

AGENDA

Board of Directors' Meeting
December 15, 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 January 19, 2012 at the Moulton Niguel Water District.

**BOARD OF DIRECTORS' MEETING
MOULTON NIGUEL WATER DISTRICT
27500 La Paz Road, Laguna Niguel
December 15, 2011
5:30 p.m.
Approximate Meeting Time: 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. MINUTE APPROVAL:

- REGULAR BOARD OF DIRECTORS' MEETING OF NOVEMBER 16, 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.

GENERAL MANAGER MATTERS:

5. a. SOUTH ORANGE COUNTY WASTEWATER AUTHORITY (SOCWA) UPDATE
- b. UPDATE ON CHIQUITA WATER RECLAMATION PLANT BIOSOLIDS PROJECT
- c. UPDATE ON WBBRS IMPLEMENTATION
- d. ACWA CONFERENCE – NOVEMBER 30 – DECEMBER 2, 2011
- e. GENERAL MANAGER'S REPORT

CONSENT CALENDAR 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.

The following items were previously discussed at the Engineering & Operations Board Meeting (12/12/11) and the Finance & IT Board Meeting (12/14/11).

6. RECEIVE AND FILE MONTHLY OPERATIONAL STATUS REPORTS.
7. RECEIVE AND FILE MONTHLY CONSTRUCTION PROGRESS REPORT.
8. RECEIVE AND FILE CAPITAL PROJECTS BUDGET SUMMARY FOR OCTOBER 2011
9. RECEIVE AND FILE WATER SUPPLY RELIABILITY PROJECTS' STATUS SUMMARY REPORT.

10. UPPER CHIQUITA RESERVOIR, PROJECT 2008.032

THE BOARD OF DIRECTORS AUTHORIZES THE GENERAL MANAGER TO EXECUTE AN AMENDMENT TO THE PROJECT AGREEMENT TO ACQUIRE THE ADDITIONAL 26.1 ACRE-FEET OF CAPACITY; AND INCREASE THE PROJECT BUDGET AND EXPENSE AUTHORIZATION FROM \$18,590,000 TO \$20,600,000. THIS PROJECT WILL BE FINANCED FROM FUND 12 – WATER SUPPLY RELIABILITY FUND.

11. EL DORADO AND LA PAZ PRESSURE RELIEF STATIONS, PROJECT 2009.014

THE BOARD OF DIRECTORS AWARDS THE CONTRACT TO S.S. MECHANICAL CORP., LOWEST RESPONSIVE AND RESPONSIBLE BIDDER, FOR AN AMOUNT OF \$74,500; AUTHORIZE THE GENERAL MANAGER TO EXECUTE THE AGREEMENT; AND APPROVE A PROJECT EXPENSE AUTHORIZATION OF \$130,200. THIS PROJECT WILL BE FINANCED FROM FUND 14 – PLANNING AND CONSTRUCTION FUND.

12. OPERATIONS FACILITY DRAINAGE IMPROVEMENTS, PROJECT 2010.017

THE BOARD OF DIRECTORS APPROVES A PROJECT EXPENSE AUTHORIZATION OF \$150,000. THIS PROJECT WILL BE FINANCED FROM FUND 7 – REPLACEMENT AND REFURBISHMENT FUND.

13. CROWN VALLEY PARKWAY VALVE REPLACEMENT, PROJECT 2010.019

THE BOARD OF DIRECTORS INCREASES THE FISCAL YEAR 2011-2012 PROJECT BUDGET AND PROJECT EXPENSE AUTHORIZATION TO \$800,000, AND AUTHORIZES THE GENERAL MANAGER TO EXECUTE CONSTRUCTION CHANGE ORDERS UP TO A TOTAL CONTINGENCY AMOUNT OF \$209,150. THIS PROJECT WILL BE FINANCED FROM FUND 7 – REPLACEMENT AND REFURBISHMENT FUND.

14. FLEET AND AUXILIARY GENERATOR MAINTENANCE SERVICES, OPERATIONS AND MAINTENANCE BUDGET FOR FISCAL YEAR 2011/2012

THE BOARD OF DIRECTORS AWARDS THE SERVICE AGREEMENT FOR THE REMAINDER OF FISCAL YEAR 2011/2012 TO BAYSHORE MECHANICAL REPAIR, INC. FOR AN AMOUNT NOT-TO-EXCEED \$120,000, AND AUTHORIZES THE GENERAL MANAGER TO EXECUTE THE AGREEMENT. THIS PROJECT WILL BE FINANCED FROM THE OPERATIONS AND MAINTENANCE BUDGET, GENERAL FUND.

15. RECEIVE AND FILE FISCAL YEAR 2010/2011 COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) FOR YEAR ENDED JUNE 30, 2011.

16. SOCWA USE AUDIT REFUND – IRWD BIOSOLIDS PROJECT WITHDRAWAL FEE

A. ACCEPT SOCWA USE AUDIT REFUND REVENUE TO BE ALLOCATED TO THE GENERAL OPERATIONS FUND – SOCWA O&M EXPENDITURE OF \$657,691.38; SOCWA CLOSED CIP EXCESS OF \$126,332.64; AND GENERAL OPERATIONS INTEREST EARNED OF \$19,085.12; AND

B. APPROPRIATE \$106,732.81 FROM GENERAL FUND OPERATING RESERVES FOR THE SOCWA/IRWD BIOSOLIDS WITHDRAWAL FEE

17. DISTRICT AUDITING SERVICES

AUTHORIZE A ONE-YEAR CONTRACT WITH MAYER HOFFMAN MCCANN FOR AUDITING SERVICES FOR THE 2011/12 FISCAL YEAR.

18. RECEIVE AND FILE FINANCIAL STATEMENTS FOR PERIOD ENDED OCTOBER 31, 2011.

19. RECEIVE AND FILE THE SUMMARY OF DISBURSEMENTS IN THE AMOUNT OF \$7,718,612.04 DATED NOVEMBER 30, 2011.

ENGINEERING & OPERATIONS MATTERS: None

FINANCE & INFORMATION TECHNOLOGY MATTERS: None

20. LEGAL MATTERS:

IN ACCORDANCE WITH GOVERNMENT CODE SECTION 54956.9 (a), A CLOSED SESSION WILL BE CONDUCTED TO CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION (ONE CASE):

United States, the States of California, Delaware, Florida, Illinois, Indiana, Nevada, New Mexico, New York, and Tennessee, the Commonwealths of Massachusetts and Virginia, and the District of Columbia ex rel. John Hendrix vs. J-M Manufacturing Company, Inc., d/b/a JM Eagle, a Delaware corporation, and Formosa Plastics Corporation, U.S.A., a Delaware corporation: Federal and State court cases (“JM Pipe Matter”)

21. PRESIDENT'S REPORT

22. BOARD REPORTS

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]