



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

**MINUTES**  
**REGULAR MEETING**

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5:00 PM

April 25, 2017

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance to the Flag was led by Eric Schlageter.

**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, Leonard Polan, Glen Peterson, and Lee Renger.

Absent: None

Staff Present: David Pedersen, General Manager  
Don Patterson, Director of Finance and Administration  
Jeff Reinhardt, Public Affairs and Communications Manager  
John Zhao, Principal Engineer  
Josie Guzman, Clerk of the Board  
Keith Lemieux, District Counsel

**2. APPROVAL OF AGENDA**

Director Renger moved to approve the agenda. Motion seconded by Director Polan. Motion carried unanimously.

**3. PUBLIC COMMENTS**

None.

**4. CONSENT CALENDAR**

**A List of Demands: April 25, 2017: Ratify**

Director Caspary moved to approve the Consent Calendar. Motion seconded by Director Polan. Motion carried unanimously.

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

**A Legislative and Regulatory Updates**

Jeff Reinhardt, Public Affairs and Communications Manager, reported that the Assembly Water, Parks, and Wildlife Committee considered over 30 bills earlier in the day. He stated that a number of the bills pertain to the Governor's plan to make water conservation a permanent way of life in California, and there were efforts to amalgamate these bills into a course of action that is coherent and non-conflicting. He noted that the District submitted a letter in opposition unless amended to AB 1668 and a letter in opposition to AB 1669. He stated that AB 1669 deals with long-term conservation standards to be established by the State Water Resources Control Board (SWRCB), and the District was opposed because the bill would concentrate too much power in the SWRCB, usurping legislative, executive and judicial review. He stated that if this bill is adopted as written, the SWRCB could impose fines to water agencies up to \$10,000 per day for noncompliance.

**B Water Supply Conditions and Drought Response**

General Manager David Pedersen reported that the California Department of Water Resources (DWR) increased the 2017 State Water Project Allocation from 60 percent to 85 percent. He noted that DWR's website showed this year as the wettest year on record based on the 8-station index at 92.8 inches. He also noted that Diamond Valley Lake was approximately 85 percent full, and the Metropolitan Water District of Southern California (MWD) was actively moving water into storage and reducing takes on Colorado River water to store it in Lake Mead.

**6. TREASURER**

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

**7. BOARD OF DIRECTORS**

**A Las Virgenes Municipal Water District Code: Per Diem Rate Update**

**Pass, approve and adopt Proposed Resolution No. 2513, amending Section 2-2.106, of the Las Virgenes Municipal Water District Code to reflect the current per diem rate.**

**RESOLUTION NO. 2513**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT AMENDING RESOLUTION NO. 2468, (ADMINISTRATIVE CODE) AS IT RELATES TO DIRECTORS' COMPENSATION**

(Reference is hereby made to Resolution No. 2513 on file in the District's Resolution Book and by this reference the same is incorporated herein.)

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

**B Review of Board Member Insurance Benefits**

**Consider the results of the Board Member insurance benefits survey and discuss adjustments, if any, to the current insurance benefits provided to Board Members.**

General Manager David Pedersen presented the report and noted that Board Members receive a contribution for their medical insurance premiums equal to 98 percent of the Blue Cross Classic PPO family rate. He referred to a slide outlining the different medical plans provided by the District to employees, including the monthly insurance premiums, and the current monthly District share and monthly insurance premiums for Board Members.

Director Caspary moved that the insurance premium paid for by the District for Board Members is paid for on the same basis as for District employees at 98 percent of the Kaiser PPO family rate, and that it take effect at the next open enrollment period. Motion seconded by Director Renger.

A discussion ensued regarding impacts to Director Lewitt's insurance premiums.

Director Lewitt requested that the change be effective on January 1, 2019.

Director Caspary amended his motion that the change to the Board Members' insurance benefits would take effect January 1, 2019. Amended motion seconded by Board President Peterson. Motion carried by the following vote:

AYES: Caspary, Lewitt, Renger, Peterson

NOES: Polan

ABSTAIN: None

ABSENT: None

General Manager David Pedersen stated that staff would bring back a resolution to amend the LVMWD Code.

**8. FACILITIES AND OPERATIONS**

**A Twin Lakes Pump Station Pipeline Project: Award of Design Contract**

**Accept the proposal from Kennedy/Jenks Consultants, Inc., and authorize the General Manager to execute a professional services agreement, in the amount of \$295,925, for the Twin Lakes Pump Station Pipeline Project.**

General Manager David Pedersen presented the report.

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

General Manager David Pedersen responded to a concern regarding the possibility of pipe failure at the creek crossing with Alternative 2A by stating that following several studies and recognizing the challenges associated with all of the pipeline alignments, Alternative 2A was identified as having the highest probability of success.

John Zhao, Principal Engineer, responded to a question regarding the project approaches and easement acquisition on Germain Street due to the close proximity to the MWD water main by stating that if no space was available in the street the alternative would be an easement along the park on the north side of Germain Street. He also responded to a question regarding the plan if bedrock was encountered during construction by stating that the contractor may request a change order unless the District specifies the type and quantity of bedrock that could be encountered.

Motion carried unanimously.

**B Westlake Filtration Plant Expansion Project: Final Acceptance**

**Authorize the General Manager to approve a change of scope for MSO, in the amount of \$6,560; execute a Notice of Completion and have the same recorded; and, in the absence of claims from subcontractors and others, release the retention, in the amount of \$183,832.75, within 30 calendar days after filing the Notice of Completion for the Westlake Filtration Plant Expansion Project.**

General Manager David Pedersen presented the report.

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

John Zhao, Principal Engineer, responded to questions related to the purchase of extra filters and permitting for expanding the plant.

Motion carried unanimously.

**C Calleguas-Las Virgenes Municipal Water District Interconnection Project: Receive and File Preliminary Design Report and Award Design Contract**

**Receive and file the Preliminary Design Report; accept the proposal from Cannon Corporation for design services; and authorize the General Manager to execute a**

**professional services agreement, in the amount of \$211,276, for the Calleguas-Las Virgenes Municipal Water District Interconnection Project.**

General Manager David Pedersen presented the report. He noted that an Addendum to the Preliminary Design Report was provided to the Board.

Director Caspary moved to approve Item 8C. Motion seconded by Director Renger. Motion carried unanimously.

## **9. FINANCE AND ADMINISTRATION**

### **A Claim from Jonandre Bliss on behalf of Curt Clemens**

**Deny the claim from Jonandre Bliss on behalf of Curt Clemens.**

General Manager David Pedersen presented the report.

Director Caspary moved to deny the claim. Motion seconded by Director Renger. Motion carried unanimously.

### **B Claim from Don Art and Minda D. Tebbs**

**Grant leave to the claimant to submit a late claim and deny the claim based on the facts of the matter.**

General Manager David Pedersen presented the report.

Director Caspary moved to grant leave to the claimant to submit a late claim and deny the claim. Motion seconded by Director Polan.

A discussion ensued regarding ensuring that warning signage states that the City of Calabasas is responsible for the Bark Park.

Motion carried unanimously.

## **10. RESOURCE CONSERVATION AND PUBLIC OUTREACH**

### **A Update of Legislative Policy Principles**

**Adopt the updated Legislative Policy Principles**

General Manager David Pedersen presented the report.

Director Caspary moved to approve Item 10A. Motion seconded by Director Renger. Motion carried unanimously.

### **B Modification of Water Shortage Condition: Stage 1 – Water Shortage Alert**

**Pass, approve and adopt proposed Resolution No. 2512, modifying the Water Shortage Condition from Stage 3 – Water Shortage Emergency to Stage 1 – Water Shortage Alert.**

**RESOLUTION NO. 2512**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT MODIFYING THE WATER SHORTAGE CONDITION**

(Reference is hereby made to Resolution No. 2512 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 Caspary moved to approve Item 10B. Motion seconded by Director Polan.

General Manager David Pedersen responded to a question regarding whether the Stage 1 Water Shortage Alert condition would enable people to hose down their driveways by stating that hosing down driveways continues to be prohibited under SWRCB regulations.

Director Caspary suggested issuing a press release to remind customers to recognize the important issues associated with efficient water use practices and to reference the water rate comparison study.

Motion carried unanimously.

**11. INFORMATION ITEMS**

**A Claim from Alenoosh M. Arzoumanian**

**12. NON-ACTION ITEMS**

**A Organization Reports**

(1) MWD Representative Report

Board President Peterson reported that the Special Committee on Bay-Delta met to discuss the California WaterFix and the Water Quality Control Plan. He noted that Lake Shasta, Lake Oroville, and other reservoir were currently releasing water and that the Clinton Court Forebay had been repaired. He noted that MWD was holding off on filling Diamond Valley Lake and had not taken any water from the Colorado River.

(2) Other

Director Caspary reported that he attended the Santa Monica Bay Restoration Commission meeting where they discussed the Fiscal Year 2017-18 Work Plan, including the Commission's participation in SWRCB's storm water strategy to convert storm water to a resource and strategies to fund those required improvements. He also reported that the Technical Advisory Committee discussed the Climate Change Vulnerability Assessment, and he stated that he would ask the Board Secretary to forward a copy to the Board for review. He noted that the Commission is supporting the reintroduction of the red-legged frog to the Santa Monica Mountains, which could have impacts to the District's operations and facilities. He also noted that the Executive Director announced his resignation effective in 60 days. He reported that the Santa Monica Bay Restoration Authority confirmed his appointment and he was elected as Chair. He also reported that the City of Los Angeles was providing funding for the restoration of the dunes at the foot of Los Angeles International Airport and removal of the unused streets in that area.

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

Director Polan reported that he attended the Association of Water Agencies of Ventura County Annual Water Symposium on April 20th where the guest speaker discussed considering all water as one system beginning at the headwaters.

Director Lewitt reported that he also attended the Water Symposium. He noted that Dr. Roger Bales from the University of Merced discussed the Mediterranean climate in California, which is subject to extreme drought and heavy rain and the need for storage. He also noted that Dr. Jacob Katz from California Trout discussed the need to use water to create plants and insects for consumption by fish. He noted that Robert Yamada from the San Diego County Water Authority discussed becoming self-reliant and the use of desalination plants. He also noted that Lisa Beutler, Executive Facilitator from MWH, provided a presentation entitled "Scaled Solutions to Wicked Problems."

Director Renger reported that he also attended the Water Symposium.

## **C General Manager Reports**

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

General Manager David Pedersen reviewed the upcoming events reflected on the calendar.

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

## **D Directors' Comments**

Director Polan noted that several people have approached him regarding their inability to understand budget-based water rates, and he suggested the need for additional outreach.

**13. FUTURE AGENDA ITEMS**

None.

**14. PUBLIC COMMENTS**

None.

**15. CLOSED SESSION**

The Board recessed to closed session at **6:25 p.m.**

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

1. Eitan Aizenshtein v. Las Virgenes Municipal Water District, et al.

**16. OPEN SESSION AND ADJOURNMENT**

The Board reconvened to Open Session at **6:34 p.m.**

District Counsel Keith Lemieux reported that the Board received a status report and there was no reportable action.

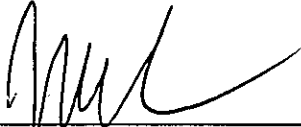
Seeing no further business to come before the Board, the meeting was duly adjourned at **6:34 p.m.**





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

ATTEST:



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

(SEAL)

