



# **moulton niguel** water district

## **BOARD OF DIRECTORS' MEETING MOULTON NIGUEL WATER DISTRICT**

**27500 La Paz Road, Laguna Niguel**

**May 18, 2017**

**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.*

**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 20, 2017 REGULAR BOARD OF DIRECTORS' MEETING**

**5. CALIFORNIA DATA COLLABORATIVE FISCAL YEAR 2017-18 PARTICIPATION**

It is recommended that the Board of Directors authorize the General Manager or designee to execute an agreement for an additional \$35,000 with the National Center for Civic Innovation to support the analytics work with the California Data Collaborative.

**6. PROFESSIONAL SERVICES AGREEMENT FOR 54-INCH CENTRAL INTERTIE PIPELINE IMPROVEMENTS**

It is recommended that the Board of Directors approve the Professional Services Agreement for engineering services with Dudek in the amount of \$380,296; authorize the General Manager or designee to execute the agreement; and to approve amendments up to 10% of the contract value.

7. PROFESSIONAL SERVICES AGREEMENT FOR HYDROGEOLOGICAL SERVICES

It is recommended that the Board of Directors approve the Professional Services Agreement for Hydrogeological Services with Thomas Harder & Co. in the amount of \$122,061; authorize the General Manager or designee to execute the agreement; and to approve amendments up to 10% of the contract value.

8. AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT – LSA ASSOCIATES, INC.

It is recommended that the Board of Directors approve Amendment No. 2 to the Professional Services Agreement with LSA Associates, Inc. for an amount not-to-exceed \$30,150 for a total contract amount of \$183,226; authorize the General Manager or designee to execute Amendment No. 2; and to approve change orders up to 15% of the total contract value

**FINANCE & INFORMATION TECHNOLOGY MATTERS:**

9. BILL PRINT, MAIL AND PAYMENT PROCESSING SERVICES

It is recommended that the Board of Directors authorize the General Manager or designee to execute the following agreements:

1. Five-year Professional Services Agreement with Infosend, Inc. for the design, preparation, distribution, and archiving of its monthly customer bills and marketing material, subject to the attached rate schedule; with an option to extend the agreement for an additional five-year term; and
2. Five-year Professional Services Agreement with Paymentus for services related to the processing of electronic customer bills and payments; with an option to extend the agreement for an additional five-year term

**GENERAL MANAGER MATTERS:(Brief general updates on District matters and/or brief general updates from staff - Informational purposes only.)**

**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)**

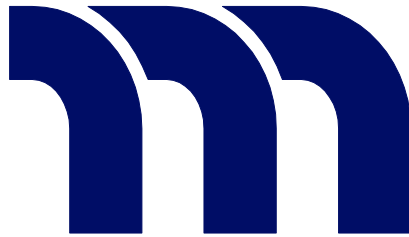
- a. Need to take immediate action; and
- b. Need for action came to District's attention after Agenda Posting. [Requires 2/3 vote (5 members) or unanimous vote if less than 2/3 are present]

## **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).





# moulton niguel water district

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

**April 20, 2017**

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 20, 2017. 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
Gina Hillary	Director of Human Resources
Drew Atwater	Director of Planning
Jake Vollebregt	Director of Regional & Legal Affairs
Jeff Ferre	Best, Best, & Krieger (General Counsel)
Paige Gulck	Board Secretary
Tim Bonita	Recording Secretary
Trevor Agrelius	MNWD
Johnathan Cruz	MNWD
Tracy Ingebrigtsen	MNWD
Medha Patel	MNWD
Todd Novacek	MNWD
Lindsey Stuvick	MNWD

## #4.

Rod Woods  
Bob Gokoo  
Charles Raddatz

MNWD  
Attorney  
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:**

*Charles Raddatz provided public comment on water clarity and his bill.*

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

4. **MINUTES OF THE MARCH 16, 2017 REGULAR BOARD OF DIRECTORS' MEETING**

5. **MINUTES OF THE MARCH 29, 2017 SPECIAL BOARD OF DIRECTORS' MEETING**

6. **PROFESSIONAL SERVICES AGREEMENT FOR PASEO DE VALENCIA LIFT STATION REHABILITATION**

It is recommended that the Board of Directors approve the Professional Services Agreement for engineering services with CivilSource in the amount of \$119,130; authorize the General Manager or designee to execute the contract and approve amendments up to 10% of the contract value.

7. **FATS, OILS, AND GREASE (FOG) CONSULTING SERVICES**

It is recommended that the Board of Directors approve the Agreement for FOG Consulting Services with Environmental Compliance Inspection Services (ECIS) for an amount not-to-exceed \$390,000 and a 3-year contract term with an option of two (2) one-year extensions; and authorize the General Manager or designees to execute the agreement.

8. **CONSULTING SERVICES FOR COMMUNICATIONS LICENSE PROGRAM**

It is recommended that the Board of Directors approve the Agreement for Communications License Program Consulting Services with ATS Communications for an amount not-to-exceed \$300,000 and a 3-year contract term with an option of two (2) one-year extensions; and authorize the General Manager or designee to execute the agreement.

10. GRANT ADMINISTRATION SERVICES

It is recommended that the Board of Directors authorize staff to execute the professional services agreements with Nossaman and West Yost for grant administration services.

11. DISTRICT E-MAIL POLICY

It is recommended that the Board of Directors approve the District E-Mail Policy (POL A-2).

12. ON-CALL CONSTRUCTION SUPPORT SERVICES

It is recommended that the Board of Directors authorize the General Manager or designee to execute one-year Construction Support Services Agreements with Paulus Engineering, Inc., Shoffeitt Pipeline, Inc., and T.E. Roberts, Inc. for total not-to-exceed agreement amounts of \$150,000 each, with the option to renew for two additional one-year terms.

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

*MOTION DULY MADE BY LARRY LIZOTTE AND SECONDED BY GARY KURTZ, CONSENT ITEMS 4 THROUGH 12 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'.*

9. Processing Government Claims (RESOLUTION 17-\_\_)

It is recommended that the Board of Directors approve the Resolution entitled, "Authorizing the General Manager to Settle, Approve, or Reject Claims Against the District up to Certain Dollar Amounts".

*This item was pulled from consent by Richard Fiore. Discussion ensued regarding the resolution.*

*MOTION DULY MADE BY RICHARD FIORE AND SECONDED BY DUANE CAVE, ITEM #9 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'.*

**GENERAL MANAGER MATTERS:(Brief general updates on District matters and/or brief general updates from staff - Informational purposes only.)**

**13. ADOPTION OF RESOLUTION IN SUPPORT OF THE ASSOCIATION OF CALIFORNIA WATER AGENCIES' POLICY STATEMENT ON BAY-DELTA FLOW REQUIREMENTS (RESOLUTION 17- )**

It is recommended that the Board of Director's approve the resolution entitled, "Support of the Association of California Water Agencies' Policy Statement on Bay-Delta Flow Requirements".

*Drew Atwater provided details on the item. Discussion ensued regarding the resolution.*

*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'.*

**FINANCE & INFORMATION TECHNOLOGY MATTERS:**

**14. RESCINDING WATER SHORTAGE CONTINGENCY PLAN STAGE 1 (RESOLUTION 17- )**

It is recommended that the Board of Directors approve the resolution entitled, "Rescinding Water Shortage Stage 1."

*MOTION DULY MADE BY RICHARD FIORE AND SECONDED BY BRIAN PROBOLSKY, ITEM #14 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'.*

**PRESIDENT'S REPORT:**

*Don Froelich stated that staff will be covering items that were continued from the April 19, 2017 Finance and Information Technology Board of Directors' Meeting.*

*Drew Atwater provided the Long Term Efficiency Framework Update and the Water Usage Update.*

*Medha Patel provided the Communications and Outreach Update.*

*Don Froelich stated that there was an article relating to the Oroville Dam that was very informative. Don also stated that he attended the South Orange County Association of Mayor's breakfast and Joone's presentation was great.*



**BOARD REPORTS:**

*None.*

**CLOSED SESSION:**

**15. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9

Receipt of claim: MARK & CANDICE HARGAN

*The Board entered closed session at 6:58 p.m. and exited at 7:27 p.m. Jeff Ferre provided the following report.*

*The Board met in closed session for Item 15 pursuant to Government Code Section 54956.9(d)(2). A motion was made by Director Colton, seconded by Director Cave, to reject in part, and to return as late in part, the claim and amended claim submitted by Mark and Candice Hargan and to direct that the appropriate notice be sent to the claimants.*

*THE VOTE WAS UNANIMOUS WITH DIRECTORS DUANE CAVE, SCOTT COLTON, RICHARD FIORE, DONALD FROELICH, GARY KURTZ, LARRY LIZOTTE, AND BRIAN PROBOLSKY ALL VOTING 'AYE'.*

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

*None.*

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

*None.*

**ADJOURNMENT:**

*The meeting was adjourned at 7:29 p.m.*

Respectfully submitted,

Tim Bonita  
Recording Secretary

