



# moulton niguel water district

## BOARD OF DIRECTORS' MEETING MOULTON NIGUEL WATER DISTRICT

27500 La Paz Road, Laguna Niguel

February 15, 2018

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 JANUARY 18, 2018 REGULAR BOARD OF DIRECTORS' MEETING**

**ENGINEERING & OPERATIONS MATTERS:**

5. **CONSTRUCTION CONTRACT AWARD FOR VAULT REMOVALS**

It is recommended that the Board of Directors award the construction services contract to Paulus Engineering, Inc. in the amount of \$973,000; authorize the General Manager or Assistant General Manager to execute the contract; and to approve change orders up to 10% of the contract value.

6. **CONSTRUCTION CONTRACT AWARD FOR REHABILITATION OF THE ALISO HILLS RESERVOIR**

It is recommended that the Board of Directors award the construction services contract to West Coast Industrial Coatings, Inc. in the amount of \$660,050; authorize the General Manager or Assistant General Manager to execute the contract; and to approve change orders up to 10% of the contract value.

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

7. Metropolitan Water District Budget Update

**PRESIDENT'S REPORT:**

**BOARD REPORTS:**

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

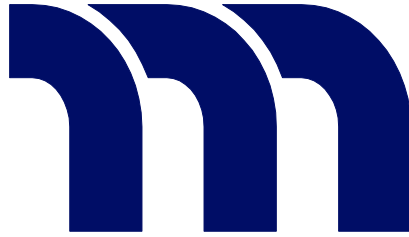
**LATE ITEMS: (Appropriate Findings to be Made)**

- 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**

**January 18, 2018**

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 January 18, 2018. 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 6:05 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
Rod Woods	Director of Engineering
Jeff Ferre	Best, Best, & Krieger (General Counsel)
Paige Gulck	Board Secretary
Tim Bonita	Recording Secretary
Trevor Agrelius	MNWD
Matt Brown	MNWD
Johnathan Cruz	MNWD
Medha Patel	MNWD
Bob Brown	CAC Member

## #4.

Greg Clements	CAC Member
Bill Moorhead	CAC Member
Betty Pequet	CAC Member
Makam Subbarao	CAC Member
John Ulrich	CAC Member
Paul Whitelock	CAC Member
Randy Fiorini	Chair, Delta Stewardship Council
Jose Solorio	Nossaman, LLP

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 Scott Colton.*

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 DECEMBER 11, 2017 SPECIAL BOARD OF DIRECTORS' MEETING**

5. **MINUTES OF THE DECEMBER 20, 2017 SPECIAL BOARD OF DIRECTORS' MEETING**

6. **MINUTES OF THE DECEMBER 21, 2017 REGULAR BOARD OF DIRECTORS' MEETING**

8. **Rebate Application for Turf Removal**

It is recommended that the Board of Directors consider the rebate application for the identified project associated with Account No. 56827 without a limitation on the maximum allowable acreage and direct staff accordingly.

*Item 7 was pulled from the consent calendar.*

***MOTION DULY MADE BY DUANE CAVE AND SECONDED BY GARY KURTZ, CONSENT ITEMS 4, 5, 6, AND 8 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'. DIRECTOR BRIAN PROBOLSKY WAS ABSENT.***

7. VARIANCE AND ADJUSTMENT POLICY REVISIONS (RESOLUTION 18-01)

It is recommended that the Board of Directors approve the resolution entitled, “Adoption of the Water Budget Based Rate Structure (WBBS) Water Budget Modification and Bill Adjustment Policy”.

*This item was pulled from the consent calendar by Donald Froelich. Drew Atwater provided information on the changes made to the policy.*

*Brian Probolsky arrived at 6:05 p.m.*

*MOTION DULY MADE BY DUANE CAVE AND SECONDED BY SCOTT COLTON, ITEM 7 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.)

9. Delta Update Presentation

*Randy Fiorini, Chair of the Delta Stewardship Council provided an update on the Delta Project.*

**ENGINEERING & OPERATIONS MATTERS:**

10. CONSTRUCTION CONTRACT AWARD FOR 2016-17 RESERVOIR MANAGEMENT SYSTEMS REPLACEMENT

It is recommended that the Board of Directors award the construction services contract to Pacific Hydrotech Corporation in the amount of \$3,123,500; authorize the General Manager or Assistant General Manager to execute the contract; and to approve change orders up to 10% of the contract value.

*MOTION DULY MADE BY GARY KURTZ AND SECONDED BY DUANE CAVE, ITEM 10 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’.*

11. CONSTRUCTION MANAGEMENT AND INSPECTION SUPPORT FOR 2016-17 RESERVOIR MANAGEMENT SYSTEMS REPLACEMENT

It is recommended that the Board of Directors approve the Professional Services

## #4.

Agreement with Dudek in the amount of \$224,000; authorize the General Manager or Assistant General Manager to execute the agreement; and to approve amendments up to 10% of the contract value.

*MOTION DULY MADE BY DUANE CAVE AND SECONDED BY GARY KURTZ, 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'.*

**12. AMENDMENT NO. 4 TO THE PROFESSIONAL SERVICES AGREEMENT FOR 2016-17 RESERVOIR MANAGEMENT SYSTEMS REPLACEMENT**

It is recommended that the Board of Directors approve Amendment No. 4 to the Professional Services Agreement with LEE & RO, Inc. (LEE & RO) in the amount of \$60,592 for a new total not-to-exceed amount of \$319,479; and authorize the General Manager or Assistant General Manager to execute the amendment.

*MOTION DULY MADE BY GARY KURTZ AND SECONDED BY SCOTT COLTON, 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'.*

**PRESIDENT'S REPORT:**

**13. HONORING MR. BRUCE E. CHANNING FOR 26 YEARS OF SERVICE TO THE CITY OF LAGUNA HILLS (RESOLUTION 18-02)**

It is recommended that the Board of Directors approve the resolution entitled, "Honoring Mr. Bruce E. Channing for 26 Years of Service to the City of Laguna Hills."

*MOTION DULY MADE BY DUANE CAVE AND SECONDED BY GARY KURTZ, 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'.*

**BOARD REPORTS:**

*No reports.*

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

*None.*

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

**ADJOURNMENT:**

*The meeting was adjourned at 6:53 p.m.*

Respectfully submitted,

Tim Bonita  
Recording Secretary

DRAFT

