



moulton niguel water district

AMENDED

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

27500 La Paz Road, Laguna Niguel

December 21, 2017

6:00 PM

Approximate Meeting Time: 2 Hours

THIS BOARD MEETING WILL INCLUDE TELECONFERENCING AT THE FOLLOWING LOCATION: 5117 DOWDELL AVENUE APT#51, ROHNERT PARK, CALIFORNIA

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) (ROLL CALL VOTE)

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 19, 2017 REGULAR BOARD OF DIRECTORS' MEETING

5. CONSTRUCTION CONTRACT AWARD FOR THE REHABILITATION OF THE EL DORADO RESERVOIR

It is recommended that the Board of Directors award the construction services contract to Advanced Industrial Services, Inc. in the amount of \$738,700; 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 ELECTRICAL DISTRIBUTION EQUIPMENT REPLACEMENTS AT THREE STATIONS

It is recommended that the Board of Directors award the construction services contract to Halcyon Electric, Inc. in the amount of \$456,000; authorize the General Manager or Assistant General Manager to execute the contract; and to approve change orders up to 10% of the contract value.

7. PROFESSIONAL SERVICES AGREEMENT FOR 2017-18 RESERVOIR MANAGEMENT SYSTEMS REPLACEMENT

It is recommended that the Board of Directors approve the Professional Services Agreement for engineering services with LEE & RO, Inc. in the amount of \$467,494; authorize the General Manager or Assistant General Manager to execute the agreement; and to approve amendments up to 10% of the contract value.

8. AMENDMENT NO.4 TO THE PROFESSIONAL SERVICES AGREEMENT - LSA ASSOCIATES, INC

It is recommended that the Board of Directors approve Amendment No. 4 to the Professional Services Agreement with LSA Associates, Inc. for an amount not-to-exceed \$34,390 for a total contract amount of \$242,316; authorize the General Manager or Assistant General Manager to execute Amendment No. 4; and to approve change orders up to 10% of the total contract value

9. GRANTS AND LEGISLATIVE ADVOCACY SERVICES

It is recommended that the Board of Directors authorize the General Manager or Assistant General Manager to execute the engagement letter with Nossaman LLP for Grants and Legislative Advocacy Services.

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

ENGINEERING & OPERATIONS MATTERS:

10. CONSTRUCTION CONTRACT AWARD AND INSTALLATION AGREEMENT FOR MISSION HOSPITAL 750-ZONE SERVICE (ROLL CALL VOTE)

It is recommended that the Board of Directors award the construction services contract to GCI Construction, Inc. (GCI) in the amount of \$1,071,379 and approve the installation agreement with MHRMC; authorize the General Manager or Assistant General Manager to execute the construction contract and installation agreement; and to approve construction contract change orders up to 10% of the contract value.

FINANCE & INFORMATION TECHNOLOGY MATTERS:

11. AUDIT REPORTS FOR THE FISCAL YEAR ENDED JUNE 30, 2017 (ROLL CALL VOTE)

It is recommended that the Board receive and file the following reports:

- Comprehensive Annual Financial Report (“CAFR”), including auditors’ opinion on the

- fair presentation of the financial statements
- Auditors' report on internal control
- Audit communication letter
- Article XIII-B Appropriations Limit Calculation report

INFORMATION ITEMS:

12. South Orange County Pilot Water Storage and Exchange Program

PRESIDENT'S REPORT:

BOARD REPORTS:

CLOSED SESSION:

13. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Government Code Section 54957
Title: General Manager

14. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6
Agency designated representative: Board President Froelich
Unrepresented employee: General Manager

RETURN TO OPEN SESSION:

15. EMPLOYMENT CONTRACT FOR SERVICES AS GENERAL MANAGER AND AMENDMENT #6

It is recommended that the Board of Directors consider, and possibly take action to approve, payment of a bonus amount to the General Manager under the Employment Contract For Services As General Manager and Amendment #6 to said Contract, based on a determination by the Board of Directors as to the General Manager's accomplishments.

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

LATE ITEMS: (Appropriate Findings to be Made)

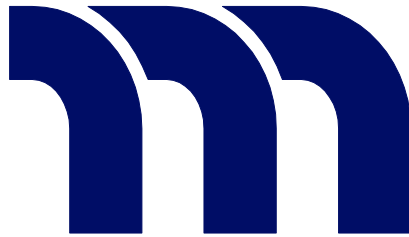
- a. Need to take immediate action; and
- b. Need for action came to District's attention after Agenda Posting. [Requires 2/3 vote (5 members) or unanimous vote if less than 2/3 are present]

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

October 19, 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 October 19, 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

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
Jeff Ferre	Best, Best, & Krieger (General Counsel)
Paige Gulck	Board Secretary
Tim Bonita	Recording Secretary
Trevor Agrelius	MNWD
Matthew Brown	MNWD
Johnathan Cruz	MNWD
Gregg Hooper	MNWD
Shavonne Mays	MNWD

#4.

Lindsey Stuvick
Joel Bishop

MNWD
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:**

Donald Froelich led the Pledge of Allegiance.

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)

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.

Item 8 was pulled from the consent calendar.

MOTION DULY MADE BY SCOTT COLTON AND SECONDED BY DUANE CAVE, CONSENT ITEMS 4, 5, 6 AND 7 WERE 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'.

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.

This item was pulled from the agenda by Brian Probolsky. Discussion ensued regarding the agreement.

MOTION DULY MADE BY DUANE CAVE AND SECONDED BY SCOTT COLTON, ITEM 8 WAS APPROVED AS PRESENTED WITH DIRECTORS DUANE CAVE, SCOTT COLTON, RICHARD FIORE, DONALD FROELICH AND LARRY LIZOTTE ALL VOTING 'AYE' AND DIRECTOR BRIAN PROBOLSKY VOTING 'NAY'.

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.

Brian Probolsky provided information on the item. Discussion ensued regarding the Resolution.

MOTION DULY MADE BY RICHARD FIORE AND SECONDED BY LARRY LIZOTTE. ITEM 9 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'.

PRESIDENT'S REPORT:

No report.

BOARD REPORTS:

Richard Fiore stated he attended the Mission Viejo Country Club 50th Anniversary on September 23, 2017.

#4.

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

Richard Fiore requested that a Legislative Report be provided at one of the November Board meetings.

LATE ITEMS: (Appropriate Findings to be Made)

None.

ADJOURNMENT:

The meeting was adjourned at 6:20 p.m.

Respectfully submitted,

Tim Bonita
Recording Secretary

DRAFT