



AMENDED
BOARD OF DIRECTORS' MEETING
MOULTON NIGUEL WATER DISTRICT
27500 La Paz Road, Laguna Niguel
January 16, 2014
5:30 PM
Approximate Meeting Time: 2 Hours

1. **CALL MEETING TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **MINUTE APPROVAL:**

Minutes of the December 19, 2013 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.

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.

5. **SPOILS REMOVAL SERVICE AGREEMENTS FOR FISCAL YEARS 2013-14 AND 2014-15**

It is recommended that the Board of Directors award a two-year service agreement for Spoils Removal Services to Goodwin Construction for a not-to-exceed amount of \$81,000, and to KB Miramontes for a not-to-exceed amount of \$81,000; and authorize the General Manager to execute the service agreements on behalf of the District.

GENERAL MANAGER MATTERS:

6. **REQUEST FOR NEW POSITION**

It is recommended that the Board of Directors approve the position of the Deputy General Manager of Intergovernmental and External Affairs.

LEGAL MATTERS:

7. CONDUCT HEARING ON RESOLUTION TO ISSUE 2014 CONSOLIDATED GENERAL OBLIGATION REFUNDING BONDS OF IMPROVEMENT DISTRICT NOS. 6 AND 7; ADOPT RESOLUTION OF ISSUANCE FOR THE 2014 CONSOLIDATED REFUNDING BONDS

The California Water Code requires the Board to conduct a hearing to issue general obligation bonds when done on a consolidated basis for more than one Improvement District. The refinancing will be a current refunding of the outstanding 2003 Consolidated Refunding Bonds previously issued to refund bonds of Improvement District Nos. 6 and 7 (as well as an additional improvement district). On December 19, 2013, the Board adopted Resolution of Intention No. 13-24 to call the hearing. The purpose of the hearing is to address the question of whether the impact on the lands of either of the individual improvement districts would be increased over the impact to such improvement districts if the refunding bonds were not consolidated, but issued separately. The consolidated issuance captures the efficiencies of selling refunding bonds as one issue, while still preserving the separate securities of the Improvement Districts. Upon conclusion of the hearing, the Board will be presented with the proposed Resolution of Issuance, which makes the required findings for the consolidated issuance, establishes the debt service savings threshold to complete the sale, provides for the general structure of the refunding, authorizes the not-to-exceed principal amount, and approves as to form the financing and disclosure documents.

It is recommended that the Board of Directors conduct a hearing pursuant to Resolution of Intention No. 13-24 on the Proposed Resolution of Issuance for the 2014 Consolidated Refunding Bonds.

It is recommended that the Board of Directors adopt Resolution No. 14 – __ entitled “Resolution of the Board of Directors of the Moulton Niguel Water District providing for the Issuance of 2014 Consolidated Refunding Bonds to refund its 2003 Consolidated Refunding Bonds, approving certain documents and authorizing and ratifying certain action.”

PRESIDENT'S REPORT

BOARD REPORTS

CLOSED SESSION:

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (ONE CASE)

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

United States of America, and the States of California, Florida, Hawaii, Illinois, Massachusetts, Nevada, Virginia, District of Columbia and State and City of New York ex rel. Ann-Marie Shaw v. CA, Inc., Civil Action No. 06-3552, Federal District Court for the Eastern Division of New York

CONFERENCE ON EXISTING LITIGATION (ONE CASE)

Pursuant to Government Code Section 54956.96 (a) and (b), a Closed Session will be conducted to confer on existing litigation of SOUTH ORANGE COUNTY WASTEWATER AUTHORITY: ONE CASE (Legal Counsel present)

South Orange County Wastewater Authority vs Michael Demaree, Does 1 through 25, related cross complaint (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

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.