

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

**QUARTERLY PERSONNEL & SALARY
BOARD OF DIRECTORS**

to be held jointly with

**SPECIAL MEETING OF LEGAL & LEGISLATION
BOARD OF DIRECTORS' MEETING**

Moulton Niguel Water District
27500 La Paz Road, Laguna Niguel
Monday, November 15, 2010
9:00 a.m. (PST)
Approximate Meeting Time: 2 Hours

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, November 18, 2010 at 9:00 a.m., PST at MNWD's Administrative Offices located at the address above. The following business will be transacted and is the Agenda for these Meetings:

AGENDA

PERSONNEL & SALARY MATTERS:

1. Call Meeting to Order
2. Approve the Open Session Minutes of the August 16, 2010 Personnel & Salary Meeting.
3. **REQUEST FOR AN ADDITIONAL ASSOCIATE ENGINEER POSITION**

On July 12, 2010, the Board approved replacing the Assistant Director of Engineering position with an Associate Engineer position. That portion was intended to address records and mapping and was to have strong GIS qualifications. We have recruited for that position, considered a number of highly qualified applicants and are filling the position.

At the Board meeting in July, the Board also discussed and concurred with the General Manager's decision to move Asset Management responsibilities from Operations to Engineering. Based upon this decision and further evaluation, it has become evident that the District has a need for an additional Associate Engineer position to focus principally

on the Asset Management Planning for the rehabilitation and replacement of District infrastructure.

The additional Associate Engineer's primary job functions will be the execution of the Asset Management Plan, development of the Capital Improvement Program, infrastructure planning and modeling functions, oversight of recycled water retrofit program, and act as a secondary representative for regional functions. These activities are key to long-term maintenance of the infrastructure that has been constructed over the last 50 years.

Attached is a memorandum from Matt Collings explaining the need for an additional Associate Engineer position, a Summary of Roles and Responsibilities of the managing Engineering staff, and a modified Organizational Chart.

Very fortunately, the second of the top two candidates from the recent Associate Engineer recruitment has a background and expertise that is a perfect match for this recommended position. Also, timing is opportune as this individual is still available for recruitment by MNWD.

RECOMMENDED ACTION: (ROLL CALL VOTE)

AMEND THE ENGINEERING DIVISION ORGANIZATIONAL CHART TO INCLUDE AN ADDITIONAL ASSOCIATE ENGINEER POSITION WITH A SALARY RANGE OF \$8,813 - \$11,016.

4. **SUBSTANCE ABUSE POLICY**

On May 17, 2010, staff provided the Board with an updated Substance Abuse Policy. The Policy was modified to separate regular employees from safety-sensitive (commercial drivers) and to reflect applicable law. The changes of the policy were reviewed and approved by the MNWDEA on June 25, 2010 and brought before the Board on July 12, 2010 for final approval.

Effective October 1, 2010, the Department of Transportation (DOT) amended certain provisions of the required drug testing procedures dealing with laboratory testing, as well as adding testing for MDMA (aka. Ecstasy), lowering the cutoff levels for cocaine and amphetamines, and conducting mandatory initial testing for heroin. Some of the changes also affect the training of and procedures used by Medical Review Officers. The DOT indicates the changes are intended to create consistency with many, but not all, of the new requirements established by the U.S. Department of Health and Human Services.

The District's Substance Abuse Policy has been modified to reflect the required DOT changes.

RECOMMENDED ACTION:

THE BOARD OF DIRECTORS APPROVE THE MANDATORY DEPARTMENT OF TRANSPORTATION CHANGES TO THE SUBSTANCE ABUSE POLICY.

5. DISCUSSION OF SUCCESSION PLAN

On Monday, November 8, during the Strategic Planning Board Meeting, the Succession plan was discussed to modify the plan to address the demographics and experience of the current workforce. The General Manager will propose a general approach to updating the Succession Plan.

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 or unanimous vote if less than 2/3 are present)

LEGAL & LEGISLATION MATTERS:

7. Public Comments (on Legal & Legislation listed Agenda matters only)

8. LEGISLATIVE UPDATE AND DISCUSSION OF A PLATFORM

9. 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 C. ROY

10. 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]

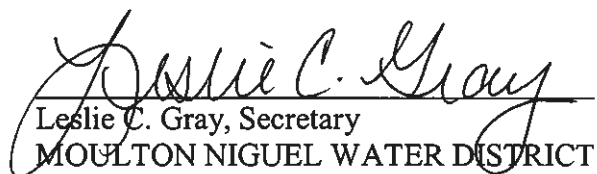
(SPECIAL LEGAL & LEGISLATION MEETING – NO ADDITIONS)

11. 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.

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.

I hereby certify that the foregoing Agenda was posted 72 hours prior to the time of the Meeting at the usual agenda posting location of MNWD.


Leslie C. Gray, Secretary
MOULTON NIGUEL WATER DISTRICT