moulton niguel water district

MINUTES OF THE REGULAR MEETING OF THE ENGINEERING & OPERATIONS BOARD OF DIRECTORS OF THE MOULTON NIGUEL WATER DISTRICT

August 14, 2017

A Regular Meeting of the Engineering & Operations 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 August 14, 2017. There were present and participating:

DIRECTORS

Duane Cave	Director
Scott Colton	Vice President/Chair
Richard Fiore	Director
Donald Froelich	President
Gary Kurtz	Director (via teleconference)
Larry Lizotte	Director
Brian Probolsky	Vice President (arrived at 8:35 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
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
Johnathan Cruz	MNWD
Todd Dmytryshyn	MNWD
David Larsen	MNWD
Steve Merk	MNWD
Medha Patel	MNWD

Lindsey Stuvick	MNWD
Alex Thomas	MNWD
Erin Warn	MNWD
Jayson Schmidt	Chandler Asset Management
Joel Bishop	Member of the Public

1. CALL MEETING TO ORDER

2. APPROVE THE MINUTES OF THE JULY 17, 2017 ENGINEERING AND OPERATIONS BOARD OF DIRECTORS' MEETING

MOTION DULY MADE BY RICHARD FIORE AND SECONDED BY LARRY LIZOTTE, MINUTES OF THE JULY 17, 2017 ENGINEERING AND OPERATIONS BOARD OF DIRECTORS' MEETING WERE APPROVED AS PRESENTED. A ROLL CALL VOTE WAS TAKEN AND THE VOTE WAS UNANIMOUS WITH DIRECTORS DUANE CAVE, SCOTT COLTON, RICHARD FIORE, DONALD FROELICH, GARY KURTZ, AND LARRY LIZOTTE ALL VOTING 'AYE'. DIRECTOR BRIAN PROBOLSKY WAS ABSENT.

3. PUBLIC COMMENTS

None.

PRESENTATION ITEMS

4. Quarterly Investment Report - Chandler Asset Management

Jayson Schmidt presented the Quarterly Investment Report. Key topics presented were the account profile and economic update.

Brian Probolsky arrived at 8:35 a.m.

DISCUSSION ITEMS/ACTION ITEMS

5. CONSTRUCTION CONTRACT AWARD FOR VALVE REPLACEMENTS

It is recommended that the Board of Directors award the construction services contract to Ferreira Construction Co, Inc. in the amount of $726,695; authorize the General Manager or Assistant General Manager to execute the contract; and to approve change orders up to 15% of the contract value.

Alex Thomas provided details on the item. Staff recommends that the Board of Directors award the construction services contract to Ferreira Construction Co, Inc. in the amount of $726,695; authorize the General Manager or Assistant General Manager to execute the contract; and to approve change orders up to 15% of the contract value. Discussion ensued regarding the item.

MOTION DULY MADE BY DUANE CAVE AND SECONDED BY DONALD FROELICH, ITEM 5 WAS APPROVED AS PRESENTED. A ROLL CALL VOTE WAS TAKEN AND THE VOTE WAS UNANIMOUS WITH DIRECTORS DUANE CAVE, SCOTT COLTON, RICHARD FIORE, DONALD FROELICH, GARY KURTZ, LARRY LIZOTTE, AND BRIAN PROBOLSKY ALL VOTING 'AYE'.

6. AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT FOR 2016-17 RESERVOIR MANAGEMENT SYSTEMS REPLACEMENT

It is recommended that the Board of Directors approve Amendment No. 2 to the Professional Services Agreement with LEE & RO, Inc. in the amount of $59,224 for a revised total not-to-exceed amount of $258,887; and authorize the General Manager or Assistant General Manager to execute the amendment.

Todd Dmytryshyn provided information on the item. Staff recommends that the Board of Directors approve Amendment No. 2 to the Professional Services Agreement with LEE & RO, Inc. in the amount of $59,224 for a revised total not-to-exceed amount of $258,887; and authorize the General Manager or Assistant General Manager to execute the amendment. Discussion ensued regarding the terms of the Amendment.

MOTION DULY MADE BY DONALD FROELICH AND SECONDED BY DUANE CAVE, ITEM 6 WAS APPROVED AS PRESENTED. A ROLL CALL VOTE WAS TAKEN AND THE VOTE WAS UNANIMOUS WITH DIRECTORS DUANE CAVE, SCOTT COLTON, RICHARD FIORE, DONALD FROELICH, GARY KURTZ, LARRY LIZOTTE, AND BRIAN PROBOLSKY ALL VOTING 'AYE'.

7. SPOILS REMOVAL SERVICE AGREEMENT

It is recommended that the Board of Directors authorize the General Manager or Assistant General Manager to execute a three year Spoils Removal Service Agreement with Goodwin Enterprises Inc., in the amount of $96,000 per year, with a total not-to-exceed agreement amount of $288,000.

Rod Woods provided information on the item. Staff recommends that the Board of Directors authorize the General Manager or Assistant General Manager to execute a three year Spoils Removal Service Agreement with Goodwin Enterprises Inc., in the amount of $96,000 per year, with a total not-to-exceed agreement amount of $288,000. Discussion ensued regarding the details of the agreement.

MOTION DULY MADE BY DONALD FROELICH AND SECONDED BY GARY KURTZ, ITEM 7 WAS APPROVED AS PRESENTED. A ROLL CALL VOTE WAS TAKEN AND THE VOTE WAS UNANIMOUS WITH DIRECTORS DUANE CAVE, SCOTT COLTON, RICHARD FIORE, DONALD FROELICH, GARY KURTZ, LARRY LIZOTTE, AND BRIAN PROBOLSKY ALL VOTING 'AYE'.

8. DISTRICT LOCAL AGENCY INVESTMENT FUND "LAIF" AUTHORIZED REPRESENTATIVES (RESOLUTION 17-__)

It is recommended that the Board of Directors approve the resolution entitled, "Ratifying Continued Investment of District Funds in the Local Agency Investment Fund and Approving Changes in Authorized District Representatives".

Trevor Agrelius provided details on the item. On a motion by Director Probolsky and seconded by Director Kurtz, the board adopted Resolution entitled, "Ratifying Continued Investment of District Funds in the Local Agency Investment Fund and Approving Changes In Authorized Representatives," with the noted change to delete the reference to "treasurer" in section 2 of the resolution.

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

INFORMATION ITEMS

9. Rate Study Update

Drew Atwater provided an update on the rate study.

10. Water Usage Update

Lindsey Stuvick provided the Water Usage Update. The District achieved a 14% reduction for July 2017.

11. Future Agenda Items (Any items added under this section are for discussion at future meetings only)

None.

12. Late Items (Appropriate Findings to be Made)

None.

CLOSED SESSION

13. 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: Richard Toumayan

The Board entered closed session at 9:58 a.m. and exited at 10:07 a.m. Jeff Ferre provided the following report.

The Board met in closed session for Item 13 pursuant to Government Code Section 54956.9(d)(2). A motion was made by Director Cave, seconded by Director Lizotte, to reject the claim and to provide the appropriate notice to the claimant and to forward the matter to ACWA/JPIA.

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

ADJOURNMENT

The meeting was adjourned at 10:09 a.m.

Respectfully submitted,

Tim Bonita
Recording Secretary