



**BOARD OF DIRECTORS' MEETING
MOULTON NIGUEL WATER DISTRICT
27500 La Paz Road, Laguna Niguel
November 20, 2014
5:30 PM
Approximate Meeting Time: 2 Hours**

AMENDED AGENDA

1. CALL MEETING TO ORDER:

2. PLEDGE OF ALLEGIANCE:

3. MINUTE APPROVAL:

Minutes of the October 10, 2014 Special Board of Directors Meeting

Minutes of the October 16, 2014 Board of Directors Meeting

Minutes of the October 29, 2014 Special Board of Directors Meeting

Minutes of the October 31, 2014 Special Board of Directors Meeting

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.

CLOSED SESSION:

5. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (SIX CASES)

Pursuant to Government Code Section 54956.9a, 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) Brios 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)

RETURN TO OPEN SESSION:

The Board of Directors will return to Open Session at 6:00 p.m.

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. BYPASS PUMP PURCHASE

It is recommended that the Board of Directors approve the purchase of a new bypass pump from Xylem / Godwin for \$143,900.

7. MATHIS-OSO BYPASS CONSTRUCTION CONTRACT AWARD

It is recommended that the Board of Directors award the construction services contract to Paulus Engineering, Inc. in the amount of \$639,700; authorize the General Manager to execute the contract; and authorize the General Manager or designee to authorize change orders up to 10% of the contract value.

8. REBATE APPLICATION FOR TURF REMOVAL AND SYNTHETIC TURF

It is recommended that the Board of Directors authorize the General Manager or her designee to consider the rebate application for the identified project without a limitation on the maximum allowable acreage for each project.

GENERAL MANAGER MATTERS:

9. SURPLUS OF DISTRICT PROPERTIES AT 27500 LA PAZ ROAD IN LAGUNA NIGUEL AND 26161 GORDON ROAD IN LAGUNA HILLS (RESOLUTION 14- __)

It is recommended that the Board of Directors adopt the resolution entitled, "Surplus of District Properties Located in Laguna Niguel and Laguna Hills."

LEGAL MATTERS:

PRESIDENT'S REPORT:

BOARD REPORTS:

CLOSED SESSION:

10. CONFERENCE INVOLVING A JOINT POWERS AGENCY: SOUTH ORANGE COUNTY WASTEWATER AUTHORITY (SOCWA)

Pursuant to Government Code Section 54956.96 (a) (1) and (b), Closed Sessions will be conducted for the following purposes (Legal Counsel in attendance):

a. Discussion will concern: Conference with Real Property Negotiators, conveyance of AWMA Bridge/easement to County of Orange PROPERTY - the AWMA Bridge and associated easement is located at the intersection of AWMA Road and Alicia Parkway at the entrance to the County's Woods Canyon/Aliso Canyon Wilderness Parks

*NEGOTIATING PARTIES - SOCWA, County of Orange/Stacy Blackwood, Stephen Franks
SOCWA NEGOTIATORS - General Manager, Interim General Manager, Director of Operations*

UNDER NEGOTIATION - Price, terms of payment

Name of MNWD representative on SOCWA Board: Director Larry Lizotte

11. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Pursuant to Government Code Section 54956.9(b)(1), a Closed Session will be conducted to confer with Legal Counsel regarding the following claim:

Claim of CalWest Properties

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:

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) 831-2500 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 seventy-two (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 and on the District website at www.mnwd.com.



DRAFT
MINUTES OF THE SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF THE
MOULTON NIGUEL WATER DISTRICT

October 10, 2014

A Special Meeting of the Board of Directors of the Moulton Niguel Water District was held at the District offices, 27500 La Paz Road, Laguna Niguel, California, at 8:30 AM on October 10, 2014. There were present and participating:

DIRECTORS

Scott Colton	Director
Richard Fiore	Director
Donald Froelich	Vice President/Chair
Larry Lizotte	Director
Larry McKenney	President
Brian Probolsky	Vice President (arrived at 8:40 a.m.)

Also present and participating were:

STAFF MEMBERS, LEGAL COUNSEL, AND MEMBERS OF THE PUBLIC

Joone Lopez	General Manager
Matt Collings	Assistant General Manager
Marc Serna	Director of Engineering & Operations
Gina Hillary	Director of Human Resources
Paige Gulck	Board Secretary
Pat Giannone	Bowie, Arneson, Wiles, and Giannone
Drew Atwater	MNWD
Vivian Lim	MNWD
Ruth Zintzun	MNWD
Michael Hartel	Voit
Kevin Turner	Voit
Tim Strader Jr.	StarPointe Ventures
Matt Weber	Downey Brand
Michael Bell	Public Financial Management

#3.

1. CALL MEETING TO ORDER

The meeting was called to order by Larry McKenney at 8:30 a.m.

2. PUBLIC COMMENTS

None.

DISCUSSION/ACTION ITEMS

3. **DIVISION 6 DIRECTOR VACANCY: TRANSITION PLAN FOR BOARD PRESIDENT**

Recommended Actions:

The Board will officially acknowledge Director McKenney's resignation letter, effective October 12, 2014.

MOTION DULY MADE BY RICHARD FIORE AND SECONDED BY DONALD FROELICH, DIRECTOR LARRY MCKENNEY'S RESIGNATION LETTER, EFFECTIVE OCTOBER 12, 2014, WAS ACKNOWLEDGED BY THE BOARD. THE VOTE WAS UNANIMOUS WITH DIRECTORS SCOTT COLTON, RICHARD FIORE, DONALD FROELICH, AND LARRY LIZOTTE ALL VOTING 'AYE'. DIRECTORS LARRY MCKENNEY ABSTAINED. DIRECTOR BRIAN PROBOLSKY WAS ABSENT.

The Board will review and determine the administrative process for filling the upcoming Division 6 Director vacancy.

The Board will assign the authority and duties of the President to the First Vice President to be effective with the current Board President's official resignation date; or, consider election of a new President.

MOTION DULY MADE BY RICHARD FIORE AND SECONDED BY LARRY LIZOTTE, THE BOARD ASSIGNED THE AUTHORITY AND DUTIES OF THE PRESIDENT TO THE FIRST VICE PRESIDENT, DONALD FROELICH, TO BE EFFECTIVE WITH THE CURRENT BOARD PRESIDENT'S OFFICIAL RESIGNATION DATE, UNTIL THE NEXT REGULAR ELECTION. THE VOTE WAS UNANIMOUS WITH DIRECTORS SCOTT COLTON, RICHARD FIORE, DONALD FROELICH, LARRY LIZOTTE, AND LARRY MCKENNEY ALL VOTING 'AYE'. DIRECTOR BRIAN PROBOLSKY WAS ABSENT.

The Board will consider any additional transition procedures and direct staff accordingly.

Joone Lopez discussed the administrative process for appointment of a new director.

Brian Probolsky arrived at 8:40 a.m.

4. ADOPTION OF RESOLUTIONS APPOINTING REPRESENTATIVES TO ISDOC, SJBA, SOUTH ORANGE COUNTY WATERSHED MANAGEMENT AREA (SOCWMA)

It is recommended that the Board of Directors approve the resolution entitled “Appointing Representatives to Independent Special Districts Selection Committee and Special Advisory Committee.”

MOTION DULY MADE BY RICHARD FIORE AND SECONDED BY BRIAN PROBOLSKY, THE RESOLUTION ENTITLED “APPOINTING REPRESENTATIVES TO INDEPENDENT SPECIAL DISTRICTS SELECTION COMMITTEE AND SPECIAL ADVISORY COMMITTEE” WAS APPROVED SEATING DONALD FROELICH AS REPRESENTATIVE AND RICHARD FIORE AS ALTERNATE REPRESENTATIVE. THE VOTE WAS UNANIMOUS WITH DIRECTORS SCOTT COLTON, RICHARD FIORE, DONALD FROELICH, LARRY LIZOTTE, LARRY MCKENNEY AND BRIAN PROBOLSKY ALL VOTING ‘AYE’.

It is recommended that the Board of Directors approve the resolution entitled “Appointing Director and Alternate Director to San Juan Basin Authority.”

MOTION DULY MADE BY LARRY MCKENNEY AND SECONDED BY DONALD FROELICH, THE RESOLUTION ENTITLED “APPOINTING DIRECTOR AND ALTERNATE DIRECTOR TO SAN JUAN BASIN AUTHORITY” WAS APPROVED SEATING SCOTT COLTON AS DIRECTOR AND STAFF AS ALTERNATE DIRECTOR. THE VOTE WAS UNANIMOUS WITH DIRECTORS SCOTT COLTON, RICHARD FIORE, DONALD FROELICH, LARRY LIZOTTE, LARRY MCKENNEY AND BRIAN PROBOLSKY ALL VOTING ‘AYE’.

It is recommended that the Board of Directors approve the resolution entitled “Appointing Representatives to South Orange County Watershed Management Area (SOCWMA) Executive Committee.”

MOTION DULY MADE BY LARRY MCKENNEY AND SECONDED BY LARRY LIZOTTE, THE RESOLUTION ENTITLED “APPOINTING REPRESENTATIVES TO SOUTH ORANGE COUNTY WATERSHED MANAGEMENT AREA (SOCWMA) EXECUTIVE COMMITTEE” WAS APPROVED SEATING BRIAN PROBOLSKY AS REPRESENTATIVE. THE VOTE WAS UNANIMOUS WITH DIRECTORS SCOTT COLTON, RICHARD FIORE, DONALD FROELICH, LARRY LIZOTTE, LARRY MCKENNEY AND BRIAN PROBOLSKY ALL VOTING ‘AYE’.

The Board of Directors presented Larry McKenney with a plaque in honor of his dedicated and humble service to the District.

#3.

5. Operations Facilities Assessment

Joone Lopez provided a brief background on the current options for a new building site, Plant 2A in Laguna Hills and a new construction site at 4 Liberty in Mission Viejo. Discussion ensued regarding the ponds at 2A and concerns from residents.

Larry McKenney left at 9:32 a.m.

CLOSED SESSION

6. CONFERENCE WITH REAL PROPERTY NEGOTIATORS, Pursuant to Government Code Section 54956.8

*Property: 4 Liberty, Aliso Viejo, 92656
Under Negotiation: Price and terms of payment
Real Property Negotiators: Joone Lopez, Matt Collings, Kevin Turner, Mike Hartel*

Closed session ended at 11:50 a.m.

Donald Froelich stated that no reportable action was taken on this item.

ADJOURNMENT

The meeting was adjourned at 11:52 a.m.

Respectfully submitted,

Paige Gulck
Board Secretary



DRAFT
MINUTES OF THE SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF THE
MOULTON NIGUEL WATER DISTRICT

October 16, 2014

A Special Meeting of the Board of Directors of the Moulton Niguel Water District was held at the District offices, 27500 La Paz Road, Laguna Niguel, California, at 5:00 PM on October 16, 2014. There were present and participating:

DIRECTORS

Scott Colton	Director
Richard Fiore	Director
Donald Froelich	President
Gary Kurtz	Director
Larry Lizotte	Director
Brian Probolsky	Vice President

Also present and participating were:

STAFF MEMBERS, LEGAL COUNSEL, AND MEMBERS OF THE PUBLIC

Joone Lopez	General Manager
Matt Collings	Assistant General Manager
Marc Serna	Director of Engineering & Operations
Gina Hillary	Director of Human Resources
Kelly Winsor	Assistant to the General Manager
Pat Giannone	Bowie, Arneson, Wiles & Giannone
Paige Gulck	Board Secretary
Drew Atwater	MNWD
Vivian Lim	MNWD
Todd Novacek	MNWD
Eva Plajzer	MNWD
Ruth Zintzun	MNWD
Michael Bell	Public Financial Management
Kimo Look	Project Partners
Susan Hinman	MWDOC
Nancy Palmer	City of Laguna Niguel

#3.

1. **CALL MEETING TO ORDER:**

The meeting was called to order by Donald Froelich at 5:01 p.m.

2. **PLEDGE OF ALLEGIANCE:**

3. **MINUTE APPROVAL:**

Minutes of the November 13, 2013 Regular Personnel and Salary Meeting of the Board of Directors

Minutes of the September 18, 2014 Regular Meeting of the Board of Directors

MOTION DULY MADE BY SCOTT COLTON AND SECONDED BY LARRY LIZOTTE, MINUTES OF THE NOVEMBER 13, 2013 REGULAR PERSONNEL AND SALARY MEETING OF THE BOARD OF DIRECTORS AND MINUTES OF THE SEPTEMBER 18, 2014 REGULAR MEETING OF THE BOARD OF DIRECTORS WERE APPROVED AS PRESENTED. THE VOTE WAS UNANIMOUS WITH DIRECTORS SCOTT COLTON, RICHARD FIORE, DONALD FROELICH, GARY KURTZ, AND LARRY LIZOTTE ALL VOTING 'AYE'. DIRECTOR GARY KURTZ ABSTAINED FROM THE SEPTEMBER MEETING MINUTES. DIRECTOR BRIAN PROBOLSKY WAS ABSENT.

4. **PUBLIC COMMENTS:**

None.

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

Staff pulled Item 5 from the Consent Calendar.

5. **REBATE APPLICATIONS FOR TURF REMOVAL AND SYNTHETIC TURF**

It is recommended that the Board of Directors authorize the General Manager or her designee to consider the rebate applications for the identified projects without a limitation on the maximum allowable acreage for each project; and authorize an increase of \$3,012,935 in the Water Use Efficiency expenditures for Fiscal Year 2014-2015.

REVISED TO READ:

It is recommended that the Board of Directors authorize the General Manager or her designee to consider the rebate applications for the identified projects without a limitation on the maximum allowable acreage for each project; and authorize an increase of \$541,172 in the Water Use Efficiency expenditures for Fiscal Year 2014-2015.

MOTION DULY MADE BY LARRY LIZOTTE AND SECONDED BY GARY KURTZ, ITEM 5 WAS APPROVED AS REVISED. THE VOTE WAS UNANIMOUS WITH DIRECTORS SCOTT COLTON, RICHARD FIORE, DONALD FROELICH, GARY KURTZ, AND LARRY LIZOTTE ALL VOTING 'AYE'. DIRECTOR BRIAN PROBOLSKY WAS ABSENT.

6. CONSTRUCTION CONTRACT AWARD FOR VENTILATION UNIT REPLACEMENTS

It is recommended that the Board of Directors award the Construction Services Contract to ACCO Engineered Systems in the amount of \$140,694; authorize the General Manager to execute the contract; and authorize the General Manager or designee to execute contract change orders up to 10% of the contract value.

MOTION DULY MADE BY RICHARD FIORE AND SECONDED BY GARY KURTZ, CONSENT ITEM 6 WAS AS PRESENTED. THE VOTE WAS UNANIMOUS WITH DIRECTORS SCOTT COLTON, RICHARD FIORE, DONALD FROELICH, GARY KURTZ, AND LARRY LIZOTTE ALL VOTING 'AYE'. DIRECTOR BRIAN PROBOLSKY WAS ABSENT.

GENERAL MANAGER MATTERS:

Brian Probolsky arrived at 5:12 p.m.

Ruth Zintzun presented the Rate Study Update from the Wednesday, October 15, 2014 Finance and Information Technology Meeting. Discussion ensued regarding the Shortage Contingency Plan and timeline.

Susan Hinman presented the Board with the refund check from MWDOC for the OC – 88 meter read error.

Kimo Look stated that as a parent of a Laguna Hills High School student, he wanted to thank the Board for contributing to the turf removal project. He appreciates all the work that the District does for the community.

Joone Lopez stated that the South Orange County Agencies Meeting is scheduled for October 21, 2014 at noon.

LEGAL MATTERS:

7. DIVISION 6 DIRECTOR VACANCY; TRANSITION PLAN FOR BOARD PRESIDENT

Recommended Actions:

The Board will review and determine the administrative process for filling the upcoming Division 6 Director vacancy.

The Board will consider any additional transition procedures and direct staff accordingly.

Joone Lopez presented the item. Discussion ensued regarding the vacancy, announcement, and dates for the process.

The Notice of Vacancy for the Division 6 director has been posted in the division and sent to the Citizens Advisory Committee, the City of Aliso Viejo, the Aliso Viejo Chamber, and the Aliso Viejo Community Association.

PRESIDENT'S REPORT:

None.

BOARD REPORTS:

None.

CLOSED SESSION:

None.

ADJOURNMENT:

The meeting was adjourned at 6:18 p.m.

Respectfully submitted,

Paige Gulck
Board Secretary



DRAFT
MINUTES OF THE SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF THE
MOULTON NIGUEL WATER DISTRICT

October 29, 2014

A Special Meeting of the Board of Directors of the Moulton Niguel Water District was held at the District offices, 27500 La Paz Road, Laguna Niguel, California, at 9:00 AM on October 29, 2014. There were present and participating:

DIRECTORS

Scott Colton	Director
Richard Fiore	Director
Donald Froelich	President
Gary Kurtz	Director
Larry Lizotte	Director
Brian Probolsky	Vice President (arrived at 9:04 a.m.)

Also present and participating were:

STAFF MEMBERS, LEGAL COUNSEL, AND MEMBERS OF THE PUBLIC

Joone Lopez	General Manager
Matt Collings	Assistant General Manager
Marc Serna	Director of Engineering & Operations
Gina Hillary	Director of Human Resources
Kelly Winsor	Assistant to the General Manager
Paige Gulck	Board Secretary
Eva Plajzer	MNWD
Drew Atwater	MNWD
Ruth Zintzun	MNWD
Robert Hunter	General Manager, MWDOC
Karl Seckel	MWDOC
Dan Rodrigo	CDM Smith
Lanaya Voelz	CDM Smith
Stu Luce	CAC Member
David Cordero	Lear Pearce

#3.

1. CALL MEETING TO ORDER

The meeting was called to order by Donald Froelich at 9:00 a.m.

2. PUBLIC COMMENTS

None.

PRESENTATION ITEMS

3. Long Range Water Reliability Plan Presentation

Brian Probolsky arrived at 9:04 a.m.

Eva Plajzer, Dan Rodrigo, and Lanaya Voelz presented the Long Range Water Reliability Plan. Discussion ensued regarding goals and objectives, the gap analysis, evaluation findings, supply options, and draft recommendations.

Brian Probolsky left at 10:35 a.m.

ADJOURNMENT

The meeting was adjourned at 11:45 a.m.

Respectfully submitted,

Paige Gulck
Board Secretary



DRAFT
MINUTES OF THE SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF THE
MOULTON NIGUEL WATER DISTRICT

October 31, 2014

A Special Meeting of the Board of Directors of the Moulton Niguel Water District was held at the District offices, 27500 La Paz Road, Laguna Niguel, California, at 8:00 AM on October 31, 2014. There were present and participating:

DIRECTORS

Scott Colton	Director
Richard Fiore	Director
Donald Froelich	President
Gary Kurtz	Director
Larry Lizotte	Director
Brian Probolsky	Vice President (arrived at 8:10 a.m.)

Also present and participating were:

STAFF MEMBERS, LEGAL COUNSEL, AND MEMBERS OF THE PUBLIC

Joone Lopez	General Manager
Matt Collings	Assistant General Manager
Marc Serna	Director of Engineering & Operations
Gina Hillary	Director of Human Resources
Kelly Winsor	Assistant to the General Manager
Paige Gulck	Board Secretary
Drew Atwater	MNWD
Ruth Zintzun	MNWD
Brian Thomas	Public Financial Management
Michael Bell	Public Financial Management
Karl Seckel	MWDOC
Stu Luce	CAC Member
Don White	City of Laguna Niguel
Mark Hildebrand	MWH Global
Kelly Salt	Best, Best, and Krieger

#3.

1. CALL MEETING TO ORDER

The meeting was called to order by Donald Froelich at 8:00 a.m.

2. PUBLIC COMMENTS

Donald Froelich stated that public comments will be taken now and after the presentation.

PRESENTATION ITEMS

3. Cost of Service/Rate Design Presentation

Brian Probolsky arrived at 8:10 a.m.

Ruth Zintzun, Mark Hildebrand, and Drew Atwater presented the progress on the rate study and cost of service. Discussion ensued regarding General Fund requirements; residential, multi-family, commercial, water and wastewater rates; irrigation and recycled water rates; and water shortage contingency plan.

Gary Kurtz left at 11:26 a.m.

Brian Probolsky left at 11:31 a.m.

ADJOURNMENT

The meeting was adjourned at 11:38 a.m.

Respectfully submitted,

Paige Gulck
Board Secretary

RESOLUTION NO. 14-_____

**RESOLUTION OF THE BOARD OF DIRECTORS OF
THE MOULTON NIGUEL WATER DISTRICT
SURPLUS OF DISTRICT PROPERTIES LOCATED IN LAGUNA NIGUEL
AND LAGUNA HILLS**

WHEREAS, the Board of Directors has determined that the District’s headquarters building located at 27500 La Paz Road in Laguna Niguel (“Main”) and the District’s operations facilities located at 26161 Gordon Road in Laguna Hills (“Plant 2A”) are in need of repairs, updating, and expansion, due to their current conditions and the District’s current needs; and

WHEREAS, the Board of Directors is currently evaluating whether it is in the best interest of the District and its rate payers to construct the needed facilities on the property currently owned by the District, including the Plant 2A and Main properties, or if it is in the best interest of the District and rate payers to acquire a new property to construct the needed facilities;

WHEREAS, if the District were to acquire a new property to house its operation facilities and its headquarters, the Plant 2A and Main properties would no longer be necessary for the District’s use;

WHEREAS, in order to determine if it is in the best interest of the District to acquire a new property, as opposed to using the Plant 2A and Main properties, the Board of Directors needs to determine the value of the Plant 2A and Main properties.

WHEREAS, the Plant 2A and Main properties are unique in that there are not many comparable properties currently on the market, Board of Directors believes the best way to determine the true market value of the Plant 2A and Main properties is to place the properties on the market to determine what a willing buyer would pay for the properties, as this would allow the District to compare the value it would receive from the sale of its properties to the cost it would need to expend to purchase new property.

NOW, THEREFORE, the Board of Directors of the Moulton Niguel Water District does hereby **RESOLVE, DETERMINE** and **ORDER** as follows:

1. Be it resolved that the Board of Directors has determined that if the District is able to locate suitable replacement property to house its operations facilities and its headquarters the Plant 2A and Main properties would no longer be necessary for the District’s use.
2. That in order to determine if it is more advantages for the District to acquire new property for its operations facilities and headquarters the District will market its Main and Plant 2A properties.
3. District staff is directed to begin marketing the Plant 2A and Main properties by complying with Government Code Section 54220, et. seq.
4. If after complying with Government Code Section 54220 et seq., the District does not have an acceptable offer on its properties District staff shall allow any interested party to make an offer on the Plant 2A and Main properties. District staff shall also take appropriate steps, including working with real estate professionals, to ensure that the properties are properly marketed in a manner to obtain the most value from the properties.

#9.

5. District staff shall notify all interested parties that any sale of the Plant 2A and/or Main property would be contingent upon the District locating suitable replacement property.

6. If the Board of Directors determines it is in the best interest of the District to build new facilities on the Plant 2A and/or Main property, as opposed to moving the facilities to a new property, or if the District is unable to find suitable replacement property, the Board of Directors will repeal this Resolution and retain the Plant 2A and Main properties.

APPROVED, ADOPTED and SIGNED this ____ day of _____, 2014.

MOULTON NIGUEL WATER DISTRICT

By: _____

Donald Froelich, President
MOULTON NIGUEL WATER DISTRICT
And the Board of Directors thereof

By: _____

Paige Gulck, Secretary
MOULTON NIGUEL WATER DISTRICT
And the Board of Directors thereof