



moulton niguel water district

AMENDED
BOARD OF DIRECTORS' MEETING
MOULTON NIGUEL WATER DISTRICT
27500 La Paz Road, Laguna Niguel
May 19, 2016
6:00 PM
Approximate Meeting Time: 1 Hour

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.

PRESENTATION:

Recognition by Municipal Water District of Orange County

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 APRIL 4, 2016 SPECIAL BOARD OF DIRECTORS MEETING**

5. **MINUTES OF THE APRIL 7, 2016 SPECIAL BOARD OF DIRECTORS MEETING**

6. **MINUTES OF THE APRIL 15, 2016 SPECIAL BOARD OF DIRECTORS MEETING**

7. **MINUTES OF THE APRIL 21, 2016 REGULAR BOARD OF DIRECTORS MEETING**

8. **AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT - LSA ASSOCIATES, INC.**

It is recommended that the Board of Directors approve Amendment No. 1 to the Professional Services Agreement with LSA Associates, Inc. for an amount not-to-exceed \$78,840 for a total

contract value of \$153,076; authorize the General Manager to execute Amendment No. 1; and authorize the General Manager or designee to approve change orders up to 15% of the contract value.

9. SECURITY SERVICES

It is recommended that the Board of Directors authorize the General Manager to execute a three year agreement with G4S Secure Solutions (USA), Inc., in the amount of \$73,892 per year, for a total agreement amount of \$221,676 with the option to extend for two additional one-year terms.

10. AMENDMENT NO. 7 TO AGREEMENT WITH ATS COMMUNICATIONS FOR FISCAL YEAR 2016-17

It is recommended that the Board of Directors approve Amendment No. 7 with ATS Communications for a not-to-exceed amount of \$90,000 for FY 2016-17 for a total contract value of \$518,357; and authorize the General Manager to execute Amendment No. 7 to the Professional Services Agreement.

11. SERVER EQUIPMENT PURCHASE FOR FISCAL YEAR 2015-16

It is recommended that the Board of Directors approve the purchase of the new server equipment from Resilient Communications for the amount of \$82,100.

12. 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.

GENERAL MANAGER MATTERS:

ENGINEERING & OPERATIONS MATTERS:

13. VALVE REPLACEMENTS CONSTRUCTION CONTRACT AWARD

It is recommended that the Board of Directors award the construction services contract to Paulus Engineering, Inc. in the amount of \$1,062,191; authorize the General Manager to execute the contract; and authorize the General Manager or designee to approve change orders up to 15% of the contract value.

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.



moulton niguel water district

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

April 4, 2016

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 April 4, 2016. There were present and participating:

DIRECTORS

Duane Cave	Director
Scott Colton	Vice President
Richard Fiore	Director
Donald Froelich	President
Gary Kurtz	Director
Larry Lizotte	Director
Brian Probolsky	Vice President (arrived at 8:44 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
Jeff Ferre	Best, Best, & Krieger (General Counsel)
Paige Gulck	Board Secretary
Tim Bonita	Recording Secretary
Anthony Vaccaro	Newport Real Estate Services
Tim Strader Jr.	Starpointe Ventures
Bob Sutton	Ware Malcomb

1. CALL MEETING TO ORDER

The meeting was called to order by Donald Froelich at 8:30 a.m.

#4.

2. PUBLIC COMMENTS

None.

DISCUSSION ITEMS

3. OPERATIONS CENTER CONSOLIDATION IMPROVEMENT PROJECT

Matt Collings provided an update on the Operations Center Consolidation Improvement Project. Staff will be initiating the planning application with the City of Laguna Hills.

Brian Probolsky arrived at 8:44 a.m.

CLOSED SESSION

4. CONFERENCE INVOLVING A JOINT POWERS AGENCY – SOUTH ORANGE COUNTY WASTEWATER AUTHORITY

Discussion will concern: POTENTIAL LITIGATION – IN 1 MATTER

Pursuant to Government Code Section 54956.9 Closed Session will be conducted to confer with legal counsel RE: potential litigation in 1 matter

The Board entered closed session at 9:00 a.m. and exited at 9:44 a.m. Donald Froelich stated that there was no reportable action.

RETURN TO OPEN SESSION

5. ADOPTION OF A RESOLUTION APPOINTING A NEW ALTERNATE DIRECTOR TO SOUTH ORANGE COUNTY WASTEWATER AUTHORITY (RESOLUTION 16-____)

It is recommended that the Board of Directors approve the resolution entitled "Appointing New Alternate Director to South Orange County Wastewater Authority."

MOTION DULY MADE BY LARRY LIZOTTE AND SECONDED BY GARY KURTZ, JOONE LOPEZ WAS APPOINTED AS NEW ALTERNATE DIRECTOR TO SOUTH ORANGE COUNTY WASTEWATER AUTHORITY. THE VOTE WAS UNANIMOUS WITH DIRECTORS DUANE CAVE, SCOTT COLTON, RICHARD FIORE, DONALD FROELICH, GARY KURTZ, LARRY LIZOTTE, AND BRIAN PROBOLSKY ALL VOTING 'AYE'.

ADJOURNMENT

The meeting was adjourned at 9:46 a.m.

Respectfully submitted,

Tim Bonita
Recording Secretary

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moulton niguel water district

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

April 7, 2016

A Special Meeting of the Board of Directors of the Moulton Niguel Water District was held at the Norman P. Murray Center, 24932 Veterans Way, Mission Viejo, California, at 11:00 AM on April 7, 2016. There were present and participating:

DIRECTORS

Duane Cave	Director
Scott Colton	Vice President
Richard Fiore	Director
Gary Kurtz	Director

Also present and participating were:

STAFF MEMBERS, LEGAL COUNSEL, AND MEMBERS OF THE PUBLIC

Matt Collings	Assistant General Manager
Marc Serna	Director of Engineering & Operations
Paige Gulck	Board Secretary
Tim Bonita	Recording Secretary
Drew Atwater	MNWD
John Bonoczi	MNWD
Johnathan Cruz	MNWD
Rhonda Himley	MNWD
Gregg Hooper	MNWD
Shane Kemp	MNWD
John Lansden	MNWD
Monobina Mukherjee	MNWD
Megan Schneider	MNWD
Jacob Shiba	MNWD
Doug Zytkevicz	MNWD

#5.

1. CALL MEETING TO ORDER

The meeting was called to order by Scott Colton at 11:29 a.m.

2. PUBLIC COMMENTS

None.

PRESENTATION ITEMS

3. Homeowners Association Lunch and Learn

Moulton Niguel Water District hosted a Lunch and Learn Event for many of the District's Homeowners Association representatives. During the event, HOA representatives had the opportunity to learn more about the drought, outdoor water budgets and recycled water. Attendees also had a chance to hear from the City of Mission Viejo and other HOA's within the District who have been successful in modifying their landscapes to be water efficient.

ADJOURNMENT

The meeting was adjourned at 12:47 p.m.

Respectfully submitted,

Tim Bonita
Recording Secretary



moulton niguel water district

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

April 15, 2016

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 April 15, 2016. There were present and participating:

DIRECTORS

Duane Cave	Director
Scott Colton	Vice President
Richard Fiore	Director (arrived at 8:34 a.m.)
Donald Froelich	President
Gary Kurtz	Director
Larry Lizotte	Director
Brian Probolsky	Vice President (arrived at 9:01 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
Paige Gulck	Board Secretary
Tim Bonita	Recording Secretary
Drew Atwater	MNWD
Johnathan Cruz	MNWD
Monobina Mukherjee	MNWD
Eva Plajzer	MNWD
Jacob Shiba	MNWD

1. CALL MEETING TO ORDER

The meeting was called to order by Donald Froelich at 8:31 a.m.

2. PUBLIC COMMENTS

None.

DISCUSSION ITEMS

3. DISCUSSION ON WATER RELIABILITY AND 2015 URBAN WATER MANAGEMENT PLAN

Richard Fiore arrived at 8:34 a.m.

Joone Lopez gave a brief overview of the agenda for the meeting. Staff presented key topics in regards to water reliability including the long range water reliability plan, water demand projections, the impact of demand management on reliability objectives, demand management programs in effect for Fiscal Year 2016-17, the Recycled Water Master Plan, and raises local reliability projects.

Brian Probolsky arrived at 9:01 a.m.

ADJOURNMENT

The meeting was adjourned at 1:00 p.m.

Respectfully submitted,

Tim Bonita
Recording Secretary



moulton niguel water district

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

April 21, 2016

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 April 21, 2016. There were present and participating:

DIRECTORS

Duane Cave	Director
Scott Colton	Vice President
Richard Fiore	Director
Donald Froelich	President
Gary Kurtz	Director
Larry Lizotte	Director
Brian Probolsky	Vice President (arrived at 6:13 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 (General Counsel)
Paige Gulck	Board Secretary
Tim Bonita	Recording Secretary
Trevor Agrelius	MNWD
Drew Atwater	MNWD
Johnathan Cruz	MNWD
Eva Plajzer	MNWD
Kelly Salt	Best, Best, and Krieger
Chris Bennett	Labholding
Michael Bell	Michael Bell Consulting, Inc.

#7.

Richard Gardner
Janet Winninghoff

Member of the Public
Member of the Public

1. **CALL MEETING TO ORDER:**

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

2. **PLEDGE OF ALLEGIANCE:**

3. **PUBLIC COMMENTS:**

Janet Winninghoff addressed the Board with a question about future desalination projects.

A member of the public expressed her issue with copper pinhole leaks in her house.

Richard Gardner expressed his concerns for more conservation.

Brian Probolsky arrived at 6:13 p.m.

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 9 from the agenda.

Richard Fiore disclosed that Casa Loma Condominium Association, as referenced in the Staff Report, was a client of his firm in the past but is not currently a client. Jeff Ferre stated that based on that information, there would not be a conflict of interest and Director Fiore may proceed to take action on that referenced item. Duane Cave disclosed that he was not in attendance at the March 23, 2016 Board meeting.

4. **MINUTES OF THE MARCH 4, 2016 SPECIAL BOARD OF DIRECTORS MEETING**

5. **MINUTES OF THE MARCH 17, 2016 REGULAR BOARD OF DIRECTORS MEETING**

6. **MINUTES OF THE MARCH 23, 2016 REGULAR BOARD OF DIRECTORS MEETING**

7. **FALL PROTECTION SYSTEM - POTABLE WATER & RECYCLED WATER RESERVOIRS**

It is recommended that the Board of Directors award the contract for the Fall Protection System- Potable Water & Recycled Water Reservoirs, Project Nos. 2015.017 and 2015.018 to Spiess Construction Co., Inc. in the amount of \$173,405; 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.

8. AMENDMENT NO. 2 TO THE CONSULTING SERVICES AGREEMENT – ORANGE LABEL

It is recommended that the Board of Directors approve Amendment No. 2 to the Consulting Services Agreement with Orange Label for an amount not-to-exceed \$145,133 for a total contract amount of \$219,508; and authorize the General Manager to execute Amendment No. 2.

9. SERVER EQUIPMENT PURCHASE FOR FISCAL YEAR 2015-16

It is recommended that the Board of Directors approve the purchase of the new server equipment from Resilient Communications for the amount of \$82,100.

10. REBATE APPLICATIONS FOR TURF REMOVAL

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

MOTION DULY MADE BY SCOTT COLTON AND SECONDED BY GARY KURTZ, CONSENT ITEMS 4 THROUGH 10 WERE APPROVED AS PRESENTED. THE VOTE WAS UNANIMOUS WITH DIRECTORS DUANE CAVE, SCOTT COLTON, RICHARD FIORE, DONALD FROELICH, GARY KURTZ, LARRY LIZOTTE, AND BRIAN PROBOLSKY ALL VOTING 'AYE'.

GENERAL MANAGER MATTERS:

11. LETTER OF COMMITMENT TO WRITE AMICUS BRIEF IN SUPPORT OF YORBA LINDA WATER DISTRICT

Kelly Salt provided information about Yorba Linda Water District's Amicus letter.

Action: The Board authorize the General Manager to draft a Letter of Impact in connection with the current litigation involving the Yorba Linda Water District. The letter will focus on drought and revenue issues. The letter will not address issues regarding ratepayer rights and won't take position on the litigation. The General Manager shall work with other water agencies to provide a consistent message.

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

Drew Atwater provided information on the Assembly Bill 1755, the Open and

#7.

Transparent Water Data Act. Staff will gather more information and bring back to the Board at a future time.

Joone Lopez reported that she attended a meeting at the Association of California Water Agencies in Sacramento regarding long term framework for water use efficiency statewide.

Joone Lopez also reported that she attended the State Water Resources Control Board (SWRCB) meeting. The SWRCB is considering additional modifications to the Emergency Regulations. A decision will be made on May 17, 2016. The proposed modifications will not impact the District.

ENGINEERING & OPERATIONS MATTERS:

12. WATER SUPPLY ASSESSMENT FOR THE AGORA ARTS DISTRICT DOWNTOWN PROJECT

It is recommended that the Board of Directors approve the WSA dated April 2016, as prepared by Arcadis.

Discussion ensued regarding the Water Supply Assessment and the Agora Arts District Downtown Project.

MOTION DULY MADE BY GARY KURTZ AND SECONDED BY DUANE CAVE, ITEM 12 WAS APPROVED AS PRESENTED. THE VOTE WAS UNANIMOUS WITH DIRECTORS DUANE CAVE, SCOTT COLTON, RICHARD FIORE, DONALD FROELICH, GARY KURTZ, LARRY LIZOTTE, AND BRIAN PROBOLSKY ALL VOTING 'AYE'.

13. PRADERA 850 ZONE LOOP SYSTEM CONTRACT AWARD

It is recommended that the Board of Directors award the construction services contract for the Pradera 850 Zone Loop System Project No. 2014.013 to Ferreira Construction Co., Inc. in the amount of \$655,938; 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.

MOTION DULY MADE BY GARY KURTZ AND SECONDED BY SCOTT COLTON, ITEM 13 WAS APPROVED AS PRESENTED. THE VOTE WAS UNANIMOUS WITH DIRECTORS DUANE CAVE, SCOTT COLTON, RICHARD FIORE, DONALD FROELICH, GARY KURTZ, LARRY LIZOTTE, AND BRIAN PROBOLSKY ALL VOTING 'AYE'.

LEGAL MATTERS:

14. ADOPTION OF A RESOLUTION APPOINTING NEW DIRECTORS TO SOUTH ORANGE COUNTY WASTEWATER AUTHORITY RESOLUTION (16-)

It is recommended that the Board of Directors approve the resolution entitled, "Appointing New Directors to South Orange County Wastewater Authority".

Joone Lopez provided information on the item.

MOTION DULY MADE BY RICHARD FIORE AND SECONDED BY LARRY LIZOTTE, JOONE LOPEZ AND MATT COLLINGS WERE APPOINTED AS NEW DIRECTORS TO SOUTH ORANGE COUNTY WASTEWATER AUTHORITY. THE VOTE WAS UNANIMOUS WITH DIRECTORS DUANE CAVE, SCOTT COLTON, RICHARD FIORE, DONALD FROELICH, GARY KURTZ, LARRY LIZOTTE, AND BRIAN PROBOLSKY ALL VOTING 'AYE'.

PRESIDENT'S REPORT:

Donald Froelich reported that Karl Seckel will be giving a presentation at the May 13, 2016 Water Advisory Committee of Orange County.

BOARD REPORTS:

Richard Fiore reported that he attended the Independent Special Districts of Orange County quarterly meeting. There were a number of interesting presentations.

Larry Lizotte provided an update on South Orange County Wastewater Authority.

Brian Probolsky expressed his concern with the OC33 Mag Meter Readings reported in the General Manager's report from MWDOC. Matt Collings noted that this is only a concern for agencies using water on the Santiago Lateral prior to the Baker plant coming online and the District won't be impacted.

Duane Cave reported that he attended the South Orange County Association of Mayors Breakfast. Joone Lopez provided a great presentation.

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.

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CLOSED SESSION:

3. CONFERENCE INVOLVING A JOINT POWERS AGENCY – SOUTH ORANGE COUNTY WASTEWATER AUTHORITY

Discussion will concern: POTENTIAL LITIGATION – IN 1 MATTER

Pursuant to Government Code Section 54956.9 Closed Session will be conducted to confer with legal counsel RE: potential litigation in 1 matter

The Board entered closed session at 7:48 p.m. and exited at 8:32 p.m. Jeff Ferre stated that there was no reportable action.

ADJOURNMENT:

The meeting was adjourned at 8:33 p.m.

Respectfully submitted,

Tim Bonita
Recording Secretary