

**BOARD OF DIRECTORS' MEETING  
MOULTON NIGUEL WATER DISTRICT  
27500 La Paz Road, Laguna Niguel  
October 17, 2013  
5:30 PM  
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.*

**1. CALL MEETING TO ORDER**

**2. PLEDGE OF ALLEGIANCE**

**3. MINUTE APPROVAL:**

REGULAR MEETING OF THE COMMUNITY RELATIONS/CITIZENS' ADVISORY COMMITTEE BOARD OF DIRECTORS DATED SEPTEMBER 11, 2013

REGULAR BOARD OF DIRECTORS' MEETING DATED SEPTEMBER 19, 2013

**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. PRESENTATION BY ANDY SELLS, EXECUTIVE DIRECTOR, ASSOCIATION OF CALIFORNIA WATER AGENCIES - JOINT POWERS INSURANCE AUTHORITY (ACWA/JPIA)**

**CONSENT CALENDAR ITEMS: (Items on the Consent Calendar have been discussed at the regularly scheduled Engineering/Operations and Finance/IT Board meetings)**

*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.*

6. INTERCONNECTION AGREEMENT WITH EL TORO WATER DISTRICT (ETWD) AND SANTA MARGARITA WATER DISTRICT (SMWD)

THE BOARD OF DIRECTORS APPROVE THE INTERCONNECTION AGREEMENT (AGREEMENT) SUBJECT TO NON-SUBSTANTIVE CHANGES APPROVED BY LEGAL COUNSEL; AND AUTHORIZES THE GENERAL MANAGER TO EXECUTE THE AGREEMENT.

7. JOINT GRANT APPLICATION FOR CROWN VALLEY COMMUNITY PARK ENTRY IMPROVEMENTS, RESOLUTION NO. 13-\_\_

THE BOARD OF DIRECTORS ADOPT THE RESOLUTION NO. 13-\_\_ AUTHORIZING A JOINT APPLICATION WITH THE CITY OF LAGUNA NIGUEL AS LEAD AGENCY FOR THE ENVIRONMENTAL CLEANUP, TIER 2 GRANT PROGRAM UNDER THE ORANGE COUNTY LOCAL TRANSPORTATION ORDINANCE NO. 3 FOR J03P01 CHANNEL ENTRY IMPROVEMENTS AT CROWN VALLEY COMMUNITY PARK.

8. CONSTRUCTION SERVICES CONTRACT AWARD FOR EL NIGUEL RECYCLED WATER LINE REPLACEMENT, PROJECT 2011.031

THE BOARD OF DIRECTORS REJECTS THE BID FROM FERREIRA CONSTRUCTION FOR BEING NON-RESPONSIVE; AWARDS THE CONSTRUCTION SERVICES CONTRACT TO PAULUS ENGINEERING IN THE AMOUNT OF \$383,360; APPROVES A PROJECT BUDGET EXPENSE AUTHORIZATION OF \$475,000; AND AUTHORIZES THE GENERAL MANAGER OR DESIGNEE TO AUTHORIZE CONTRACT CHANGE ORDERS UP TO 10% OF THE CONTRACT VALUE FROM THE PROJECT CONTINGENCY.

9. ANNUAL PUMP MAINTENANCE SERVICE AGREEMENT FOR FISCAL YEARS 2013-2014 AND 2014-2015

THE BOARD OF DIRECTORS AWARDS A TWO-YEAR SERVICE AGREEMENT FOR PUMP MAINTENANCE SERVICES TO EVANS HYDRO, INC. FOR AN AMOUNT NOT-TO-EXCEED \$195,000 AND TO VAUGHAN'S INDUSTRIAL REPAIR CO., INC. FOR AN AMOUNT NOT-TO-EXCEED \$70,000; AND AUTHORIZES THE GENERAL MANAGER TO EXECUTE THE SERVICE AGREEMENTS ON BEHALF OF THE DISTRICT.

10. UPDATED QUOTES FOR FLEET REPLACEMENT

THE BOARD OF DIRECTORS INCREASE THE PURCHASE AUTHORIZATION FOR UNITS 45 AND 87 TO TUTTLE-CLICK FORD BY AN ADDITIONAL \$8,595.80 FOR A TOTAL OF \$62,344.38.

11. UPPER SALADA FORCE MAIN VALVE REPLACEMENT

THE BOARD OF DIRECTORS AUTHORIZES THE CONSTRUCTION SERVICES FOR PAULUS ENGINEERING IN AN AMOUNT NOT-TO-EXCEED \$150,000; AND APPROVES A PROJECT EXPENSE AUTHORIZATION OF \$185,000.

**GENERAL MANAGER MATTERS:**

## **LEGAL MATTERS:**

### **12. APPOINTMENT OF NEW SECRETARY TO THE BOARD AND DISTRICT**

Staff recommends that Paige Gulck assume the position of Secretary to the Board of Directors and District currently held by Leslie Gray. The Secretary maintains original documents and records, attests to original signatures, keeps and maintains the Board Meeting minutes, performs the function of Recording Secretary, executes and posts legal notices of Board meetings and other District proceedings, and performs various other duties inherent in the office of Secretary. Attached to the Agenda is a resolution providing for Ms. Gray's resignation as Secretary, and the appointment of Ms. Gulck to the office of Secretary.

RECOMMENDED ACTION:

THE BOARD OF DIRECTORS ADOPTS RESOLUTION NO. 13 – \_\_ ENTITLED “RESOLUTION OF THE BOARD OF DIRECTORS OF THE MOULTON NIGUEL WATER DISTRICT ACCEPTING RESIGNATION OF LESLIE GRAY AS SECRETARY OF THE BOARD OF DIRECTORS AND DISTRICT, AND APPOINTING PAIGE GULCK AS SECRETARY OF THE BOARD OF DIRECTORS AND DISTRICT”.

## **PRESIDENT'S REPORT**

### **BOARD REPORTS**

### **CLOSED SESSION**

**CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (THREE CASES) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(A), A CLOSED SESSION WILL BE CONDUCTED TO CONFER WITH LEGAL COUNSEL REGARDING THE FOLLOWING CASES:**

**a. Shapell Industries, Inc., a Delaware Corporation vs Moulton Niguel Water District (Orange County Superior Court)**

**b. Briosa Owners Association, a California Corporation vs Moulton Niguel Water District (Orange County Superior Court)**

**c. Cantora Community Association vs Metropolitan Water District of Southern California, Moulton Niguel Water District (Orange County Superior Court)**

**d. Eckert, Repetti vs. Metropolitan Water District of Southern California, Moulton Niguel Water District (Orange County Superior Court)**

**e. Caito, Cenicerros vs. Metropolitan Water District of Southern California, Moulton Niguel Water District (Orange County Superior Court)**

### **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]

## **ADJOURNMENT**

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.