

AGENDA

Board of Directors' Meeting
February 17, 2011
5:30 p.m.

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 5:30 p.m. on March 17, 2011 at the Moulton Niguel Water District.

MOULTON NIGUEL WATER DISTRICT
27500 La Paz Road, Laguna Niguel
February 17, 2011
5:30 p.m. (PST)
Approximate Meeting Time: 1-2 Hours

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.

AGENDA

1. CALL MEETING TO ORDER

2. PLEDGE OF ALLEGIANCE

3. APPROVE MINUTES OF THE BOARD MEETING DATED JANUARY 20, 2011

4. PUBLIC COMMENTS

Persons wishing to address the Board of Directors on matters not listed on the Agenda may do so at this time. "Request To Be Heard" forms are available at the entrance to the Board Room. Comments are limited to five minutes unless further time is granted by the Presiding Officer. Submit form to the Recording Secretary prior to the beginning of the meeting.

Those wishing to address the Board of Directors on any item listed on the Agenda should submit a "Request To Be Heard" form to the Recording Secretary before the Presiding Officer announces that agenda item. Your name will be called to speak at that time.

5. DISCUSSION OF PROPOSED WATER BASED BUDGET RATE STRUCTURE (WBBS)

6. PRESIDENT'S REPORT

7. BOARD/COMMITTEE OR OTHER REPORTS

GENERAL MANAGER'S REPORT

8. ACWA/JPIA CLAIM EXPERIENCE RELATIVE TO OTHER AGENCIES

**9. SOUTH ORANGE COUNTY WASTEWATER AUTHORITY (SOCWA)
BIOSOLIDS UPDATE**

10. PUBLIC OUTREACH ACTIVITIES

11. MUNICIPAL WATER DISTRICT OF ORANGE COUNTY (MWDOC) – STATUS OF SIGNATURES TO “AGREEMENT BETWEEN MWDOC AND ITS MEMBER AGENCIES ON BUDGET, ACTIVITIES, CHARGES, AND OTHER ISSUES”
12. WATER SUPPLY ALLOCATION/USAGE UPDATE

CONSENT ITEMS

Consent items: Unless the General Manager or the Board requests that an item be removed from the Consent Calendar, all items will be acted upon as a whole and by one vote. Requests for discussion of any specific item should be made to the Presiding Officer in conjunction with the discussion of the consent motion.

13. RECEIVE AND FILE MONTHLY OPERATIONAL STATUS REPORTS - **Attachment CC-1**
14. RECEIVE AND FILE SUMMARY OF DISBURSEMENTS IN THE AMOUNT OF \$7,122,559 DATED JANUARY 31, 2011
15. APPROVE AMENDMENT TO RED OAK CONSULTING (MALCOLM PIRNIE) PROFESSIONAL SERVICES AGREEMENT FOR WATER BUDGET RATE MODEL SERVICES IN THE AMOUNT OF \$25,786.50, WHICH INCREASES THE TOTAL AGREEMENT AMOUNT TO \$62,264.50, AND AUTHORIZE THE GENERAL MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS ON BEHALF OF THE DISTRICT
16. RECEIVE AND FILE MONTHLY CONSTRUCTION PROGRESS REPORT
17. RECEIVE AND FILE CAPITAL PROJECT BUDGET SUMMARY
18. RECEIVE AND FILE WATER SUPPLY RELIABILITY PROJECTS’ STATUS SUMMARY REPORT
19. AWARD CONTRACT FOR SEWER MANHOLE LINING PROJECT, CONTRACT 2009.036 TO SANCON ENGINEERING IN THE AMOUNT OF \$89,937.00 AND APPROVE EXPENSE AUTHORIZATION IN THE AMOUNT OF \$106,000.00

DISCUSSION ITEMS:

ENGINEERING & OPERATIONS MATTERS

20. UPPER SALADA OXYGEN GENERATION SYSTEM REPLACEMENT – DESIGN-BUILD CONTRACT AWARD

The District has been experiencing difficulties with the existing oxygen generation system at the Upper Salada Lift Station (LS) that began approximately six months after going on-line. The difficulties have restricted staff from operating the existing system as efficiently as designed, yielding a higher hydrogen sulfide concentration from the Upper Salada LS system. Staff requested a Design-Build Contract Proposal from S.S. Mechanical/Tetra Tech to replace the existing oxygen generation system. A staff report was provided on this matter at the Engineering and Operations Meeting on February 15, 2011.

RECOMMENDED ACTION:

THE BOARD OF DIRECTORS OF THE MOULTON NIGUEL WATER DISTRICT

AWARDS THE DESIGN-BUILD CONTRACT FOR THE UPPER SALADA OXYGEN SYSTEM REPLACEMENT TO S.S. MECHANICAL, FOR AN AMOUNT OF \$277,643, AND APPROVES AN EXPENSE AUTHORIZATION IN THE AMOUNT OF \$310,000. THIS PROJECT WILL BE FINANCED FROM FUND 7 – REPLACEMENT AND REFURBISHMENT FUND.

LEGAL MATTERS

21. APPROVAL OF UPDATED BYLAWS TO CONFORM WITH CURRENT LAW AND PROCEDURES

The California Water District Act sets forth terms for inclusion in the District Bylaws, including but not limited to, qualifications of Directors, election of officers, Board compensation, and quorum requirements. Many of the Bylaw terms are already set forth in, and required under, the Act. **Attachment L-1** to the Agenda is a resolution for adoption of the Bylaws as updated, and a copy of the proposed Bylaws, with the recommended changes noted.

RECOMMENDED ACTION:

THE BOARD OF DIRECTORS ADOPTS A RESOLUTION TO APPROVE THE UPDATED BYLAWS.

22. APPOINTING RESOLUTIONS FOR INDEPENDENT SPECIAL DISTRICTS OF ORANGE COUNTY (ISDOC), SANTIAGO AQUEDUCT COMMISSION (SAC), AND SOUTH ORANGE COUNTY WASTEWATER AUTHORITY (SOCWA) REPRESENTATIVES

ISDOC requires that the District's Presiding Officer/President be the designated representative for voting and other purposes in connection with ISDOC business. An Alternate is also designated to act in the absence of the Presiding Officer/President. SAC and SOCWA require Directors and Alternate Directors to serve on the Board of Directors of each of those respective joint powers authorities. **Attachments L-2, L-3 and L-4** to the Agenda are appointing resolutions prepared by the Secretary with recommended appointments from President McKenney and the General Manager.

RECOMMENDED ACTION:

THE BOARD OF DIRECTORS ADOPTS THE RESOLUTIONS TO OFFICIALLY APPOINT ISDOC, SAC, AND SOCWA REPRESENTATIVES.

23. 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]

24. ADJOURNMENT