



moulton niguel water district

BOARD OF DIRECTORS' MEETING MOULTON NIGUEL WATER DISTRICT

27500 La Paz Road, Laguna Niguel

October 19, 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 SEPTEMBER 6, 2017 SPECIAL BOARD OF DIRECTORS' MEETING**

5. **MINUTES OF THE SEPTEMBER 21, 2017 REGULAR BOARD OF DIRECTORS' MEETING**

6. **TREE MAINTENANCE SERVICE AGREEMENT**

It is recommended that the Board of Directors approve a three-year service agreement with Great Scott Tree Service, Inc., for a total not-to-exceed amount of \$259,980 with an optional two-year extension for tree maintenance services; and authorize the General Manager or Assistant General Manager to execute the agreement.

7. FUEL DELIVERY SERVICE AGREEMENT

It is recommended that the Board of Directors approve a two-year service agreement with Nickey Petroleum for a total not-to-exceed amount of \$720,000 (\$360,000 per year) with three one year options to extend for the purchase and delivery of unleaded fuel, diesel fuel, and motor oil lubricants; and authorize the General Manager or Assistant General Manager to execute the agreement.

8. PROFESSIONAL SERVICES AGREEMENT FOR DIRECT INSTALL TURF REPLACEMENT PROGRAM

It is recommended that the Board of Directors approve a two-year professional services agreement with Tree of Life Nursery, Inc. for a total not-to-exceed amount of \$603,000 for services associated with the Direct Install Turf Replacement Program; and authorize the General Manager or Assistant Manager to execute the agreement.

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

9. ADOPTION OF RESOLUTION IN SUPPORT OF VICE PRESIDENT BRIAN PROBOLSKY'S CANDIDACY FOR THE COUNTY OF ORANGE REDEVELOPMENT AGENCY ("RDA") OVERSIGHT BOARD (RESOLUTION 17-)

It is recommended that the Board of Directors approve the resolution entitled, "Support of Vice President Brian Probolsky's candidacy for the County of Orange Redevelopment Agency ("RDA") Oversight Board.

PRESIDENT'S REPORT:

BOARD REPORTS:

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

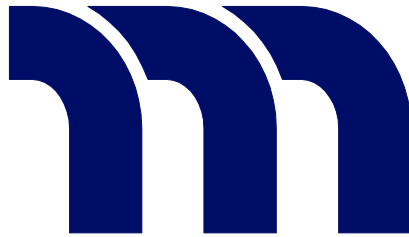
LATE ITEMS: (Appropriate Findings to be Made)

- 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

September 6, 2017

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 6:00 PM on September 6, 2017. 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 |
| Gina Hillary | Director of Human Resources |
| Drew Atwater | Director of Planning |
| Jake Vollebregt | Director of Regional & Legal Affairs |
| Rod Woods | Director of Engineering |
| Todd Novacek | Director of Operations |
| Paige Gulck | Board Secretary |
| Tim Bonita | Recording Secretary |
| Trevor Agrelius | MNWD |
| Matthew Brown | MNWD |
| Johnathan Cruz | MNWD |
| Medha Patel | MNWD |
| Lindsey Stuvick | MNWD |
| Anudeep Vanjavakam | MNWD |

#4.

| | |
|------------------|---|
| Doug Zytkevicz | MNWD |
| Lutfi Kharuf | Best, Best, & Krieger |
| Kelly Salt | Best, Best, & Krieger |
| Robert Brown | CAC Member |
| Steve Cienfuegos | CAC Member |
| Karen Langer | CAC Member |
| Allan Metz | CAC Member |
| Bill Moorhead | CAC Member |
| Betty Pequet | CAC Member |
| Mary Jane Foley | CAC Member |
| Larry McKenney | Municipal Water District of Orange County |
| Tyler Old | Public Financial Management |
| Brian Thomas | Public Financial Management |
| Elliott Deal | Robert D. Niehaus, Inc. |
| Ichiko Kido | Robert D. Niehaus, Inc. |

1. CALL MEETING TO ORDER

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

2. PUBLIC COMMENTS

None.

DISCUSSION ITEMS

3. Cost of Service Rate Study Workshop

Joone Lopez provided a brief introduction to the item. Drew Atwater and Johnathan Cruz provided information on the 2017 cost of service study. Discussion ensued regarding proposed changes to the rate structure.

ADJOURNMENT

The meeting was adjourned at 8:08 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**

September 21, 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 September 21, 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 |

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 |
| Rod Woods | Director of Engineering |
| Todd Novacek | Director of Operations |
| Jeff Ferre | Best, Best, & Krieger (General Counsel) |
| Paige Gulck | Board Secretary |
| Tim Bonita | Recording Secretary |
| Trevor Agrelius | MNWD |
| Matthew Brown | MNWD |
| Shavonne Mays | MNWD |
| Medha Patel | MNWD |

#5.

1. CALL MEETING TO ORDER:

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

2. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Gary Kurtz.

3. 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)

5. CONSTRUCTION CONTRACT AWARD FOR 920 ZONE LOOP PIPELINE

It is recommended that the Board of Directors award the construction services contract to T.E. Roberts, Inc. in the amount of \$165,892; authorize the General Manager or Assistant General Manager to execute the contract; and to approve change orders up to 10% of the contract value.

6. CONSTRUCTION CONTRACT AWARD FOR ETM PIPELINE REMOVAL IN SAN JUAN CREEK

It is recommended that the Board of Directors award the construction services contract to Paulus Engineering, Inc. in the amount of \$113,183 contingent upon a determination by the General Manager or Assistant General Manager that all regulatory permits have been secured with favorable conditions; authorize the General Manager or Assistant General Manager to execute the contract; and to approve change orders up to 10% of the contract value. Santa Margarita Water District will reimburse 50% of the costs as partners in the project.

7. CONSTRUCTION CONTRACT AWARD FOR PLANT 3A FLOOD PROTECTION

It is recommended that the Board of Directors award the construction services contract to Paulus Engineering, Inc. in the amount of \$369,789; authorize the General Manager or Assistant General Manager to execute the contract; and to approve change orders up to 10% of the contract value. Santa Margarita Water District will reimburse 28% of costs as partners in the project.

8. PROFESSIONAL SERVICES AGREEMENT FOR POTABLE, RECYCLED, AND SEWER PIPELINE REPLACEMENTS AT I-5 AND OSO CREEK

It is recommended that the Board of Directors approve the Professional Services Agreement with GHD, Inc. in an amount of \$472,033; authorize the General Manager or

Assistant General Manager to execute the agreement; and to approve amendments up to 10% of the contract value.

9. PROFESSIONAL SERVICES AGREEMENT FOR THE RECYCLED WATER OPTIMIZATION STUDY

It is recommended that the Board of Directors approve the Professional Services Agreement for engineering services with AKM Consulting Engineers in the amount of \$192,726; authorize the General Manager or Assistant General Manager to execute the Agreement; and to approve amendments up to 10% of the contract value.

10. FISCAL YEAR 2017-18 RESERVE TARGETS RESOLUTION (17-__)

It is recommended that the Board of Directors approve the resolution entitled, "Approving a transfer Appropriation in Accordance with District Reserve Policy for Fiscal Year 2017-18."

11. SMART TIMER PROGRAM – AMENDMENT NO. 1

It is recommended that the Board of Directors approve increasing the ‘not-to-exceed’ funding amount from \$480,113 to \$624,000 with Valley Soil, Inc. with the subcontractor of Rachio; and authorize the General Manager or Assistant General Manager to execute Amendment No. 1.

Item 4 and 12 were pulled from the consent calendar.

MOTION DULY MADE BY DUANE CAVE AND SECONDED BY SCOTT COLTON, CONSENT ITEMS 5, 6, 7, 8, 9, 10, AND 11 WERE APPROVED AS PRESENTED. THE VOTE WAS UNANIMOUS WITH DIRECTORS DUANE CAVE, SCOTT COLTON, RICHARD FIORE, DONALD FROELICH, GARY KURTZ, AND LARRY LIZOTTE ALL VOTING ‘AYE’.

4. MINUTES OF THE AUGUST 17, 2017 REGULAR BOARD OF DIRECTORS' MEETING

This item was pulled from the consent calendar by Scott Colton. Discussion ensued regarding the draft minutes. A minor correction was made to indicate that Director Cave was not in attendance at that meeting.

MOTION DULY MADE BY SCOTT COLTON AND SECONDED BY RICHARD FIORE, MINUTES OF THE AUGUST 17, 2017 REGULAR BOARD OF DIRECTORS' MEETING WERE APPROVED AS AMENDED. THE VOTE WAS UNANIMOUS WITH DIRECTORS DUANE CAVE, SCOTT COLTON, RICHARD FIORE, DONALD FROELICH, GARY KURTZ, AND LARRY LIZOTTE ALL VOTING ‘AYE’.

12. 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.

This item was pulled from the agenda by Richard Fiore. Director Fiore requested that in the future, the names of the applicants for the rebate applications be included on the agenda item as well as in the staff report.

MOTION DULY MADE BY RICHARD FIORE AND SECONDED BY SCOTT COLTON, THE REBATE APPLICATIONS FOR CASA LOMA CONDOMINIUM ASSOCIATION AND BARCELONA RESORT APARTMENTS WERE APPROVED AS PRESENTED. THE VOTE WAS UNANIMOUS WITH DIRECTORS DUANE CAVE, SCOTT COLTON, RICHARD FIORE, DONALD FROELICH, GARY KURTZ, AND LARRY LIZOTTE ALL VOTING 'AYE'.

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

13. Proclamation for Turf Removal Milestone

Joone Lopez stated that staff would like to present the City of Laguna Niguel with a Proclamation for helping the District reach a turf removal milestone. The presentation will take place at a future City Council meeting.

14. Outreach and Communications Update

Joone Lopez provided an outreach and communications update. Joone shared information about the District's partnership with OC Coastkeeper and the 2nd Annual California Data Collaborative Data Summit that took place August 24th & 25th at Stanford University. Matt Collings provided information on the District's response in helping El Toro Water District address an emergency spill at their wastewater lift station to avoid a potential sewer spill.

PRESIDENT'S REPORT:

No report.

BOARD REPORTS:

Richard Fiore stated he attended the State Water Project Tour on September 8-9, 2017. Brian Probolsky and Jake Vollebregt also attended the tour.

Scott Colton provided comment that our Outreach is absolutely superb and at a whole

new level.

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 6:26 p.m.

Respectfully submitted,

Tim Bonita
Recording Secretary

DRAFT

RESOLUTION NO. 17- __

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
MOULTON NIGUEL WATER DISTRICT
IN SUPPORT OF VICE PRESIDENT BRIAN PROBOLSKY’S CANDIDACY FOR THE
COUNTY OF ORANGE REDEVELOPMENT AGENCY (“RDA”) OVERSIGHT BOARD**

WHEREAS, Moulton Niguel Water District is a California Water District providing water, irrigation, and wastewater collection and treatment services to 170,000 residents in six cities in South Orange County; and

WHEREAS, Orange County Local Agency Formation Commission is currently accepting nominations for candidates to represent independent special districts on the County’s RDA Oversight Board; and

WHEREAS, Brian Probolsky serves as Vice President of the Moulton Niguel Water District Board of Directors and has represented the interests of special districts through the City of Mission Viejo RDA Oversight Board since its inception; and

WHEREAS, as the RDA Oversight Board administers and restores millions of dollars of tax revenues collected from local governments, it is critical for the Oversight Board to be composed of responsive leaders who are diligent, inquisitive, and fair; and

WHEREAS, Vice President Probolsky exhibits all of these qualities, and has distinguished himself as an effective leader with an unwavering commitment to local decision-making, fiscal responsibility, and responsiveness and transparency in government;

NOW, THEREFORE, BE IT RESOLVED, Moulton Niguel Water District hereby nominates Vice President Probolsky as a candidate for the County RDA Oversight Board. Board members and staff are hereby authorized to take the appropriate steps to submit and support Vice President Probolsky’s nomination on behalf of the District. The Board supports Vice President Probolsky’s candidacy for this appointment, and we respectfully request the consideration and support of our fellow agencies’ presiding officers and general managers.

ADOPTED, SIGNED and APPROVED this 19th day of October, 2017.

President/Vice President
MOULTON NIGUEL WATER DISTRICT
and the Board of Directors thereof

Secretary/Assistant Secretary
MOULTON NIGUEL WATER DISTRICT
and the Board of Directors thereof

