

AGENDA

Board of Directors' Meeting

February 18, 2010

6:00 p.m.

Agenda exhibits and other writings that are disclosable public records distributed to all, or a majority of, the members of the Moulton Niguel Water District Board of Directors in connection with a matter subject to discussion or consideration at an open meeting of the Board of Directors are available for public inspection at the District Office, 27500 La Paz Road, Laguna Niguel, CA ("District Office"). If such writings are distributed to members of the Board less than 72 hours prior to the meeting, they will be available in the reception area of the District Office at the same time as they are distributed, except that, if such writings are distributed immediately prior to, or during, the meeting, they will be available in the Board meeting room.

**BOARD OF DIRECTORS' MEETING
MOULTON NIGUEL WATER DISTRICT
27500 La Paz Road, Laguna Niguel
February 18, 2010
6:00 p.m. (PST)
Approximate Meeting Time: 2 Hours**

I.	CALL MEETING TO ORDER	
II.	PLEDGE OF ALLEGIANCE	
III.	APPROVE MINUTES OF SPECIAL MEETING OF JANUARY 15, 2010 AND JANUARY 21, 2010 BOARD OF DIRECTORS' MEETING	
IV.	PUBLIC COMMENTS	
V.	PRESIDENT'S REPORT	
VI.	BOARD/COMMITTEE REPORTS	3
VII.	CONSENT ITEMS*	
	A. Meters in Service – January 2010	4
	B. Meter Distribution – January 2010	4
	C. Wastewater Treatment Flows – January 2010	4
	D. Potable Water Imported – January 2010	5
	E. Recycled Water Produced – January 2010	5
	F. Recycled Water Goals – Thru January 2010	5
	G. District Activity – January 2010	6
VIII.	GENERAL MANAGER'S REPORT	9
IX.	OPERATIONS MATTERS	9
X.	FINANCIAL MATTERS	9
XI.	ENGINEERING MATTERS	10
XII.	LEGAL MATTERS	19

* Consent items: All items will be approved by Board action as received and filed. Requests for discussion of any specific item should be made to the President of the Board in conjunction with the discussion of the consent motion.

A copy of the agenda and attachments is available for review at the District office. The Board of Directors' Meeting Room is wheelchair accessible. If you require any special disability related accommodations (i.e., access to an amplified sound system, etc.), please contact the Moulton Niguel Water District Secretary's office at (949) 643-2006 at least seventy-two (72) hours prior to the scheduled meeting. This agenda can be obtained in alternate format upon written request to the Moulton Niguel Water District Secretary at least seventy-two (72) hours prior to the scheduled meeting.

The next Regular Board Meeting will be held at 6:00 p.m., on March 18, 2010 at the Moulton Niguel Water District.

VI. BOARD/COMMITTEE REPORTS

A. BOARD MEETINGS

CHAIRMAN

Community Relations

Probolsky

Engineering & Facilities

Froelich

Finance & Audit

Buck

Investment

Lizotte

Personnel & Salary

McKenney

B. STANDING COMMITTEES - (MEETINGS ON CALL OF CHAIRMAN)

Legal & Legislation

McKenney

Rate Review

Kurtz

VII. CONSENT ITEMS

A. METERS IN SERVICE – January 2010

Description	Beginning of Month	Added/ (Subtracted)	End of Month	One Year Ago
Single Family	33,915	12	33,927	33,841
Multi Family	14,688	0	14,688	14,651
Commercial	2,837	3	2,840	2,823
Irrigation	2,635	0	2,635	2,626
Total	54,075	15	54,090	53,941
Est. Population	167,181	31	167,212	166,892

B. METER DISTRIBUTION * – January 2010

Size	Beginning of Month	Added/ (Subtracted)	End of Month	One Year Ago
5/8"	107	0	107	107
3/4"	36,575	-3	36,572	36,615
1"	10,750	15	10,765	10,597
1½"	930	1	931	930
2"	4,947	0	4,947	4,932
2-1/2"	13	0	13	12
3"	80	0	80	78
4"	152	1	153	152
6"	314	1	315	314
8"	186	0	186	183
10"	21	0	21	21
Total	54,075	15	54,090	53,941

*Includes potable and recycled water meters.

C. WASTEWATER TREATMENT FLOWS (MGD) – January 2010

Description	Current Month	One Year Ago
Total Flow	12.6	13.4

D. POTABLE WATER IMPORTED – January 2010

Source	Current Month Average Flow (cfs)	Current Month Volume (af)	Since 7/01/09 To Date Volume (af)	Year Ago To Date Volume (af)
Joint Transmission Main	8.8	541.0	2,671.0	3,123.6
Allen-McColloch Pipeline	8.1	497.9	5,703.2	2,959.1
Central Intertie Pipeline	8.1	497.9	9,745.8	14,297.2
Interties	3.9	239.7	239.7	0.0
Total	28.9	1,776.5	18,359.7	20,379.9

E. RECYCLED WATER PRODUCED – January 2010

UOR Storage at End of Month: 605.4 af	Current Month Average Flow (mgd)	Current Month Volume (af)	Since 7/01/09 To Date Volume (af)	Year Ago To Date Volume (af)
Source				
Regional AWT	3.06	291.1	4,207.5	4,028.4
Plant 3A AWT	1.61	153.2	864.4	518.8
SCWD AWT**	-0.17	-16.2	22.5	171.7
Total Produced	4.50	428.1	5,094.4	4,718.9
To(-)/From(+) Storage	-2.62	-249.3	-142.3	+154.9
Total Delivered	1.88	178.8	4,952.1	4,873.8

**MNWD delivered recycled water to SCWD during month.

F. RECYCLED WATER GOALS – Thru January 2010

Fiscal Year	Users Planned	Users Online	Acreage Planned	Acreage Online
02-03	1,100	1,096	3,400	3,364
03-04	1,130	1,141	3,688	3,641
04-05	1,155	1,166	3,700	3,694
05-06	1,189	1,183	3,736	3,727
06-07	1,220	1,197	3,798	3,748
07-08	1,250	1,206	3,858	3,768
08-09	1,250	1,218	3,858	3,797
09-10	1,260	1,228	3,900	3,807

G. DISTRICT ACTIVITY – January 2010

	<u>January 2010</u>	<u>January 2009</u>
<u>Cross Connection</u>		
Backflow notices	409	1,101
Inspections	33	27
<u>Customer Inquiries</u>		
Board room use	10	11
Letters of credit	6	4
Record changes	88	97
Website hits	6,096	5,232
<u>Delinquent Accounts</u>		
Delinquent Notices	513	623
Shut-offs	86	96
<u>Education Programs</u>		
Number of students	655	891
<u>Maintenance</u>		
Meter maintenance	91	136
Meter checks	160	246
Angle stop	8	10
Meter lids	1	104
Meter replacements	177	160
Meter box replacements	0	1
Vault replacements	3	2
<u>Meter Activity</u>		
Construction meters	32	41
Meter sales	0	46
New services	15	17
Turn-offs	177	153
Turn-ons	479	401
<u>Meters Read</u>		
Hand-held	753	4,984
Touch read	39,359	37,088
Radio-read	13,947	11,854
<u>Service Orders</u>		
Customer inquiries	61	46
Hydrants	7	8
Valve can/Manhole lids	1	7
Fire flow tests	1	0
Leaks	16	22
Pressure tests	14	19
Turn-offs for repairs	32	40
Site visits	473	75
Non-MNWD leaks/breaks	42	50
Water quality	0	0
Other service orders	7	12
<u>Total Service Orders</u>	1,172	1,032

VIII. GENERAL MANAGER'S REPORT

A. SUMMARY AND DISCUSSION:

1. WATER SUPPLY ALLOCATION/USAGE UPDATE
2. UPPER CHIQUITA RESERVOIR TOUR – FEBRUARY 23, 2010
3. WATER BASED BUDGET BILLING FOR IMPLEMENTATION ON JULY 1, 2010
4. MUNICIPAL WATER DISTRICT OF ORANGE COUNTY (MWDOC) – UPDATE ON RESOLUTION WITH CLIENT AGENCIES COST FUNDING FOR MWDOC ACTIVITIES

B. LATE ITEMS (Appropriate Findings to be Made)

- a. Need to take immediate action; and
- b. Need for action came to District’s attention after Agenda posting
[Requires 2/3 vote (5 members) or unanimous vote if less than 2/3 are present]

IX. OPERATIONS MATTERS

A. A presentation was given at the Engineering Board meeting on February 16, 2010 on how the District did during the Diemer Filtration Plant shutdown and the District’s plans for the Joint Transmission Main 21-day shutdown in February 2010.

B. LATE ITEMS (Appropriate Findings to be Made)

- a. Need to take immediate action; and
- b. Need for action came to District’s attention after Agenda posting
[Requires 2/3 vote (5 members) or unanimous vote if less than 2/3 are present]

X. FINANCIAL MATTERS

A. SUMMARY OF DISBURSEMENTS DATED JANUARY 31, 2010

1. The Board of Directors will review the Summary of Disbursements dated January 31, 2010, for the month of January 2010 operations. The total disbursements for the period amounted to \$7,561,808.76 applicable to the following funds:

a.	General Fund	5,509,728.23
b.	Planning & Construction Fund	211,848.39
c.	Replacement & Refurbishment Fund	1,397,235.47
d.	Water Supply Reliability Fund	442,996.67

2. The major expenditures include the following:

a.	Municipal Water District of Orange County (MWDOC) November Water Purchases 2,691.2 AF	1,783,253.75
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	November Capacity Charges	29,604.87
	November RTS Charges	57,380.00
	November SCP Operation Surcharge	11,885.21
b.	Alpha Omega Wireless, Inc. 2006.038 Replace Digital Lines/Wireless Network	216,311.52
c.	Santa Margarita Water District 2008.032 Upper Chiquita Reservoir	437,615.17
	2009.099 Upper Oso Reservoir/Aeration Equipment	51,207.06
d.	SOCWA 2009/2010 O&M Budget Semi-Annual & Annual Deposits	2,155,758.00
	Capital Budget Deposit – January 2010	925,940.00

These expenditures, pursuant to Board authorization, were previously reviewed and approved on a weekly basis by the Director of Finance/Treasurer.

B. FINANCIAL STATEMENTS

SUMMARY AND DISCUSSION:

The Financial Statements, dated January 2010, were reviewed by the Board of Directors at its Finance and Audit Board of Directors' Meeting on February 17, 2010.

RECOMMENDED ACTION:

THAT THE BOARD OF DIRECTORS RECEIVE AND ORDER FILED:

1. SUMMARY OF DISBURSEMENTS DATED JANUARY 31, 2010; and
2. FINANCIAL STATEMENTS DATED JANUARY 31, 2010.

C. LATE ITEMS (Appropriate Findings to be Made)

- a. Need to take immediate action; and
- b. Need for action came to District's attention after Agenda posting)
[Requires 2/3 vote (5 members) or unanimous vote if less than 2/3 are present]

XI. ENGINEERING MATTERS

A. CAPITAL CONSTRUCTION PROJECTS' STATUS AND PROJECT BUDGET SUMMARY

SUMMARY AND DISCUSSION:

The Construction Progress Report is shown on pages 13 through 18. Staff will be available to answer any questions relating to this report.

RECOMMENDED ACTION:

THAT THE BOARD OF DIRECTORS RECEIVE AND ORDER FILED:

1. THE CAPITAL CONSTRUCTION PROJECTS' STATUS AND

PROJECT BUDGET SUMMARY.

B. CENTRALIZED IRRIGATION CONTROLLERS, CONTRACT 2006.054

SUMMARY AND DISCUSSION:

This is the second and final phase of installing centralized controller systems for the remaining 17 District-owned landscape irrigation systems. The first phase installed 16 controller systems at 14 sites for a total cost of \$60,545. Bids for the contract were opened on February 1, 2010:

Haynes Landscaping	\$ 80,543
Sunset Landscape	\$ 87,899
Nakae and Associates	\$103,200
Engineer's Estimate	\$ 85,000

RECOMMENDED ACTION:

THE BOARD OF DIRECTORS OF THE MOULTON NIGUEL WATER DISTRICT AWARD THE CONTRACT FOR THE CENTRALIZED IRRIGATION CONTROLLERS TO HAYNES LANDSCAPING IN THE AMOUNT OF \$80,543; APPROVE THE FY 2009-2010 BUDGET IN THE AMOUNT OF \$90,000; AND INCREASE THE EXPENSE AUTHORIZATION FROM \$95,000 TO \$150,000. THIS PROJECT WILL BE FINANCED FROM FUND 14 - PLANNING AND CONSTRUCTION FUND.

C. PLANT 3A EFFLUENT TRANSMISSION MAIN (ETM) PROTECTION IN SAN JUAN CREEK, CONTRACT 2009.115

SUMMARY AND DISCUSSION:

The 30-inch diameter Effluent Transmission Main (ETM) from Plant 3A has been exposed at the crossing of San Juan Creek and required emergency protection measures. A contractor placed 1-ton and 2-ton rocks around the exposed portions of the pipeline. The cost for the temporary protection was approximately \$15,000. In coordination with SMWD, MNWD is proposing to contract for an Alternatives Analysis for permanent mitigation to protect this pipeline. PACE Engineering has submitted a proposal to prepare the Analysis for a total fee not-to-exceed \$42,500. MNWD will be the lead agency and the costs will be shared equally with SMWD.

RECOMMENDED ACTION:

THE BOARD OF DIRECTORS OF THE MOULTON NIGUEL WATER DISTRICT AWARD THE CONTRACT FOR THE ALTERNATIVES ANALYSIS FOR PLANT 3A ETM PROTECTION TO PACE ENGINEERING IN THE AMOUNT NOT-TO-EXCEED \$42,500 AND APPROVE A PROJECT BUDGET AND EXPENSE AUTHORIZATION IN THE AMOUNT OF \$65,000. THIS PROJECT WILL BE FINANCED FROM FUND 7 - REPLACEMENT AND REFURBISHMENT FUND AND 50% FROM SANTA MARGARITA WATER DISTRICT.

D. BAKER WATER TREATMENT PLANT (WTP), CONTRACT 2006.071

SUMMARY AND DISCUSSION:

The Baker Water Treatment Plant (WTP) is a base-loaded surface water treatment plant intended to provide water supply reliability to the participating South Orange County (SOC) water agencies participating in the project. IRWD and RBF have negotiated a design variance for a total of \$361,000. These changes include design of a new forebay and two pump stations to accommodate the increased project capacity and the hydraulic impacts to the raw water delivery system. Staff is requesting an increase in the spending authorization for the design project in the amount of \$100,000 for the District portion of the design variance.

RECOMMENDED ACTION:

THE BOARD OF DIRECTORS OF THE MOULTON NIGUEL WATER DISTRICT APPROVE TO INCREASE THE EXPENSE AUTHORIZATION FROM \$5,500,000 TO \$5,600,000 TO CONTINUE DISTRICT PARTICIPATION IN THE SUBJECT PROJECT THROUGH FINAL DESIGN. THIS PROJECT WILL BE FINANCED FROM FUND 12 - WATER SUPPLY RELIABILITY FUND.

E. LATE ITEMS: (Appropriate Findings to be Made)

- a. Need to take immediate action; and
- b. Need for action came to District's attention after Agenda posting)
[Requires 2/3 vote (5 members) or unanimous vote if less than 2/3 are present]

XII. LEGAL MATTERS

A. APPROVAL OF CONFIDENTIALITY AGREEMENT FOR POSEIDON DESALINATION PROJECT

SUMMARY AND DISCUSSION:

The Poseidon Desalination Project original Memorandum of Understanding contemplated a Confidentiality Agreement between Poseidon and the Participants. The purpose of the Confidentiality Agreement is to protect proprietary or other confidential information of Poseidon

that might be disclosed in the course of developing water purchase agreements. A final version of the Agreement, which includes substantial revisions made by MWDOC and the Participants, is now available for approval. MWDOC and several other Participants (City of Anaheim, SCWD, Mesa Consolidated, IRWD) have approved the agreement.

RECOMMENDED ACTION:

THE BOARD OF DIRECTORS APPROVES THE CONFIDENTIALITY AGREEMENT AND AUTHORIZES THE GENERAL MANAGER TO EXECUTE THE AGREEMENT SUBJECT TO ANY FINAL NON-SUBSTANTIVE CHANGES APPROVED BY THE GENERAL MANAGER IN CONSULTATION WITH LEGAL COUNSEL.

B. APPOINTMENT OF SAN JUAN BASIN AUTHORITY DIRECTORS

SUMMARY AND DISCUSSION:

Included as **Attachment L-1** to the Agenda is a Resolution to revise District appointments to the San Juan Basin Authority Board of Directors.

RECOMMENDED ACTION:

THE BOARD OF DIRECTORS ADOPT RESOLUTION NO. 10-____ ENTITLED “RESOLUTION OF THE BOARD OF DIRECTORS OF MOULTON NIGUEL WATER DISTRICT APPOINTING DIRECTOR AND ALTERNATE DIRECTOR TO SAN JUAN BASIN AUTHORITY”.

C. IN ACCORDANCE WITH GOVERNMENT CODE SECTION 54956.96 (a) (1) AND (b), A CLOSED SESSION WILL BE CONDUCTED TO CONFERENCE ON EXISTING LITIGATION OF THE SOUTH ORANGE COUNTY WASTEWATER AUTHORITY (SOCWA): 2 CASES

1. State Water Resources Control Board Appeal of Region 9 Board Denial of SOCWA NPDES Permit for San Juan Outfall: SCWD Groundwater Recovery Facility
2. *South Orange County Wastewater Authority v. City of Dana Point, Makar Properties LC.*, Case No. 30-2009-00283523

D. LATE ITEMS: (Appropriate Findings to be Made)

- a. Need to take immediate action; and
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