



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

**MINUTES**  
**REGULAR MEETING**

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5:00 PM

April 12, 2016

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance to the Flag was led by David Lippman.

**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, Lee Renger, and Glen Peterson

Absent: None

Staff Present: David Pedersen, General Manager  
David Lippman, Director of Facilities and Operations  
Donald Patterson, Director of Finance and Administration  
Carlos Reyes, Director of Resource Conservation and Public Outreach  
Josie Guzman, Clerk of the Board  
Steven O'Neill, District Counsel

**2. APPROVAL OF AGENDA**

Board President Peterson asked to change the order of the agenda by moving up Item 7A to follow adoption of the Consent Calendar.

Director Renger moved to approve the agenda as amended. Motion seconded by Director Caspary. Motion carried unanimously.

**3. PUBLIC COMMENTS**

None.

**4. CONSENT CALENDAR**

**A List of Demands: April 12, 2016 - Approve**

**B Minutes: Regular Meeting of March 22, 2016 - Approve**

**C Directors' Per Diem – March 2016 - Ratify**

**D Pressure Regulator Request for Bids and Meter Parts and Fittings Contract Increase**

**Approve a Request for Bids for pressure regulators and authorize the General Manager to increase annual contract amount, and subsequent renewal option, with Famcon Pipe and Supply, Inc. for the purchase of Ford meter parts and fittings to \$75,000.**

**E 18-inch Recycled Water Pipeline Joint Bonding Repair Project: Call for Bids**

**Authorize a Call for Bids for the 18-inch Recycled Water Pipeline Joint Bonding Repair Project.**

**F Annual Report: Records Review and Destruction**

**Authorize the destruction of records except for those noted.**

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

**7. BOARD OF DIRECTORS**

**A Water Budget “Rollover” Proposal: Review and Discuss**

**Review and discuss the water budget “rollover” proposal by Mr. Joel Friedman.**

Joel Friedman stated that he previously presented a proposal to the Board to allow District customers to “rollover” unused water budget amounts month-to-month. He referred to charts he prepared with a hypothetical example of the current water budget compared to a proposed rollover plan.

Board President Peterson stated that the purpose of water budgets was to encourage water conservation and to help comply with the State’s mandate to reduce water usage 20 percent by 2020.

There was a lengthy discussion between Mr. Friedman and the Board regarding the proposal.

General Manager David Pedersen stated that the main concern when exceeding the water budget was recovery of the incrementally higher unit cost of water associated with peaking. He explained the budget-based rate structure was designed to recover the cost of providing water service to customers and encourage water conservation at all times.

No action was taken.

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

### **A Owl House Presentation by Camp David Gonzales Students**

Water Systems/Facilities Manager Larry Miller stated that the Board previously directed staff to work with Camp David Gonzales to construct owl houses for installation at District facilities for natural rodent control. He noted that the District purchased the wood, and the students from Camp David Gonzales built owl houses.

Ty Kastendiek, instructor at Camp David Gonzales, reported that the students assisted in building eight owl houses for the District. He stated that the theme of the project was social responsibility, and the students conducted an analysis to determine the best use of materials. He displayed a sample of an owl house constructed with plywood and painted with exterior paint, and he explained that the owl houses would be suspended from trees with wire. He noted that an owl house would provide shelter for two adult owls and approximately five to six offspring. He also noted that one owl consumes approximately 180 rodents per month.

### **B Legislative and Regulatory Updates**

General Manager David Pedersen stated that the State Water Resources Control Board (Water Board) is considering making amendments to the emergency regulations in either May or June, and a workshop is scheduled on April 20 to receive public input. He noted that the District would be signing a coalition letter with other agencies with similar concerns and interests asking the Water Board to consider a demand and supply-based balance for water use restrictions for the current year and the two upcoming years. He stated that agencies would either demonstrate they have sufficient water for supply and demand or implement measures to reduce their demand to bring them into balance. He also stated that the Water Board would also consider long-term water use efficiency standards. He noted that there are concerns that the current emergency regulations do not reflect local issues and nuances affecting water use that need to be considered in a long-term policy. He also noted that the Association of California Water Agencies, American Water Works Association, California Municipal Water Utilities, and California Urban Water Agencies would provide a proposal for a long-term framework for water use efficiency.

Public Affairs and Communications Manager Jeff Reinhardt reported that the District sent a letter of support for HR 4615 (Huffman), The Water Conservation Tax Parity Act. He noted that Congressman John Garamendi planned on introducing a twin bill to Senator Dianne Feinstein's bill on drought relief and long-term and short-term planning, and the Congressman is seeking letters of support. He also noted that the Assembly Water, Parks, and Wildlife Committee unanimously cleared AB 2488, which would allow MWD to reconstruct the Foothill Feeder without violating the Endangered Species Act. He reported that AB 1713 (Eggman) for the tunnels project was postponed one week, as well as the proposal by Assemblymember Jim Frazier to add the California WaterFix to the Delta Reform Act of 2009, because of inconsistencies with the co-equal goals. He noted that AB 2515 (Weber), The Water Conservation in Landscaping Act proposes to synchronize the schedule on model landscape ordinances with Building Code updates. He reported that Los Angeles County Supervisors Sheila Kuehl and Hilda Solis co-sponsored a motion to design a County Drought Resiliency Work Plan to increase local water self-reliance, drought preparedness, and improve water quality; and help communities adapt to the effects of climate change. He noted that Supervisor Kuehl made a separate motion with Supervisor Mark Ridley-Thomas to develop a net zero water use policy to help ensure that future developments will not increase regional demand for increasingly limited water. He also noted that a range of stakeholders would participate in designing the Net Zero Water Ordinance. He stated there was no update regarding Senator Fran Pavley's bill regarding water-energy nexus or Senator Hertzberg's bill regarding wastewater discharges, which is opposed by the California Association of Sanitation Agencies.

General Manager David Pedersen stated that staff would monitor the County Drought Resiliency Work Plan because it appeared to be similar to the Clean Water Clean Beaches Initiative, which focused on water quality improvements and MS4 compliance. He also stated that staff would monitor the Net Zero Water Ordinance. Director Lewitt suggested that District staff seek participation on the County's committee for preparing the Net Zero Water Ordinance. General Manager David Pedersen responded that staff would send a letter and offer to participate on this committee.

### **C Water Supply Conditions and Drought Response**

General Manager David Pedersen reported that the District achieved a 30 percent reduction in water usage for the month of March as compared to 2013 and a cumulative total reduction of 28.5 percent. He noted that the State Board recently awarded the District a 35 percent reduction standard.

## **6. TREASURER**

Director Lewitt stated that the Treasurer's report was in order. He inquired regarding a payment made to In N Out Burger. Director of Finance and Administration Donald Patterson responded that this was a refund of their connection deposit for their new restaurant in Westlake Village.

**7. BOARD OF DIRECTORS**

**B Support for ACA 8 (Bloom): Local Government Financing**

**Express support for ACA 8 (Bloom): Local Government Financing: water facilities and infrastructure: voter approval.**

General Manager David Pedersen presented the report.

Director Lewitt moved to approve Item 7B as presented. Motion seconded by Director Polan.

Director Caspary expressed his concern that the proposed amendment would sidestep Proposition 13 and make it easier for public agencies to incur debt when there may be alternative funding options.

Director Renger stated he would be supportive if a sunset clause was included.

Motion carried by the following roll call vote:

AYES: Lewitt, Polan, Peterson

NOES: Caspary, Renger

ABSTAIN: None

**C Long-Term Water Conservation and Management Policy: Resolution**

**Pass, approve and adopt Resolution No. 2491 regarding long-term water conservation and management policy in California.**

**RESOLUTION NO. 2491**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT REGARDING LONG-TERM WATER CONSERVATION AND MANAGEMENT POLICY IN CALIFORNIA**

(Reference is hereby made to Resolution No. 2491 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 Renger moved to approve Item 7C as presented. Motion seconded by Director Caspary. Motion carried unanimously.

**8. FINANCE AND ADMINISTRATION**

**A Clean Water State Revolving Fund Application for AMR/AMI Project: Resolutions**

**Pass, approve and adopt the proposed resolutions required for a Clean Water State Revolving Fund application.**

**RESOLUTION NO. 2486**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT AUTHORIZING APPLICATION FOR FUNDING FROM THE CLEAN WATER STATE REVOLVING LOAN FUND**

**RESOLUTION NO. 2487**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT PLEDGED REVENUES AND FUND(S) RESOLUTION**

**RESOLUTION NO. 2488**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT PLEDGING MATCH FINANCING**

**RESOLUTION NO. 2489**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT AUTHORIZING REIMBURSEMENT TO THE CLEAN WATER STATE REVOLVING LOAN FUND**

(Reference is hereby made to Resolution Nos. 2486, 2487, 2488, and 2489 on file in the District's Resolution Book and by this reference the same is incorporated herein.)

Director of Finance and Administration Donald Patterson presented the report.

Director Caspary moved to approve Item 8A as presented. Motion seconded by Director Polan.

Director of Resource Conservation and Public Outreach Carlos Reyes responded to a question regarding the life expectancy of water meters by stating that the average life expectancy is 20 years.

Motion carried unanimously.

**B Cellular Device Reimbursement Policy**

**Approve the proposed Cellular Device Reimbursement Policy.**

General Manager David Pedersen presented the report.

Director Lewitt moved to approve Item 8B as presented. Motion seconded by Director Caspary.

A discussion ensued regarding potential conflicts with employee confidentiality and the District's ability to access the phone's data. General Manager David Pedersen noted that employees would be required to sign the Cellular Device Enrollment Form, which includes agreeing that personal cellular devices or data therein would be subject to public records requests and subpoenas. Director Lewitt suggested that the employees be made aware that text messages may be included if they pertain to District business.

Motion carried unanimously.

## 9. LEGAL SERVICES

### A Update to Purchasing Policy: Resolution

Pass, approve and adopt Resolution No. 2490, modifying Las Virgenes Municipal Water District Code.

#### RESOLUTION NO. 2490

**A RESOLUTION OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT ADOPTING LAS VIRGENES MUNICIPAL WATER DISTRICT CODE TITLE 2, CHAPTER 6, ARTICLE 4 – PURCHASING AND REPEALING CONFLICTING SECTIONS OF RESOLUTION NO. 2468**

General Manager David Pedersen presented the report.

Director Caspary moved to approve Item 9A as presented. Motion seconded by Director Lewitt.

Director Caspary requested that the General Manager continue to report to the Board on emergency purchases.

Motion carried unanimously.

## 10. INFORMATION ITEMS

### A Sanitation Rate for Single-Family Residential Customers

### B Corrosion Control Desktop Study

Director Caspary commented that the study was very reassuring.

## 11. NON-ACTION ITEMS

## **A Organization Reports**

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

Board President Peterson reported that the MWD Board adopted its two-year budget, which includes a four percent increase in wholesale water rates. He noted that a large group of people spoke on several issues during the MWD Board meeting. He also noted that the MWD Board approved negotiating land leases in the Palo Verde Valley. He commented that the Colorado River Aqueduct Inspection Trip held the past weekend was one of the best ever.

### (2) Other

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

None.

## **C General Manager Reports**

### (1) General Business

General Manager David Pedersen reported that the MWD completed its shutdown for repairs to the Sepulveda Feeder and normal operations had been restored. He acknowledged District staff for their efforts and customers for reducing their water use during the shutdown. He noted the following meetings and events: Las Virgenes – Triunfo Joint Powers Authority special meeting on April 14; Las Virgenes Municipal Water District special meeting on April 18 for a workshop regarding the strategic plan update and preliminary budget presentation; California Water Policy Conference - POWER at UC Davis April 20 through 21; and the Association of Water Agencies of Ventura County Water Symposium on April 21.

### (2) Follow-Up Items

General Manager David Pedersen mentioned that an item regarding temporary water meters would be included on the next agenda.

## **D Directors' Comments**

Director Polan inquired regarding the status of the installation of a native garden in front of District headquarters. Director of Resource Conservation and Public Outreach Carlos Reyes responded that native plants were planted prior to the street construction; however, some plants were removed. He stated that the plants would be replanted after construction is completed.

## **12. FUTURE AGENDA ITEMS**

None.



**13. PUBLIC COMMENTS**

None.

**14. CLOSED SESSION**

The Board recessed to Closed Session at **6:43 p.m.** to discuss the following item:

**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. San Diego County Water Authority v. Metropolitan Water District of Southern California, et al.

**15. OPEN SESSION AND ADJOURNMENT**

The Board reconvened to Open Session at **7:25 p.m.**

District Counsel Steven O'Neill reported that during the Closed Session a report was given regarding San Diego County Water Authority v. Metropolitan Water District of Southern California, et al., and the Board provided direction to staff. No other formal action was taken.

Seeing no further business to come before the Board, the meeting was duly adjourned at **7:25 p.m.**



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

ATTEST:



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

(SEAL)