

AGENDA

Board of Directors' Meeting

April 15, 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
April 15, 2010
6:00 p.m. (PDT)
Approximate Meeting Time: 1-2 Hours**

I.	CALL MEETING TO ORDER	
II.	PLEDGE OF ALLEGIANCE	
III.	APPROVE MINUTES OF BOARD OF DIRECTORS' MEETING OF MARCH 18, 2010 AND SPECIAL MEETINGS OF MARCH 15 AND 25, 2010	
IV.	PUBLIC COMMENTS	
V.	PRESIDENT'S REPORT	
VI.	BOARD/COMMITTEE REPORTS	3
VII.	CONSENT ITEMS*	
	A. Meters in Service – March 2010	4
	B. Meter Distribution – March 2010	4
	C. Wastewater Treatment Flows – March 2010	4
	D. Potable Water Imported – March 2010	5
	E. Recycled Water Produced – March 2010	5
	F. Recycled Water Goals – Thru March 2010	5
	G. District Activity – March 2010	6
VIII.	GENERAL MANAGER'S REPORT	9
IX.	OPERATIONS MATTERS	9
X.	FINANCIAL MATTERS	10
XI.	ENGINEERING MATTERS	11
XII.	LEGAL MATTERS	12

* 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 (TBD) on May 20, 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 – March 2010

Description	Beginning of Month	Added/ (Subtracted)	End of Month	One Year Ago
Single Family	33,930	7	33,937	33,852
Multi Family	14,688	0	14,688	14,651
Commercial	2,840	1	2,841	2,823
Irrigation	2,635	2	2,637	2,632
Total	54,093	10	54,103	53,958
Est. Population	167,220	18	167,238	166,920

B. METER DISTRIBUTION * – March 2010

Size	Beginning of Month	Added/ (Subtracted)	End of Month	One Year Ago
5/8"	109	0	109	108
3/4"	36,570	-25	36,545	36,603
1"	10,768	32	10,800	10,620
1½"	931	2	933	930
2"	4,947	1	4,948	4,938
2-1/2"	13	0	13	12
3"	80	0	80	77
4"	153	0	153	152
6"	315	0	315	313
8"	186	0	186	184
10"	21	0	21	21
Total	54,093	10	54,103	53,958

*Includes potable and recycled water meters.

C. WASTEWATER TREATMENT FLOWS (MGD) – March 2010

Description	Current Month	One Year Ago
Total Flow	12.9	13.7

D. POTABLE WATER IMPORTED – March 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	3.4	209.0	3,192.1	3,821.8
Allen-McColloch Pipeline	11.1	682.4	6,793.9	4,243.1
Central Intertie Pipeline	19.7	1,211.0	11,738.5	16,464.2
Interties **	-1.4	-86.1	43.7	0.0
Total	32.8	21,768.2	21,768.2	24,529.1

** Flowed water to CSJC and JRWSS during JTM shutdown.

E. RECYCLED WATER PRODUCED – March 2010

UOR Storage at End of Month: 916.3 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	4.74	450.9	4,842.6	4,879.0
Plant 3A AWT	0.09	8.6	977.1	518.8
SCWD AWT **	0.08	7.6	24.8	175.4
Total Produced	4.91	467.1	5,844.5	5,573.2
To(-)/From(+) Storage	-0.98	-93.3	-453.0	-66.0
Total Delivered	3.93	373.8	5,391.5	5,507.2

** MNWD delivered recycled water to SCWD during month.

F. RECYCLED WATER GOALS – Thru March 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	1,237	3,900	3,827

G. DISTRICT ACTIVITY – March 2010

	<u>March 2010</u>	<u>March 2009</u>
<u>Cross Connection</u>		
Backflow notices	243	456
Inspections	21	26
<u>Customer Inquiries</u>		
Board room use	7	9
Letters of credit	3	2
Record changes	97	142
Website hits	6,028	unavailable
<u>Delinquent Accounts</u>		
Delinquent Notices	777	643
Shut-offs	101	83
<u>Education Programs</u>		
Number of students	611	1,624
<u>Maintenance</u>		
Meter maintenance	42	68
Meter checks	226	212
Angle stop	11	21
Meter lids	145	282
Meter replacements	151	512
Meter box replacements	2	4
Vault replacements	2	6
<u>Meter Activity</u>		
Construction meters	35	39
Meter sales	63	24
New services	10	7
Turn-offs	166	214
Turn-ons	502	467
<u>Meters Read</u>		
Hand-held	183	4,873
Touch read	39,673	37,152
Radio-read	14,219	11,908
<u>Service Orders</u>		
Customer inquiries	38	35
Hydrants	5	10
Valve can/Manhole lids	5	3
Fire flow tests	1	1
Leaks	16	20
Pressure tests	27	18
Turn-offs for repairs	42	43
Site visits	795	159
Non-MNWD leaks/breaks	31	35
Water quality	0	0
Other service orders	10	14
<u>Total Service Orders</u>	1,633	1,531

VIII. GENERAL MANAGER'S REPORT

A. SUMMARY AND DISCUSSION:

1. INDEPENDENT SPECIAL DISTRICTS OF ORANGE COUNTY (ISDOC) ELECTION

RECOMMENDED ACTION:

THE BOARD OF DIRECTORS PROVIDE DIRECTION TO DISTRICT'S ISDOC REPRESENTATIVE FOR REGULAR AND ALTERNATE SPECIAL DISTRICT MEMBERS OF THE LOCAL AGENCY FORMATION COMMISSION (LAFCO).

2. GOVERNOR SCHWARZENEGGER'S FINAL 20X2020 WATER CONSERVATION PLAN
3. MUNICIPAL WATER DISTRICT OF ORANGE COUNTY (MWDOC) – UPDATE ON RESOLUTION WITH CLIENT AGENCIES COST FUNDING FOR MWDOC ACTIVITIES
4. SOUTH ORANGE COUNTY WASTEWATER AUTHORITY (SOCWA) UPDATE
5. METROPOLITAN WATER DISTRICT TOUR – LAKE SKINNER/DIAMOND VALLEY LAKE – MAY 21, 2010
6. WATER SUPPLY ALLOCATION/USAGE UPDATE

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. No report.

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

At this time members of the public may present testimony as to why an item should be removed

from the Consent Calendar for separate discussion. Unless a member of the public 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.

A. CONSENT CALENDAR ITEMS

1. Receive and File Summary of Disbursements in the Amount of \$9,597,881 dated March 31, 2010.
2. Receive and File Financial Statements dated March 31, 2010.

B. ENTERPRISE RESOURCE PLANNING (ERP)

NexLevel Information Technology has submitted a formal Scope of Work for the upcoming ERP project. This proposal provides a cost breakdown for each of the five phases, a project timeline, specific deliverables for most phases or sub-phases, and a total cost not-to-exceed. The Scope of Work includes: project planning, needs assessment/requirements, RFP development, evaluation and selection, and implementation. The District will have the opportunity to take an off ramp at the end of each phase.

NexLevel will assign Terry Hackelman, David Gougis, and Lee Curtis to complete the work. Total turnkey cost is \$364,500, plus actual travel expenses not-to-exceed \$11,400. The District will be using the Professional Services contract form that has been approved by District Counsel, Pat Giannone.

Staff is recommending that the “financial incentive” be a fixed amount at the end of each phase and will be predicated on receiving all deliverables. Discussion took place at the Finance Committee meeting on this recommendation and staff asked for direction on this item.

RECOMMENDED ACTION:

THE BOARD OF DIRECTORS: 1) APPROPRIATE \$375,900 FROM UNDESIGNATED GENERAL FUND RESERVES; 2) APPROVE A CONTRACT WITH NEXLEVEL FOR ERP CONSULTING SERVICES; 3) AMEND STAFF RECOMMENDATION AS NECESSARY; AND 4) AUTHORIZE THE GENERAL MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS.

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

At this time members of the public may present testimony as to why an item should be removed from the Consent Calendar for separate discussion. Unless a member of the public

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.

A. CONSENT CALENDAR ITEMS

1. Receive and File Capital Construction Projects' Status and Project Budget Summary

B. PLANT 3A ETM PROTECTION AT SAN JUAN CREEK, CONTRACT 2009.115

The District operates the Plant 3A Effluent Transmission Main in co-ownership with Santa Margarita Water District and primarily uses it as a secondary effluent disposal pipeline for the Plant 3A Wastewater Treatment Plant. District staff recently discovered that the encasement structure for the 30-inch diameter pipeline crossing was found to be exposed in the channel near the easterly side. The District initiated an emergency protection of this facility to prevent the ETM from being severely damaged or lost entirely. The District has engaged an engineer, Pacific Advanced Civil Engineering (PACE), to evaluate and prepare alternatives for permanent pipeline protection measures. Additional consultant support is necessary to evaluate the alternatives being prepared by PACE and continue advancing the project to construction. Request for Proposals were sent out for environmental planning (CEQA) and geotechnical services.

RECOMMENDED ACTION:

THE BOARD OF DIRECTORS AWARD THE CONTRACT FOR THE GEOTECHNICAL SUPPORT FOR PLANT 3A ETM PROTECTION TO GMU GEOTECHNICAL, INC. IN THE AMOUNT NOT-TO-EXCEED \$16,778, AND FOR THE ENVIRONMENTAL PLANNING FOR PLANT 3A ETM PROTECTION TO HDR ENGINEERING IN THE AMOUNT NOT-TO-EXCEED \$56,758, AND APPROVE A REVISED PROJECT BUDGET AND EXPENSE AUTHORIZATION IN THE AMOUNT OF \$165,000. THIS PROJECT WILL BE FINANCED FROM FUND 7 - REPLACEMENT AND REFURBISHMENT FUND AND 50% FROM SANTA MARGARITA WATER DISTRICT.

C. MAIN OFFICE LANDSCAPE IMPROVEMENTS, CONTRACT 2009.024

This contract will remove the existing turf and the majority of the site landscape and replace with California-friendly species and non-irrigated sections to serve as customer education sites for water conservation. The improvements will also include a demonstration area for artificial turf, educational display boards, and hardscape improvements. Bids for the contract were opened on March 9, 2010.

RECOMMENDED ACTION:

THE BOARD OF DIRECTORS AWARD THE CONTRACT FOR THE MAIN OFFICE LANDSCAPE IMPROVEMENTS, CONTRACT 2009.024, TO ALLIED SPRINKLER IN THE AMOUNT NOT-TO-EXCEED \$167,974, AND APPROVE A REVISED PROJECT BUDGET AND EXPENSE AUTHORIZATION IN THE AMOUNT OF \$210,000. THIS PROJECT WILL BE FINANCED FROM FUND 7 – REPLACEMENT AND REFURBISHMENT FUND.

D. 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. TIME OF REGULAR THURSDAY BOARD MEETING

SUMMARY AND DISCUSSION:

Attachment L-1 to the Agenda is prior Resolution No. 09-31 that established the hour of 6:00 p.m. for the regular Thursday Board of Directors' meetings for a temporary six-month period, commencing with the November 2009 Board Meeting, and ending with the April 2010 Board Meeting. **Attachment L-2** to the Agenda is a resolution to establish the hour of 6:00 p.m. as the time of the regular Board Meetings held the third Thursday of each month, until changed by future action of the Board.

RECOMMENDED ACTION:

THE BOARD OF DIRECTORS ADOPTS RESOLUTION NO. 10-___ ENTITLED "RESOLUTION OF THE BOARD OF DIRECTORS OF THE MOULTON NIGUEL WATER DISTRICT ESTABLISHING 6:00 P.M. TIME FOR REGULAR THURSDAY BOARD MEETING".

B. IN ACCORDANCE WITH SUBDIVISION (b)(1) OF GOVERNMENT CODE SECTION 54956.9, A CLOSED SESSION WILL BE CONDUCTED TO:

CONFERENCE WITH LEGAL COUNSEL – CLAIM OF ROLLING HILLS COMMUNITY ASSOCIATION, POTENTIAL LITIGATION

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]