



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

MINUTES
REGULAR MEETING

5:00 PM

April 13, 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 12.B Labor Negotiations (Government Code Section 543957.6): 1. Employee Compensation & Benefits be heard after 4.B Legislative and Regulatory Updates; and that the language "Public Hearing:" be stricken from 4.A Public Hearing: Amendments to Ordinance 03-09-256 - Changes to Water Allocation Program.

On a motion by Director Lee Renger, seconded by Director Glen Peterson, the Board of Directors voted 5-0 to Approve the agenda for the Regular Meeting of April 13, 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 Public Hearing: Amendments to Ordinance 03-09-256 - Changes to Water Allocation

Program

The full reading of the proposed Ordinance, amending Ordinance No. 11-86-161 (Las Virgenes Code) that Adopts Further Water Conservation Measures be waived, and the Board order publication within 30-days of adoption using a summary of the ordinance.

The Board by a roll call vote of Ayes: Noes: Abstain: Absent that the proposed Ordinance amending Ordinance No. 11-86-161 (Las Virgenes Code) that Adopts Further Water Conservation Measures, be given first reading by title only.

Director of Resource Conservation and Public Outreach Reyes discussed amendments to Ordinance 03-09-256; proposed changes to the Water Allocation Program; and stated no public comments had been received by the District. General Manager Mundy discussed processing of the estimated 6,000 refund checks, associated costs and turnaround time to customers.

Art Guglielmi asked if all credits could be applied to billing accounts.

Two speaker cards were received: (1) Howard Rodgers stated he would be willing to take a credit, or even an on-going credit; customers at top end will still have to cut more than 30%; and stated that although Mr. Reyes had done an amazing job of coming up with different mathematical equations, he recommends the District use the plan he and Mr. Guglielmi proposed, or at least try it. (2) Art Guglielmi stated at the last board meeting it sounded like refunds were going to be processed as soon as possible and now July; it seems like we are not moving forward; didn't know rollovers had to be programmed to calculate 90% or 100% refunds; customers need to be recognized and thanked for their success and attempts at conserving water.

President Caspary requested General Manager Mundy review refund methodology; calculate refunds and credit to customer accounts in lieu of issuing checks; and to process credits as soon as possible.

Director Bowman also requested staff move forward as soon as possible with refunds to customers; and to give the Board plenty of lead time in regards to when and if there is a new allocation from Metropolitan. Director of Resource Conservation and Public Outreach Reyes stated at their April 8, 2010 Member Agency Meeting, Metropolitan indicated that they were remaining at delivery level two.

On a motion by Director Joseph Bowman, seconded by Director Lee Renger, the Board of Directors voted 5-0 to Approve the recommendations as presented in paragraph one. AYES: Director(s) Bowman , Caspary , Peterson , Renger , Smith

On a motion by Director Joseph Bowman, seconded by Director Lee Renger, the Board of Directors voted 5-0 to Approve by roll call vote of Ayes: 5; Noes: 0; Abstain: 0; and Absent: 0, the recommendation as presented in paragraph two. AYES: Director(s) Bowman , Caspary , Peterson , Renger , Smith

B Legislative and Regulatory Updates

Director of Facilities and Operations Lippman discussed the Regional Water Quality Control Board's tentative permit for Tapia Water Reclamation Facility; and stated staff is currently gathering comments and will be meeting with the Regional Board staff on April 27, 2010 to discuss the tentative permit.

Director Peterson commented that a Special Meeting of the Joint Powers Authority should be

called if need be to discuss the tentative permit with its Governing Board.

The meeting adjourned into Closed Session at 5:53 p.m. to discuss 12.B Labor Negotiations (Government Code Section 543957.6): Employee Compensation & Benefits.

The meeting reconvened into Open Session at 6:51 p.m.

5. CONSENT CALENDAR

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

A Minutes: Regular Meetings of January 12; January 26; and February 9, 2010.

B List of Demands: April 13, 2010.

C Directors' Per Diem: March 2010.

6. TREASURER

No report was given.

7. BOARD OF DIRECTORS

A Las Virgenes Homeowners Federation 43rd Annual Installation Banquet

Authorize Directors attendance at the April 23, 2010 Las Virgenes Homeowners Federation Annual Banquet; and authorize per diem compensation for the event.

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

B West Basin MWD's Water Reliability 2020 Program - Support

The Board of Directors to discuss it's interest in supporting West Basin MWD's "Water Reliability 2020 Program"; and if support is selected, authorize the General Manager to execute a letter of support.

*On a motion by Director Glen Peterson, seconded by Director Jeff Smith, the Board of Directors voted 4-1 to Approve the recommendation as presented.
AYES: Director(s) Caspary , Peterson , Renger , Smith
NOES: Director(s) Bowman*

8. FACILITIES AND OPERATIONS

A 2009 Seasonal Run Report - Westlake Filtration/Pump Plant and Las Virgenes Reservoir

Receive and file LVMWD Report No. 2452.00, "2009 Seasonal Run Report, Westlake Filtration Plant and Las Virgenes Reservoir."

Director of Facilities and Operations Lippman provided an update of the Calabasas Feeder Shutdown - photos from the shutdown were requested by Director Peterson.

On a motion by Director Lee Renger, 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

B Call For Bids - Annual Weed Abatement at Various Facilities

Authorize a Call for Bids for Annual Weed Abatement at various facilities.

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

C Westlake Filtration Building and Control House Re-roofing Approval of Plan and Specifications (Tectonics) and Call for Bids

Approve staff findings that the project is exempt from provisions of CEQA and direct staff to file a Notice of Exemption with the Los Angeles County Recorder; ratify the Tectonics Professional Services Agreement approved by the General Manager for \$18,320.15; approve the final plans and specifications from Tectonics and authorize a call for bids in accordance with the project plans and specifications and proposed bid schedule.

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

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

9. LEGAL SERVICES

A Office and General Units Memorandums of Understanding: January 1, 2010 to December 31, 2014.

Ratify the Office and General Units Memorandums of Understanding as presented; and authorize the General Manager to execute the two MOUs.

President Caspary stated after Closed Session discussions of 12.B Labor Negotiations (Government Code 543957.6): 1. Employee Compensation & Benefits, consideration of item 9.A Office and General Units Memorandums of Understanding: January 1, 2010 to December 31, 2014, would be tabled until the Board sees a corrected version of the MOUs.

On a motion by Director Lee Renger, seconded by Director Jeff Smith, the Board of Directors voted 4-1 to Defer consideration of the MOUs as stated in President Caspary's recommendation.

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

NOES: Director(s) Peterson

10. NON-ACTION ITEMS

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

(1) MWD Representative Peterson discussed general business of Metropolitan including future potable water rate increases; expenditure cost cutting; and budget adoption, which is on hold until increases are calculated into the proposed budget.

(2) No reports were given.

B Director's Reports on Outside Meetings

President Caspary stated that he planned on attending the upcoming Santa Monica Bay Restoration Commission meeting of April 15, 2010; possible agenda item for a proposed plastic bag use fee.

C General Manager Reports

General Manager Mundy provided an update regarding general business of the district including the start date for physical construction of the 24" recycled water line located near the Tapia Park exit; final Water Shortage Committee meeting of April 19, 2010; lack of quorum for upcoming meetings including the April 27, 2010, LVMWD regular board meeting and May 3, 2010, JPA regular board meeting; and requested direction as to selections for the Water Awareness Poster Contest, scheduled for April 27th. President Caspary requested staff make the poster contest selections this year on behalf of the Board of Directors.

D Director's Comments

Director Renger discussed a telephone call he received from Toby Keeler regarding detachment from City of Calabasas.

11. FUTURE AGENDA ITEMS

12. CLOSED SESSION

The meeting adjourned into Closed Session at 7:20 p.m.

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

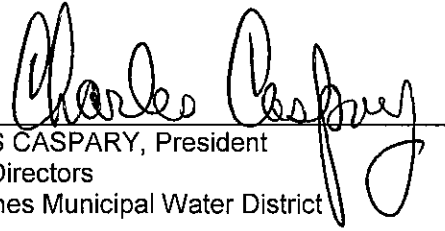
1. Cooper, et al. v. Calabasas Park Estates, et al.
2. Mehta Construction Company v. LVMWD

B Labor Negotiations (Government Code Section 543957.6):Employee Compensation & Benefits

12.B Labor Negotiations (Government Code Section 543957.6) was discussed after 4.B Legislative and Regulatory Updates.

13. OPEN SESSION AND ADJOURNMENT

The meeting reconvened into Open Session at 8:00 p.m. and the Chair declared the meeting adjourned at 8:01 p.m.


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

ATTEST:



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

(SEAL)