Water System Design Report for Tract 45465 (LVMWD Report No. 2203.02).

David Lippman, Director of Facilities and Operations, presented the report.

Director Polan moved to approve Item 7C. Motion seconded by Director Renger.

Director Renger addressed Brian Boudreau and inquired whether he was planning on crossing Stokes Creek with an Arizona crossing or a bridge. Mr. Boudreau responded that it would likely be a bridge and that he believed the developer was working with the Department of Fish and Wildlife and the Army Corps of Engineers to make a final determination.

A discussion ensued regarding the District's proposal not to require extension of the recycled water to serve the development, and the Board's commitment to supply recycled water wherever possible.

Motion carried unanimously upon roll call vote.

8. **FINANCE AND ADMINISTRATION**

A Continuation of Potable Water Standby Charge: Public Hearing, Introduction and First Reading

Waive the full reading and call for proposed Ordinance No. 279 to be given first reading by title only.

(Waive further reading and introduce the Ordinance)

ORDINANCE NO. 279

AN ORDINANCE OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT AS IT RELATES TO STANDBY CHARGES FOR THE FISCAL YEAR COMMENCING JULY 1, 2017

(Reference is hereby made to Ordinance No. 279 on file in the District's Ordinance Book and by this reference the same is incorporated herein.)

Board President Peterson provided introductory remarks.

Josie Guzman, Clerk of the Board, reported that the District published a notice of public hearing in *The Acorn* on December 29, 2016, and January 5, 2017, and 815 postcards were mailed to new residents within the service area.

General Manager David Pedersen explained the purpose of the Water Standby Charge. He noted that since the postcards were mailed on behalf of the District by Psomas, the consultant received two telephone calls with general inquiries regarding the purpose of the Water Standby Charge.

Board President Peterson opened the Public Hearing at 6:02 p.m.

There were no public comments.

Josie Guzman, Clerk of the Board, confirmed that the District did not receive any written or verbal comments.

Board President Peterson closed the Public Hearing at 6:03 p.m.

Director Caspary moved to waive the full reading and call for proposed Ordinance No. 279 to be given first reading by title only. Motion seconded by Director Renger. Motion carried unanimously upon roll call vote.

Director Renger moved to waive further reading and introduce Ordinance No. 279 as read by title only. Motion seconded by Director Caspary. Motion carried unanimously

upon roll call vote.

District Counsel Keith Lemieux read Ordinance No. 279 by title only.

B Information Systems Disaster Recovery and Backup Services

Accept the proposal from Denovo Ventures, LLC, and authorize the General Manager to execute a three-year agreement, in the annual amount of \$55,104, for disaster recovery services; and accept the quotation for Unitrends, Inc. through CDW, and authorize the General Manager to execute a one-year agreement, in the amount of \$28,980, for cloud-based backup services.

General Manager David Pedersen presented the report.

Director Polan moved to approve Item 8B. Motion seconded by Director Renger.

Director Polan inquired regarding the District's vulnerability to hacking. Harold Matthews, Information Systems Manager, responded that if a determined party wishes to hack into the District's system it would be difficult to stop them and all that could be done would be to recover the District's files quickly. Director Polan inquired which data would be backed up and protected. Mr. Matthews responded that Denovo would back up the data in the District's Financial System and Customer Information System, and Unitrends would back up the District's servers.

Motion carried unanimously upon roll call vote.

9. INFORMATION ITEMS

A GFOA Distinguished Budget Presentation Award and CMTA Investment Policy Certification

Board President Peterson acknowledged staff on their efforts.

10. NON-ACTION ITEMS

A Organization Reports

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

Board President Peterson reported that the MWD Board met earlier in the day. He noted that Charles Treviño would be serving as a new member on the MWD Board, replacing Michael Touhey. He also reported that the MWD Board elected Mike Hogan and Larry Dick as non-officer members to the Executive Committee for two-year terms. He noted that there was a lengthy report regarding the litigation with the San Diego County Water Authority and he suggested that District Counsel provide a report at a future meeting. He noted that the MWD Chairman recognized the outgoing Committee Chairs, and the MWD Board received a copy of MWD's Annual Report.

- (2) Other

B Director's Reports on Outside Meetings

Director Caspary reported that he attended the Santa Monica Bay Restoration Commission meeting on December 15, 2016, where they discussed completion of a sea level rise adaptation study; the Malibu Beach Dune Restoration Project; the Santa Monica Bay Restoration Plan Update; and litigation by the Ballona Wetlands Trust, regarding the Ballona Wetlands restoration. He also reported that the Commission approved a recommendation that Surfers' Point at Malibu be designated to the National Register of Historic Places.

Board President Peterson noted that he was asked to serve as the Chair of a new ACWA committee tasked with evaluating ACWA-owned real estate in Sacramento.

C General Manager Reports

- (1) General Business

General Manager David Pedersen reported that all the parties involved in *Las Virgenes-Triunfo Joint Powers Authority v. United States Environmental Protection Agency* agreed to push back the briefing schedule for the appeal to April 2017.

- (2) Follow-Up Items

D Directors' Comments

Director Caspary recognized staff for their efforts on the GFOA Award, especially Financial Analyst Mike Hamilton.

Director Polan referred to rising sea level and noted that the models for the Gulf Stream running along the Atlantic Ocean have been incorrect and there could be a much quicker destruction in weather systems because the world is heating up.

11. FUTURE AGENDA ITEMS

None.

12. PUBLIC COMMENTS

None.

13. CLOSED SESSION - (This item was removed from the agenda)

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

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

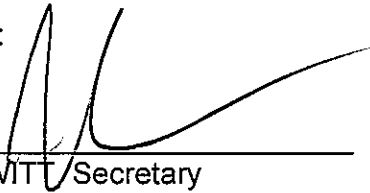
14. OPEN SESSION AND ADJOURNMENT – Adjourn in memory of Mike Brown

Seeing no further business to come before the Board, the meeting was duly adjourned at **6:21 p.m.** in memory of Mike Brown, former District employee who was instrumental in developing the District's Geographic Information System (GIS).



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

ATTEST:



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

(SEAL)