



**BOARD OF DIRECTORS' MEETING  
MOULTON NIGUEL WATER DISTRICT  
27500 La Paz Road, Laguna Niguel  
November 19, 2015  
6:00 PM  
Approximate Meeting Time: 2 Hours**

**1. CALL MEETING TO ORDER:**

**2. PLEDGE OF ALLEGIANCE:**

**3. 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.*

**4. MINUTES OF THE OCTOBER 2, 2015 SPECIAL BOARD OF DIRECTORS MEETING**

**5. MINUTES OF THE OCTOBER 15, 2015 REGULAR BOARD OF DIRECTORS MEETING**

**GENERAL MANAGER MATTERS:**

**PRESENTATIONS:**

**6. RECOGNITION OF LARRY LIZOTTE'S 45 YEARS OF SERVICE**

**PRESIDENT'S REPORT:**

**BOARD REPORTS:**

**FUTURE AGENDA ITEMS (Any items added under this section are for discussion at future meetings only.):**

**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](http://www.mnwd.com).



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

**October 2, 2015**

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 10:00 AM on October 2, 2015. There were present and participating:

**DIRECTORS**

|                 |                |
|-----------------|----------------|
| Duane Cave      | Director       |
| Scott Colton    | Vice President |
| Richard Fiore   | Director       |
| Donald Froelich | President      |
| 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          |
| Paige Gulck     | Board Secretary                      |
| Tim Bonita      | Recording Secretary                  |
| Jeff Ferre      | Best, Best, & Krieger                |
| Steve Greyshock | 21 Strat                             |
| Drew Atwater    | MNWD                                 |
| John Cruz       | MNWD                                 |
| Megan Schneider | MNWD                                 |
| Carolyn Emery   | OC LAFCO                             |
| Jeff O'keefe    | State Water Resources Control Board  |
| Oliver Pacifico | State Water Resources Control Board  |

**1. CALL MEETING TO ORDER**

*The meeting was called to order by Donald Froelich at 10:02 a.m.*

**2. PUBLIC COMMENTS**

*None.*

**INFORMATION ITEM**

**3. Local Governance Process**

*Joone Lopez gave a brief overview of the topics for discussion today.*

*Duane Cave arrived at 10:03 a.m.*

*Carolyn Emery from OC LAFCO, presented the Local Governance Process. Key topics presented were LAFCO's legislative mission and legal role, planning and regulatory functions, and authority.*

*Jeff O'keefe from the State Water Board Division of Drinking Water, presented the Division of Drinking Water Responsibilities. Key topics included the drinking water program, SWS compliance issues, the strategic plan to resolve SWS problems, funding opportunities, and consolidation authority.*

*The Board took a five minute break.*

*Joone Lopez talked about the MNWD Guiding Principles for Local Governance Process. Discussion ensued regarding the process.*

**ADJOURNMENT**

*The meeting was adjourned at 12:18 p.m.*

Respectfully submitted,

Tim Bonita  
Recording Secretary



**DRAFT  
MINUTES OF THE REGULAR MEETING  
OF THE BOARD OF DIRECTORS OF THE  
MOULTON NIGUEL WATER DISTRICT**

**October 15, 2015**

A Regular 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 6:00 PM on October 15, 2015. There were present and participating:

**DIRECTORS**

|                 |                                       |
|-----------------|---------------------------------------|
| Duane Cave      | Director                              |
| Scott Colton    | Vice President/Chair                  |
| Richard Fiore   | Director                              |
| Donald Froelich | President                             |
| Larry Lizotte   | Director                              |
| Brian Probolsky | Vice President (arrived at 6:05 p.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          |
| Jeff Ferre      | Best, Best, & Krieger                |
| Michael Bell    | Michael Bell Consulting              |
| Paige Gulck     | Board Secretary                      |
| Trevor Agrelius | MNWD                                 |
| Drew Atwater    | MNWD                                 |
| Tim Bonita      | MNWD                                 |
| Johnathan Cruz  | MNWD                                 |
| Megan Schneider | MNWD                                 |
| Juan Cuevas     | Advanced Industrial Services         |

**1. CALL MEETING TO ORDER:**

*The meeting was called to order by Donald Froelich at 6:00 p.m.*

# #5.

## 2. PLEDGE OF ALLEGIANCE:

## 3. MINUTE APPROVAL:

MINUTES OF THE SEPTEMBER 17, 2015 BOARD OF DIRECTORS MEETING

*MOTION DULY MADE BY RICHARD FIORE AND SECONDED BY SCOTT COLTON, MINUTES OF THE SEPTEMBER 17, 2015 BOARD OF DIRECTORS MEETING WERE APPROVED AS AMENDED. THE VOTE WAS UNANIMOUS WITH DIRECTORS SCOTT COLTON, RICHARD FIORE, DONALD FROELICH, AND LARRY LIZOTTE ALL VOTING 'AYE'. DIRECTOR DUANE CAVE ABSTAINED. 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)

*Item 9 was pulled from the consent calendar by Richard Fiore.*

## 5. ELECTRICAL SYSTEM ASSESSMENT OF STATION FACILITIES

It is recommended that the Board of Directors authorize the General Manager to execute an agreement with Lee & Ro, Inc. for an amount of \$237,396, plus a 10% contingency, for a total authorized not-to-exceed amount of \$261,136 to perform the Electrical System Assessment of Station Facilities.

## 6. REIMBURSEMENT AGREEMENT WITH EL TORO WATER DISTRICT

It is recommended that the Board of Directors approve the Agreement between El Toro Water District and Moulton Niguel Water District for Recycled Water System Analysis as part of the MNWD Recycled Water Master Plan (Agreement) subject to non-substantive changes approved by the General Manager and Legal Counsel and authorize the General Manager to execute the Agreement.

## 7. ON-CALL GEOTECHNICAL ENGINEERING SERVICES

It is recommended that the Board of Directors approve the engineering services agreements with GMU Geotechnical, Inc., Hushmand Associates, Inc., and Petra Geosciences, Inc., each with a not-to-exceed amount of \$150,000 and duration of three years; and authorize the General Manager to execute the agreements.

8. COATING INSPECTION SERVICES

It is recommended that the Board of Directors award the engineering services agreements with Harper and Associates Engineering, Inc. and Corrpro Companies, Inc., each for a not-to-exceed amount of \$250,000 and duration of two years, and authorize the General Manager to execute the agreements.

*MOTION DULY MADE BY LARRY LIZOTTE AND SECONDED BY DUANE CAVE, CONSENT ITEMS 5-8 WERE APPROVED AS PRESENTED. THE VOTE WAS UNANIMOUS WITH DIRECTORS DUANE CAVE, SCOTT COLTON, RICHARD FIORE, DONALD FROELICH, AND LARRY LIZOTTE ALL VOTING 'AYE'. DIRECTOR BRIAN PROBOLSKY WAS ABSENT.*

9. REBATE APPLICATION FOR TURF REMOVAL

It is recommended that the Board of Directors consider the rebate application for the identified project without a limitation on the maximum allowable acreage for the project and direct staff accordingly.

*Prior to consideration of this matter, Richard Fiore announced that he would be recusing himself due to a potential conflict of interest in that his law firm has done work for the entity that is the subject of this request, however, no such work was done in regard to this rebate application. Richard Fiore then left the dais and the Board room during discussion of this matter.*

*The rebate request from the Aliso Viejo Community Association for an estimated 63,109 sq. ft. of turf removal was discussed.*

*MOTION DULY MADE BY DUANE CAVE AND SECONDED BY LARRY LIZOTTE, ITEM 9 WAS APPROVED AS PRESENTED. THE VOTE WAS UNANIMOUS WITH DIRECTORS DUANE CAVE, SCOTT COLTON, DONALD FROELICH, AND LARRY LIZOTTE, ALL VOTING 'AYE'. DIRECTORS RICHARD FIORE AND BRIAN PROBOLSKY WERE ABSENT.*

**GENERAL MANAGER MATTERS:**

*Brian Probolsky arrived at 6:05 p.m.*

*Jeff Ferre provided a brief update on AB 57, which imposes deadlines for land use agencies to approve or disapprove applications for cell site facilities, and if the deadlines are not met, such applications are deemed to be approved. It was explained that this new law impacts land use agencies and not the District.*

*The emergency work on La Paz Road is underway and going smoothly.*

*Matt Collings provided a brief update on the Operations Center Consolidation Project.*

## #5.

*Proposals are being secured for geotechnical services and environmental work.*

*ID badges have been given to the Board to wear when on-site at District facilities.*

### **ENGINEERING & OPERATIONS MATTERS:**

#### **10. BEAR BRAND NO.1 RESERVOIR RE-COATING CONTRACT AWARD**

It is recommended that the Board of Directors award the construction services contract for the Bear Brand No. 1 Reservoir Re-coating and Safety Improvements Project No. 2014.001 to Advanced Industrial Services in the amount of \$621,000; authorize the General Manager to execute the contract; and authorize the General Manager or designee to approve change orders up to 10% of the contract value.

*Joone Lopez noted that this item was discussed at the Engineering and Operations Board meeting on October 12, 2015.*

*MOTION DULY MADE BY DUANE CAVE AND SECONDED BY SCOTT COLTON, ITEM 10 WAS APPROVED AS PRESENTED. THE VOTE WAS UNANIMOUS WITH DIRECTORS DUANE CAVE, SCOTT COLTON, RICHARD FIORE, DONALD FROELICH, LARRY LIZOTTE, AND BRIAN PROBOLSKY ALL VOTING 'AYE'.*

### **FINANCE & INFORMATION TECHNOLOGY MATTERS:**

#### **11. WATER EFFICIENCY (FUND 6) BUDGET AMENDMENT (RESOLUTION NO. 15- —)**

It is recommended that the Board of Directors approve the resolution entitled, "Approving a Budget Amendment in Order to Fund Additional Water Efficiency Programs for fiscal year 2015-16".

*Joone Lopez noted that this item was discussed at the Finance Board meeting on October 14, 2015.*

*MOTION DULY MADE BY LARRY LIZOTTE AND SECONDED BY DUANE CAVE, ITEM 11 WAS APPROVED AS PRESENTED. THE VOTE WAS UNANIMOUS WITH DIRECTORS DUANE CAVE, SCOTT COLTON, RICHARD FIORE, DONALD FROELICH, LARRY LIZOTTE, AND BRIAN PROBOLSKY ALL VOTING 'AYE'.*

### **LEGAL MATTERS:**

*None.*



**PRESIDENT'S REPORT:**

*Donald Froelich gave a report on the MWDOC conservation workshop on October 7, 2015.*

**BOARD REPORTS:**

*Larry Lizotte toured the Aliso Water Management Agency bridge with SOCWA.*

*Duane Cave reported on the Laguna Niguel Chamber of Commerce Government Affairs meeting. Joone Lopez was the guest speaker and presented on the current drought.*

**FUTURE AGENDA ITEMS (Any items added under this section are for discussion at future meetings only.):**

*None.*

**LATE ITEMS: (Appropriate Findings to be Made)**

*Staff has none.*

**ADJOURNMENT:**

*The meeting was adjourned at 6:33 p.m.*

Respectfully submitted,

Paige Gulck  
Board Secretary

