



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

MINUTES
REGULAR MEETING

5:00 PM

November 8, 2011

PLEDGE OF ALLEGIANCE

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

1. CALL TO ORDER AND ROLL CALL

A Call to order and roll call

The meeting was called to order at 5:02 p.m. by President Renger in the District offices. Assistant Deputy Secretary Conklin called the roll. Those answering present were Director Bowman, Caspary, Peterson, Renger and Steinhardt.

2. APPROVAL OF AGENDA

A Approval of agenda

General Manager Mundy stated subsequent to posting of the agenda, notification was received from legal counsel requesting a Closed Session item pertaining to Rossco Holdings, Inc. v. Las Virgenes Municipal Water District, et al., a bankruptcy case, which needs to be added to the agenda as 13. B.

Legal Counsel Keith Lemieux stated this action required a 4/5 vote of the Board; and that Closed Session item 13. A Conference with District Counsel - Public Employee Discipline/Dismissal/Release was being pulled from the agenda as a 24-hour notification to the affected party had not been completed by Human Resources.

On a motion by Director Lee Renger, seconded by Director Barry Steinhardt, the Board of Directors voted 5-0 to Approve by roll call vote conducted by Secretary Caspary, the addition of Closed Session 13. B Conference with District Counsel - Existing Litigation (Government Code Section 54956.9(a)): 1. Rossco Holdings, Inc. v. Las Virgenes Municipal Water District, et al.

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

On a motion by Director Glen Peterson, seconded by Director Joseph Bowman, the Board of Directors voted 5-0 to Approve the Regular Board Meeting of November 8, 2011, as amended by the recommendations of General Manager Mundy and Legal Counsel Keith Lemieux.

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

3. PUBLIC COMMENTS

No speaker cards were received from the public.

4. ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS

A Legislative and Regulatory Updates

No report was given.

5. CONSENT CALENDAR

On a motion by Director Charles Caspary, seconded by Director Glen Peterson, the Board of Directors voted 5-0 to Approve Consent Calendar 5A-5C as presented in the recommendations.

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

A Minutes: Regular Meeting of September 13, 2011. Approve

B List of Demands: November 8, 2011. Approve

C Directors' Per Diem: October 2011 - to include per diem approvals for the October 18, 2011 CORO Event and October 24, 2011 City of Westlake Village Safety Committee Meeting. Approve

6. TREASURER

Treasurer Steinhardt reported he had reviewed the checks associated with the list of demands and found all items to be in order.

7. BOARD OF DIRECTORS

A Re-division of District Director Boundaries

The Board of Directors to discuss division boundaries and provide direction to staff; staff recommends approval of the alternative Division boundary map Option 1 as presented herein, which closely reflects existing Division boundaries; and to pass, approve and adopt the associated Resolution No. 11-11-2425 as it relates to establishment of the selected Division boundary map. In order to provide the Board of Directors with additional choices Option 2 and Option 3 Division boundary maps are also presented herein.

RESOLUTION NO. 11-11-2425: A RESOLUTION OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT ESTABLISHING THE BOUNDARIES FOR THE DIVISIONS REPRESENTED BY THE MEMBERS OF THE BOARD OF DIRECTORS

(Reference is hereby made to Resolution No. 11-11-2425 on file in the District's Resolution Book and by this reference the same is incorporated herein and made a part of hereof.)

General Manager Mundy discussed the County of Los Angeles Registrar-Recorder/County Clerk's request for use of 2010 Census data versus voter precincts in determining division boundaries for the 2012 election; GIS Technician Fields verified the 5% plus/minus

requirement; and the Board of Directors discussed the pros and cons of each option.

On a motion by Director Joseph Bowman, seconded by Director Glen Peterson, the Board of Directors voted 4-1 to Approve staff's recommendation of the alternative Division boundary map Option 1 and execution of the associated Resolution No. 11-11-2425 as presented.

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

NOES: Director(s) Steinhardt

8. FINANCE AND ADMINISTRATION

A Claim by Viewpoint School

Deny the claim from Viewpoint School for \$84,264.

General Manager Mundy discussed fire line immunity and on-going discussions with the insurance companies in regards to settling the claim, and stated Legal Counsel Silander recommended denying the claim. The Board of Directors had several questions and specific points of clarification, and due to the nature of the specific details Legal Counsel Keith Lemieux requested further discussions be held in closed session.

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, and to further discuss specifics of the claim in closed session.

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

9. LEGAL SERVICES

A Resolution of Intent for Continuation of Potable Water Standby Charge

Adopt the proposed Resolution of Intent (Resolution No. 11-11-2424) continuing the Standby Charge pursuant to the "Municipal Water District Law"; order notification of properties which changed ownership since the last standby assessment; order publication of the Notice of Public Hearing in a newspaper of general circulation once a week for a two week period and; set a Public Hearing for 5:00 PM, January 10, 2012 to consider the continuation of the Standby Charge.

RESOLUTION NO. 11-11-2424: A RESOLUTION OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT INITIATING PROCEEDINGS FOR THE CONTINUATION OF THE WATER AVAILABILITY OR STANDBY CHARGE FOR THE FISCAL YEAR COMMENCING JULY 1, 2012.

(Reference is hereby made to Resolution No. 11-11-2424 on file in the District's Resolution Book and by this reference the same is incorporated herein and made a part of hereof.)

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 , Steinhardt

10. INFORMATION ITEMS

A Billing Presentment and Payment Update

General Manager Mundy discussed the upgrades to the online billing and payment system. Director Caspary requested staff provide information to the Board of Directors in regards to whether the third party vendor has a bond or another form of assurance in the event of insolvency.

11. NON-ACTION ITEMS**A** Organization Reports(1) MWDa. Representative Report/Agenda(s); (2)Other

(1) MWD Representative Peterson discussed general business of Metropolitan including property leases; guaranteed purchase agreements; interruptible replenishment water; groundwater basin presentations; and the increase in Colorado River's water level.

(2) None.

B Director's Reports on Outside Meetings

Director Peterson reported on his attendance at the November 2, 2011, 3rd Annual Ventura County Water Tour held by AWA.

C General Manager Reports

General Manager Mundy provided an update of general business of the District including a water line break in Calabasas on November 3, 2011; Woolsey/Box Canyon system; potable tour on November 5, 2011 was attended by 45 people; paint samples for the Westlake Filtration Plant are available for review by the public; and Huell Howser is completing his California Gold Series by interviewing staff at West Basin and Las Virgenes Municipal Water Districts on November 10, 2011.

D Director's Comments

Director Bowman requested an updated organizational chart be provided to the Board at their November 10, 2011 Financial Planning Workshop; and requested a summary of line breaks for the last 3 years including cause/costs/inspections in affected area/water loss.

12. FUTURE AGENDA ITEMS

None.

13. CLOSED SESSION

The meeting adjourned into Closed Session at 6:11 p.m.

A Conference with District Counsel (Government Code Section 54957(b)): 1. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE**B** Conference with District Counsel - Existing Litigation (Government Code Section 54956.9(a)):

1. Rosasco Holdings, Inc. v. Las Virgenes Municipal Water District, et al

14. OPEN SESSION AND ADJOURNMENT

The meeting reconvened into Open Session at 6:23 p.m. and the Chair declared the meeting adjourned at 6:24 p.m.

Lee Renger

LEE RENGER, President
Board of Directors
Las Virgenes Municipal Water District

ATTEST:

Charles Caspary

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

(SEAL)