

**MOULTON NIGUEL WATER DISTRICT**  
**NOTICE AND CALL, AGENDA FOR JOINT LEGAL & LEGISLATION/  
PERSONNEL & SALARY BOARD MEETINGS**

SPECIAL MEETING OF LEGAL & LEGISLATION  
BOARD OF DIRECTORS

to be held jointly with

QUARTERLY PERSONNEL & SALARY  
BOARD OF DIRECTORS' MEETING

Moulton Niguel Water District  
27500 La Paz Road, Laguna Niguel  
Monday, August 16, 2010  
9:00 a.m. (PDT)  
**Approximate Meeting Time: 2 Hours**

THIS JOINT BOARD MEETING WILL INCLUDE TELECONFERENCING AT THE  
FOLLOWING LOCATION:  
12025 CEDAR SHORE ROAD, ELLISON BAY, WISCONSIN

**NOTICE IS HEREBY GIVEN** that a Special Legal & Legislation Board of Directors of the Moulton Niguel Water District (“MNWD”) has been called by the Chairman of the Legal & Legislation Board to be held jointly with the Quarterly Meeting of the Personnel & Salary Board Meeting on Monday, August 16, 2010 at 9:00 a.m., PDT at MNWD’s Administrative Offices located at the address above. The following business will be transacted and is the Agenda for these Meetings:

**AGENDA**

**LEGAL & LEGISLATION MATTERS:**

1. Call Meeting to Order
2. Public Comments (**on Legal & Legislation listed Agenda matters only**)
3. **BOARD GOVERNANCE (Discussion Only)**

The District Bylaws state that “The Board of Directors of the District shall consist of seven (7) directors, unless otherwise determined by said Board of Directors in the manner provided by law”. Discussion will be conducted on whether the number of Directors should be reduced from seven to five, and what steps would be required to comply with the law if this course of action is desired by the Board.

The State Water Code contains Sections 35185-35195 that pertain only to the Moulton Niguel Water District. Section 35189 states “Directors of the district shall be elected on an at-large basis unless the Board of Directors determines that directors shall be elected by divisions. The term “by divisions,” as used in this chapter, means the election of directors by voters of the division alone”. Discussion will be conducted on whether a change to election of Directors on an at-large basis should be made, and what steps would be required to comply with the law if this course of action is desired by the Board.

4. TELECONFERENCING (Discussion Only)

Teleconferencing is allowed by Section 54953 of the Brown Act, but the District does not have a Policy for Directors attendance at District meetings by teleconferencing. The District’s practice has been that the Agenda must be formatted to show the alternate location where the teleconference will be held, the Agenda must be posted at this alternate location, and the Director attending by teleconference is not counted for quorum purposes. Discussion will be conducted on whether the Board desires to have staff prepare a proposed Teleconferencing Policy for subsequent Board consideration, and if so, what concepts should be included therein.

5. LEGISLATIVE UPDATE

6. 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 present]

**(SPECIAL LEGAL & LEGISLATION MEETING – NO ADDITIONS)**

**PERSONNEL & SALARY MATTERS:**

7. Approve the Open and Closed Session Minutes of the July 12, 2010 Investment/ Personnel & Salary Meeting. **(ROLL CALL VOTE)**
8. Public Comments
9. A CLOSED SESSION WILL BE CONDUCTED IN ACCORDANCE WITH GOVERNMENT CODE SECTION 54957.6 TO:

CONFERENCE WITH LABOR NEGOTIATORS:

District representatives: Robert Gumerman, General Manager  
Bradley Neufeld, Labor Counsel  
Amber Cutler, Administrative Assistant-HR

Employee organization: Moulton Niguel Water District Employees  
Association (MNWDEA)

10. EMPLOYEE EXIT INFORMATION

Pursuant to Board of Directors request, attached are summary of amounts paid to terminated/retired employees during the period May 1, 2010 through July 31, 2010.

11. PERSONNEL & SALARY POLICY

The Personnel & Salary Policy has been modified to reflect changes to the Dress and Grooming Standards to conform to District practices regarding body art and tattoos. Although this has not been a problem to date, a policy has been formalized to reflect existing District practices.

RECOMMENDED ACTION: (ROLL CALL VOTE)

THE BOARD OF DIRECTORS APPROVES THE MODIFICATION TO THE PERSONNEL & SALARY POLICY.

12. EQUAL EMPLOYMENT OPPORTUNITY/ADA POLICY

The Equal Employment Opportunity/ADA Policy, has been modified to reflect compliance with current state and federal law and align with the District's Personnel & Salary Policy. The policy has also been formatted to conform with recently approved District policies.

RECOMMENDED ACTION: (ROLL CALL VOTE)

THE BOARD OF DIRECTORS ADOPTS THE REVISED EQUAL EMPLOYMENT OPPORTUNITY/ADA POLICY.

13. Late Items- Personnel & Salary Matters Only (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 present]

14. Adjournment

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 forty-eight (48) 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 forty-eight (48) hours prior to the scheduled meeting.

I hereby certify that the foregoing Notice was personally delivered, faxed, mailed or e-mailed to each member of the MNWD Board of Directors at least 72 hours prior to the scheduled time of the Joint Meeting so noticed above; and posted 72 hours prior to the time of the Joint Meeting at the usual agenda posting location of MNWD.

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.

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Leslie C. Gray, Secretary  
MOULTON NIGUEL WATER DISTRICT