



LAS VIRGENES MUNICIPAL WATER DISTRICT
4232 Las Virgenes Road, Calabasas, California

MINUTES
REGULAR MEETING

5:00 PM

January 26, 2010

PLEDGE OF ALLEGIANCE

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

1. CALL TO ORDER AND ROLL CALL

A Call to order and roll call.

The meeting was called to order at 5:00 p.m. by President Caspary in the District offices. Secretary Peterson called the roll. Those answering present were Directors Bowman, Caspary, Peterson, Renger and Smith.

2. APPROVAL OF AGENDA

A Approval of agenda.

General Manager Mundy requested Consent Calendar 5E - Claims: Patrick Barsocchini, Edward and Annette Berger, Christopher and Debra Edwards, Colman Gibson and William Keeler be pulled from the Consent Calendar and heard separately; and stated that Legal Counsel did not have a report on Closed Session items 16. A 3. Arnaldes v. EH Excavation, Inc. and Las Virgenes Municipal Water District and 4. Malibou Lake Mountain Club Ltd. v. LVMWD et al.

On a motion by Director Lee Renger, seconded by Director Jeff Smith, the Board of Directors voted 5-0 to Approve the agenda for the Regular Meeting of January 26, 2010, as amended by the recommendations of General Manager Mundy.
AYES: Director(s) Bowman , Caspary , Peterson , Renger , Smith

3. PUBLIC COMMENTS

None.

4. ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS

A Infrastructure Investment Plan, Fiscal Year 2010/11 - 2014/15

Receive and file as a planning document the Infrastructure Investment Plan FY 2010/11 - 2014/15 (LVMWD Report No. 2447.00).

Director of Facilities and Operations Lippman gave a presentation of the Infrastructure Investment Plan, Fiscal Year 2010/11 - 2014/15.

*On a motion by Director Lee Renger, seconded by Director Glen Peterson, the Board of Directors voted 5-0 to Approve the recommendation as presented.
AYES: Director(s) Bowman , Caspary , Peterson , Renger , Smith*

B Legislative and Regulatory Updates

General Manager Mundy stated a letter will be sent on January 27, 2010, in opposition of AB 1594 (Huber), which is contrary to the water bond intent.

5. CONSENT CALENDAR

*On a motion by Director Glen Peterson, seconded by Director Lee Renger, the Board of Directors voted 5-0 to Approve Consent Calendar 5A-D and 5F as presented.
AYES: Director(s) Bowman , Caspary , Peterson , Renger , Smith*

A Minutes: Regular Meetings of December 8, 2009 and December 22, 2009. Approve

B List of Demands: January 26, 2010. Approve

C Investment Report for the Month of December 2009. Approve

D Investment Review for the Fourth Quarter 2009. Receive and File

E Claims: Patrick Barsocchini, Edward and Annette Berger, Christopher and Debra Edwards, Colman Gibson and William Keeler. Deny

Two speaker cards related to Consent Calendar 5E-Claims were received from the public. (1) Colman Gibson discussed the water damage to his residence, which he believes was caused by Las Virgenes' higher than normal pressure resulting in his regulator failing; and provided Clerk of the Board Conklin with an estimate for the cost of repairs. (2) Christopher Edwards discussed the damage to his garden hose and water heater, which he believes was caused by Las Virgenes' higher than normal pressure, resulting in his regulator failing.

On a motion by Director Joseph Bowman, seconded by Director Charles Caspary, the Board of Directors voted 5-0 to Approve , contrary to staff recommendation Consent Calendar 5E - Claims: Patrick Barosocchini, Edward and Annette Berger, Christopher and Debra Edwards, Colman Gibson and William Keeler.

*Directors Caspary and Bowman requested that staff include in the next newsletter mailed with bills, information pertaining to customer responsibility in regards to properly maintaining their residential regulators; verify costs and include a waiver of liability with payment of the approved claims; and include as part of the process notifications to claimants that their claim was received and of where their claim is in the process.
AYES: Director(s) Bowman , Caspary , Peterson , Renger , Smith*

F Claim: Leebo Shim. Deny

6. TREASURER

No report was given.

7. BOARD OF DIRECTORS

A Board of Directors Compensation

This item is presented to request staff direction should the Board wish to consider any adjustment in compensation and/or to consider any change in the code language in addressing future Board compensation.

On a motion by Director Joseph Bowman, seconded by Director Glen Peterson, the Board of Directors voted 5-0 to Authorize staff to include Board of Director's Compensation (per diem) in the next compensation survey, to be conducted in 2010 and report the findings to the Board.

AYES: Director(s) Bowman , Caspary , Peterson , Renger , Smith

8. GENERAL MANAGER

A Labor Negotiator

Approve an Agreement for Professional Services for the period of January 27, 2010 through June 30, 2010; and authorize the General Manager to execute a purchase order in an amount not to exceed \$20,000.00 for said services.

On a motion by Director Glen Peterson, seconded by Director Lee Renger, the Board of Directors voted 5-0 to Approve the recommendations as presented.

AYES: Director(s) Bowman , Caspary , Peterson , Renger , Smith

At the request of President Caspary, Information Item 13. C: Water Shortage Update - December 2009 was heard at this point in the board meeting to accommodate the public speakers who were present.

9. FACILITIES AND OPERATIONS

A Engineering Design Services for the 1235-ft Backbone Improvements Program Project - Recommended Consultant

Accept the proposals from Kennedy Jenks for engineering services for preparation of final design report, and plans and specifications for Agoura Hills Pipeline and Calabasas Pipeline.

On a motion by Director Joseph Bowman, seconded by Director Lee Renger, the Board of Directors voted 5-0 to Approve the recommendation as presented.

AYES: Director(s) Bowman , Caspary , Peterson , Renger , Smith

10. FINANCE AND ADMINISTRATION

A Second Quarter Financial Review and Spotlight on LVMWD

Receive and file.

On a motion by Director Lee Renger, seconded by Director Joseph Bowman, the Board of Directors voted 5-0 to Approve the recommendation as presented.

AYES: Director(s) Bowman , Caspary , Peterson , Renger , Smith

B Upgrade to JD Edwards EnterpriseOne (E1)Version 9.0

Authorize the General Manager to approve the proposed Statement of Work for the upgrade

to Oracle's E1 9.0 in the amount of \$66,000.

*On a motion by Director Joseph Bowman, seconded by Director Charles Caspary, the Board of Directors voted 5-0 to Approve the recommendation as presented.
AYES: Director(s) Bowman , Caspary , Peterson , Renger , Smith*

11. RESOURCE CONSERVATION AND PUBLIC OUTREACH

- A** Rancho Las Virgenes Farm Sprayfield Operations & Maintenance Services Contract Extension

Authorize the General Manager to enter into a one-year contract with W. Litten Land Preparation in an amount not to exceed \$250,000.

*On a motion by Director Lee Renger, seconded by Director Glen Peterson, the Board of Directors voted 5-0 to Approve the recommendation as presented.
AYES: Director(s) Bowman , Caspary , Peterson , Renger , Smith*

12. LEGAL SERVICES

- A** Potable Water Replacement Fund Standby Charge. Paragraph One: The full reading of the proposed Ordinance No. 01-10-261 as it relates to continuation of the Water Replacement Fund Standby Charge for fiscal year commencing July 1, 2010, be waived, and the Board order publication within 30-days of adoption using a summary of the ordinance. Paragraph Two: The Board by a roll call vote of Ayes: Noes: Abstain: Absent: that the proposed Ordinance No. 01-10-261 as it relates to continuation of the Water Replacement Fund Standby Charge for fiscal year commencing July 1, 2010, given second reading by title only, be passed, approved and adopted as presented.
ORDINANCE NO. 01-10-261 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, 2010.

On a motion by Director Glen Peterson, seconded by Director Joseph Bowman, the Board of Directors voted 5-0 to Approve the recommendations as stated in paragraph one.

AYES: Director(s) Bowman , Caspary , Peterson , Renger , Smith

On a motion by Director Lee Renger, seconded by Director Charles Caspary, the Board of Directors voted 5-0 to Approve by roll call vote, the recommendations as stated in paragraph two. At the request of President Caspary, Legal Counsel Lemieux read the ordinance by title only.

AYES: Director(s) Bowman , Caspary , Peterson , Renger , Smith

13. INFORMATION ITEMS

- A** Second Quarter, 2009 - Consultant's Report
- B** National Theatre for Children 2009/2010
- C** Water Shortage Update - December 2009

Two speaker cards were received from the public. (1) Art Guglielmi stated he and Howard Rodgers have ideas for the February 13, 2010, Water Allocation Workshop in regards to refunding or non-refunding of penalty and surcharge monies; and modifications to the water allocation budget program. (2) Howard Rodgers stated refunding of penalty and surcharge monies to customers would be a "goodwill" gesture; and if Las Virgenes does not need to pay MWD penalties at the end of the 12-month allocation period, refunding is the right

thing to do.

14. NON-ACTION ITEMS

A Organization Reports(1) MWDa. Representative Report/Agenda(s) (2)Other

(1) MWD Representative Peterson discussed general business of Metropolitan including the Diamond Valley Lake sustainability project; Blue Ribbon Task Force for sustainability and finances; and future purchase water increases.

(2) No reports were given.

B Director's Reports on Outside Meetings

Directors Renger and Caspary reported on their attendance at the State of the Bay Conference, which included the topic of treating emerging contaminants.

Director Bowman reported on his attendance at AWA during which local infrastructure was discussed.

Directors Bowman and Peterson discussed their attendance at the CASA Palm Desert Conference, which included the topics of financing of infrastructure; safe drug disposal act; the impacts of regulatory pressures on local sanitation agencies; and fuel cells.

C General Manager Reports

General Manager Mundy provided an update regarding general business of the district including rain totals, status of creek; and responded to questions regarding odors in Calabasas, which staff is working on with City of Calabasas.

D Director's Comments

Director Bowman stated he had discussed with Legal Counsel Lemieux prior to the board meeting what his boundaries are regarding open session discussions of employee compensation and benefits. He stated his understanding was that some staff were offended by his comments regarding employee benefits and he wanted everyone to know that he takes his responsibilities as a board member very seriously. His fundamental duty is to protect the public's interests, which include in no particular order (1) financial controls; (2) proper job budgeting; (3) good/qualified staff who are appropriately compensated; (4) the general manager to carry out policies; and (5) transparency to customers. He is opposed to a multi-year contract; costs have gone way up over the past 5-years; benefits have gone up higher than the Consumer Price Index (CPI); a public official in San Diego currently has a personal fraud lawsuit against them for failing to disclose what the effect of retirements is on bonds; he will not approve CPI until after a survey is completed in 2010; City of Thousand Oaks gave a 3% increase and then laid off 30+ employees to compensate for the expenditure and does not want to see layoffs at LVMWD; and employees must start participating in Public Employees' Retirement System (PERS) costs. He is not opposed to bonus programs, but they must be given for extraordinary - not routine performance. Phase I should be to hire a consultant and make corrections to total compensation; and Phase II should be a 2-tier program for new employees. Everything is on the table for negotiations.

15. FUTURE AGENDA ITEMS

16. CLOSED SESSION

The meeting adjourned to break at 7:30 p.m. and reconvened into Closed Session at 7:34

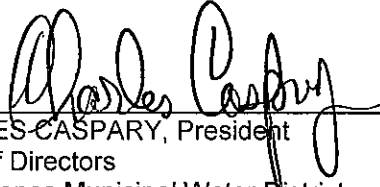
p.m.

A Conference with District Counsel - Existing Litigation

1. Cooper, et al. v. Calabasas Park Estates, et al
2. Mehta Construction Company v. LVMWD
5. Personnel - Negotiations - Employee Compensation & Benefits

17. OPEN SESSION AND ADJOURNMENT

The meeting reconvened into Open Session at 9:02 p.m. and the Chair declared the meeting adjourned at 9:03 p.m. in memory of former ACWA Executive Director, Steve Hall.



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

ATTEST:



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

(SEAL)

