



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

MINUTES
REGULAR MEETING

5:00 PM

January 24, 2017

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by Steven O'Neill.

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, Len Polan, Glen Peterson, and Lee Renger.

Absent: None

Staff Present: David Pedersen, General Manager
David Lippman, Director of Facilities and Operations
Don 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

Director Caspary moved to approve the agenda. Motion seconded by Director Lewitt. Motion carried unanimously.

3. PUBLIC COMMENTS

Mark Son of Calabasas expressed concern with the District's water budget-based rate structure and whether it is equitable to residents with horses or small lots.

4. CONSENT CALENDAR

A List of Demands: January 24, 2017: Ratify

B Minutes: Regular Meeting of January 10, 2017: Approve

C Authorization of Representative to Administer Local Agency Investment Fund

Pass, approve and adopt Resolution No. 2505, authorizing representatives to administer the District's Local Agency Investment Fund account with the State of California.

RESOLUTION NO. 2505

A RESOLUTION OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT AUTHORIZING INVESTMENT OF MONIES IN THE LOCAL AGENCY INVESTMENT FUND

(Reference is hereby made to Resolution No. 2505 on file in the District's Resolution Book and by this reference the same is incorporated herein.)

D Las Virgenes Municipal Water District Conflict of Interest Code: Adoption

Pass, approve and adopt Resolution No. 2506, amending Resolution No. 2468 (Las Virgenes Code) as it relates to the Conflict of Interest Code

RESOLUTION NO. 2506

A RESOLUTION OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT AMENDING RESOLUTION NO. 2468 (LAS VIRGENES CODE) AS IT RELATES TO THE CONFLICT OF INTEREST CODE

(Reference is hereby made to Resolution No. 2506 on file in the District's Resolution Book and by this reference the same is incorporated herein.)

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

5. ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS

A Legislative and Regulatory Updates

General Manager David Pedersen reported that the State Water Resources Control Board (Water Board) held a workshop on January 18th regarding the current Urban Water Conservation Emergency Regulations to receive input on whether to extend the regulations beyond February 28th. He noted that the District submitted a comment letter recommending that the Water Board allow the emergency regulations to expire without further extension. He also noted that the Water Board would meet and take action on February 7th. Additionally, he reported that the deadline for submittal of new bills to the State Office of Legislative Counsel was January 20th, and staff would review proposed bills as they become available.

D Water Supply Conditions and Drought Response

General Manager David Pedersen provided updated materials on current water supply conditions and reservoir storage. He noted that the Southern Sierra snowpack was up to 238 percent of normal; the statewide snowpack was up to 193 percent of normal; the 8-station index of precipitation was at 52.9 inches and has since increased to 53.2 inches; the Upper Colorado River Basin snowpack was up to 162 percent of normal; and precipitation was up to 136 percent of normal. He also noted that Lake Mead and Lake Powell were still low; however, it was expected that levels would improve with spring runoff. He reviewed the current reservoir conditions and noted that Lake Cachuma was still low at 11 percent of capacity. He also reviewed the Los Angeles County seasonal rainfall totals and the North Sierra Precipitation 8-station index comparison and San Joaquin Precipitation 5-station index comparison for wet and dry years. He noted that on January 18th the State Water Project Allocation was increased on from 45 percent to 60 percent.

6. TREASURER

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

7. BOARD OF DIRECTORS

A Nominations for ACWA Region 8 Board of Directors

Accept nominations for candidates to serve on the ACWA Region 8 Board, if any; select the most qualified candidate; and authorize preparation of a draft resolution expressing support for the selected candidate.

Director Polan expressed an interest in being nominated.

Director Polan moved to nominate Leonard E. Polan as a candidate to serve on the ACWA Region 8 Board, and authorize preparation of a draft resolution expressing support for Leonard E. Polan. Motion seconded by Director Caspary. Motion carried unanimously.

B ACWA/JPIA Executive Board Election: Nomination of Scott H. Quady

Pass, approve and adopt Resolution No. 2507, concurring in the nomination of Scott H. Quady to the Executive Committee of the Association of California Water Agencies Joint Powers Authority.

RESOLUTION NO. 2507

A RESOLUTION OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT CONCURRING IN NOMINATION TO THE EXECUTIVE COMMITTEE OF THE ASSOCIATION OF CALIFORNIA WATER AGENCIES JOINT POWERS INSURANCE AUTHORITY (“ACWA/JPIA”)

(Reference is hereby made to Resolution No. 2507 on file in the District’s Resolution Book and by this reference the same is incorporated herein.)

Director Caspary moved to approve Item 7B. Motion seconded by Director Lewitt. Motion carried unanimously.

8. FACILITIES AND OPERATIONS

A Jed Smith Pipeline Replacement Project: CEQA Determination and Call for Bids

Find that the work is categorically exempt from the California Environmental Quality Act and approve the issuance of a Call for Bids for the Jed Smith Pipeline Replacement Project.

General Manager David Pedersen presented the report.

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

David Lippman, Director of Facilities and Operations, responded to a question regarding whether highlining the main and services would be needed to keep customers in service by stating there would be no need for highlining; however, there would be short shutdowns as services are intercepted in order to reestablish them.

Motion carried unanimously.

B Las Virgenes Road Pressure Reducing Station No.49 Rehabilitation Project: Construction Award

Award a construction contract to J. Vega Engineering, Inc., in the amount of \$67,450, and reject all remaining bids upon receipt of duly executed contract documents for the Las Virgenes Road Pressure Reducing Station No. 49 Rehabilitation Project.

General Manager David Pedersen presented the report.

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

A discussion ensued regarding the bid amounts received for removal and replacement of piping, valves, and appurtenances inside of the vault. David Lippman, Director of Facilities and Operations, noted that it was unknown how much piping would need to be replaced outside of the vault, and there could be a potential for change orders, which would be done on a negotiated basis.

Motion carried unanimously.

9. FINANCE AND ADMINISTRATION

A Potable Water Standby Charge: Adoption of Ordinance

Waive the full reading of proposed Ordinance No. 279 as it relates to continuation of the Water Replacement Standby Charge for Fiscal Year 2017-18; give second reading of the Ordinance by title only; approve the rules and regulations for Water Standby Charge Deferrals; pass, approve and adopt the Ordinance as presented; and order publication within 15 days of adoption using a summary of the Ordinance.

ORDINANCE NO. 279 (SECOND READING AND ADOPTION)

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, 2017

Director Lewitt moved waive the full reading of Ordinance No. 279 as it relates to continuation of the Water Replacement Fund Standby Charge for the fiscal year commencing July 1, 2017. Motion seconded by Director Caspary. Motion carried unanimously.

Director Renger moved to give second reading of Ordinance No. 279 by title only; approve the rules and regulations for Water Standby Charge Deferrals; pass, approve and adopt Ordinance No. 279 as presented; and order publication within 15 days of adoption using a summary of the ordinance. Motion seconded by Director Caspary. Motion carried unanimously.

District Counsel Steven O'Neill read Ordinance No. 279 by title only.

10. NON-ACTION ITEMS

A Organization Reports

- (1) MWD Representative Report

Board President Peterson reported that the MWD Committees met earlier in the day. He noted that the Integrated Resources Planning Committee discussed conservation and per capita water use; the Special Committee on Bay-Delta received a presentation on floodplain management and the California WaterFix; and General Manager Jeff Kightlinger provided an update on the State Water Project.

(2) Other

B Director's Reports on Outside Meetings

Board President Peterson reported that he attended the California Association of Sanitation Agencies (CASA) conference in Palm Springs where Keynote Speaker Dr. Christopher Thornberg provided a presentation regarding the intersection of politics and the economy.

Director Lewitt reported that he also attended the CASA conference. He noted that General Manager David Pedersen provided a presentation entitled "Building Community Partnership through Facility Tours." He suggested that the Board consider holding educational open houses in order to engage the community. A discussion ensued regarding past open houses held at the District.

Director Polan reported that he also attended the CASA conference where he attended a roundtable discussion regarding the impact of the drought on wastewater flows. He noted that most pipes were designed under 1916 guidelines and they are deteriorating due to the materials moving slowly through the pipes. He also reported that he attended a roundtable for political discussions.

Director Renger reported that he attended the Association of Water Agencies of Ventura County's (AWAVC) WaterWise Breakfast meeting, which featured Eric Boldt, Warning Coordination Meteorologist from the National Weather Service, who discussed La Niña weather conditions and the effects of the drought in Ventura County.

Director Caspary reported that he also attended the AWAVC WaterWise Breakfast meeting where there was discussion regarding the drought map, predicted rainfall, and the drought's impacts on groundwater resources.

C General Manager Reports

(1) General Business

General Manager David Pedersen reported that 3.6 inches of rainfall was reported on January 20th and nearly 3 inches on January 22nd. He noted that peak flow at Tapia Water Reclamation Facility measured 20 to 21 million gallons per day (mgd) compared to normal peak flow of 12 mgd; Malibu Creek experienced flows of 3,000 cubic feet per second (cfs); Las Virgenes Reservoir rose approximately 10 inches; and there was no damage to District facilities as a result of recent storms. He noted that the MWD posters would be on display in the District's lobby through January 30th.

(2) Follow-Up Items

D Directors' Comments

Director Caspary requested that General Manager David Pedersen send a letter to Mark Son thanking him for attending the Board meeting and for expressing his concerns on the water budget-based rate structure.

11. FUTURE AGENDA ITEMS

None.

12. PUBLIC COMMENTS

None.

13. CLOSED SESSION

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. Eitan Aizenshtein v. Las Virgenes Municipal Water District, et al.
4. Las Virgenes Municipal Water District v. The Harp, LLC, dba NuLife Treatment Centers
5. San Diego County Water Authority v. Metropolitan Water District of Southern California, et al.

The Board recessed to Closed Session at **5:55 p.m.** and reconvened to Open Session at **6:46 p.m.**

District Counsel Steven O'Neill reported that no updates were provided for Closed Session Items 13A1 or 13A2; the Board received a report regarding Item 13A3 and instruction was given to staff; and the Board received updates on Items 13A4 and 13A5 with no formal action taken.

14. OPEN SESSION AND ADJOURNMENT

Seeing no further business to come before the Board, the meeting was duly adjourned at **6:47 p.m.**



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

ATTEST:



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

(SEAL)