



moulton niguel water district

BOARD OF DIRECTORS' MEETING MOULTON NIGUEL WATER DISTRICT

27500 La Paz Road, Laguna Niguel

May 17, 2018

6:00 PM

Approximate Meeting Time: 2 Hours

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.

CLOSED SESSION:

4. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section: 54956.8

Property: Real Estate related to City of San Juan Capistrano's Water and Sewer Systems

Agency Negotiator: Joone Lopez - Moulton Niguel Water District

Negotiating Parties: Moulton Niguel Water District and City of San Juan Capistrano

Under Negotiation: Terms for Proposed Acquisition of Property

5. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Government Code Section 54956.9)

Name of case: SOCWA, City of Laguna Beach, South Coast Water District and Emerald Bay Service District v. Moulton Niguel Water District

Case number 30-2017-00923143-CU-BC-CJC

6. 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 - Claimant: Costa Bravo Rancho Niguel Association

7. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Government Code Section 54956.9)

Name of case: Shapell Industries, Inc., a Delaware Corporation vs Moulton Niguel Water District (Orange County Superior Court)

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.

8. MINUTES OF THE MARCH 8, 2018 SPECIAL BOARD OF DIRECTORS' MEETING

9. MINUTES OF THE MARCH 15, 2018 REGULAR BOARD OF DIRECTORS' MEETING

10. AMI IMPLEMENTATION PROJECT PHASE II RADIO PURCHASE

It is recommended that the Board of Directors authorize the purchase of Sensus MXU radios to complete Phase II AMI for the total cost not to exceed \$544,138; and authorize the General Manager or Assistant General Manager to approve change orders up to 10% of the total cost.

11. USBR WATERSMART GRANT FOR AMI IMPLEMENTATION PROGRAM PHASE II (RESOLUTION 18-)

It is recommended that the Board of Directors adopt the resolution entitled, "Authorizing the General Manager, or Designee, to Apply for, Receive, and Enter into a Cooperative Agreement, and Administer a Grant for the 2018 Bureau of Reclamation Water and Energy Efficiency."

12. PROFESSIONAL SERVICES AGREEMENT FOR JD EDWARDS SOFTWARE UPGRADE SERVICES

It is recommended that the Board of Directors approve the Professional Services Agreement with EmeraldCube Solutions in the amount of \$285,000; authorize the General Manager or Assistant General Manager to execute the Agreement; and to approve amendments up to 10% of the contract value.

13. PROFESSIONAL SERVICES AGREEMENT FOR UTILIGY SOFTWARE UPGRADE SERVICES

It is recommended that the Board of Directors approve the Professional Services Agreement with Denovo Ventures in the amount of \$144,400; authorize the General Manager or Assistant General Manager to execute the Agreement; and to approve amendments up to 10% of the contract value.

ENGINEERING & OPERATIONS MATTERS:

14. CONSTRUCTION CONTRACT AWARD FOR MISSION VIEJO HIGH SCHOOL LINE/VAULT REFURBISHMENT

It is recommended that the Board of Directors award the construction services contract to Shoffeitt Pipeline, Inc. in the amount of \$151,400; authorize the General Manager or Assistant General Manager to execute the contract; and to approve changes orders up to 10% of the contract value.

FINANCE & INFORMATION TECHNOLOGY MATTERS:

15. Fiscal Year 2018-19 Proposed Budget

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.



moulton niguel water district

DRAFT

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE MOULTON NIGUEL WATER DISTRICT

March 8, 2018

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 8:30 AM on March 8, 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 8:41 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
Jeff Ferre	Best, Best, & Krieger (General Counsel)
Paige Gulck	Board Secretary
Trevor Agrelius	MNWD
Matt Brown	MNWD
Medha Patel	MNWD
Doug Chotkevys	Chotkevys Consulting
Roger Faubel	Faubel Public Affairs

#8.

1. CALL MEETING TO ORDER

The meeting was called to order by Donald Froelich at 8:31 a.m.

2. PUBLIC COMMENTS

None.

CLOSED SESSION

3. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

(Paragraph (1) of subdivision (d) of Government Code Section 54956.9)

Name of case: SOCWA, City of Laguna Beach, South Coast Water District and Emerald Bay Service District v. Moulton Niguel Water District

Case number 30-2017-00923143-CU-BC-CJC

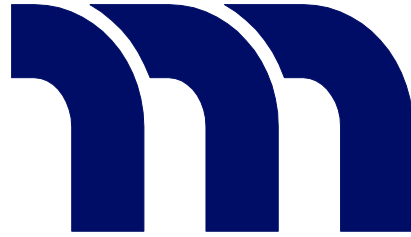
The Board entered into closed session at 8:31 a.m. and exited at 10:19 a.m. Jeff Dunn stated there was no reportable action.

ADJOURNMENT

The meeting was adjourned at 10:20 a.m.

Respectfully submitted,

Paige Gulck
Board Secretary



moulton niguel water district

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

March 15, 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 March 15, 2018. There were present and participating:

DIRECTORS

Duane Cave	Director
Scott Colton	Vice President
Richard Fiore	Director
Gary Kurtz	Director
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
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
Matt Brown	MNWD
Johnathan Cruz	MNWD
Steve Merk	MNWD
Lindsey Stuvick	MNWD
Bill Moorhead	CAC Member

#9.

1. **CALL MEETING TO ORDER:**

The meeting was called to order by Brian Probolsky at 6:01 p.m.

2. **PLEDGE OF ALLEGIANCE:**

The pledge of allegiance was led by Brian Probolsky.

3. **PUBLIC COMMENTS:**

Bill Moorhead provided public comment.

PRESENTATION ITEMS:

4. Crown Valley and Aliso Creek Pipelines Emergency Repairs

Steve Merk provided a presentation on the Crown Valley and Aliso Creek Pipelines Emergency Repairs.

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

5. **MINUTES OF THE FEBRUARY 8, 2018 SPECIAL BOARD OF DIRECTORS' MEETING**

6. **MINUTES OF THE FEBRUARY 12, 2018 SPECIAL BOARD OF DIRECTORS' MEETING**

7. **MINUTES OF THE FEBRUARY 15, 2018 REGULAR BOARD OF DIRECTORS' MEETING**

8. **CONSTRUCTION CONTRACT AWARD FOR THE GOLDEN LANTERN RESERVOIR ROOF-WALL JOINT SEAL**

It is recommended that the Board of Directors award the construction services contract to Schuler Constructors in the amount of \$307,000; authorize the General Manager or Assistant General Manager to execute the contract; and approve change orders up to 10% of the contract value.

9. **AMENDMENT NO. 1 FOR THE REGIONAL LIFT STATION ENHANCEMENTS**

It is recommended that the Board of Directors approve Amendment No. 1 to Task Order No. 3 of the As-Needed Engineering Services Agreement with Tetra Tech in the amount of \$167,200 for a new total not-to-exceed amount of \$198,800; authorize the General Manager or Assistant General Manager to execute the amendment; and to approve amendments up to 10% of the total task order value.

10. AMENDMENT NO. 1 FOR THE REGIONAL LIFT STATION FORCE MAIN REPLACEMENTS

It is recommended that the Board of Directors approve Amendment No. 1 to the Professional Services Agreement with Tetra Tech, Inc. in the amount of \$179,000; authorize the General Manager or Assistant General Manager to execute the amendment; and to approve amendments up to 10% of the total contract value.

11. CALTRANS I-5 WIDENING – PROPERTY ACQUISITION FROM DISTRICT

It is recommended that the Board of Directors authorize the Board President to execute the Right-of-Way Contract and Grant Deed with Caltrans.

12. WATER UCI INDUSTRY-UNIVERSITY COOPERATIVE RESEARCH CENTER (IUCRC) (RESOLUTION 18-03)

It is recommended that the Board of Directors approve the resolution entitled, “Authorizing Contributions to the Water UCI Industry-University Cooperative Research Center (IUCRC)”.

MOTION DULY MADE BY DUANE CAVE AND SECONDED BY SCOTT COLTON, CONSENT ITEMS 5 THROUGH 12 WERE APPROVED AS PRESENTED. THE VOTE WAS UNANIMOUS WITH DIRECTORS DUANE CAVE, SCOTT COLTON, RICHARD FIORE, GARY KURTZ, LARRY LIZOTTE, AND BRIAN PROBOLSKY ALL VOTING ‘AYE’.

ENGINEERING & OPERATIONS MATTERS:**13. CONSTRUCTION CONTRACT AWARD FOR PASEO DE VALENCIA LIFT STATION REHABILITATION**

It is recommended that the Board of Directors award the construction services contract to SS Mechanical in the amount of \$775,435; and authorize the General Manager or Assistant General Manager to execute the contract; and approve change orders up to 10% of the contract value.

Matt Collings provided a brief introduction to the item.

MOTION DULY MADE BY GARY KURTZ AND SECONDED BY RICHARD FIORE, ITEM 13 WAS APPROVED AS PRESENTED. THE VOTE WAS UNANIMOUS WITH DIRECTORS DUANE CAVE, SCOTT COLTON, RICHARD FIORE, GARY KURTZ, LARRY LIZOTTE, AND BRIAN PROBOLSKY ALL VOTING ‘AYE’.

FINANCE & INFORMATION TECHNOLOGY MATTERS:

14. Municipal Water District of Orange County Budget Update

Johnathan Cruz provided an update on the Municipal Water District of Orange County Budget.

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

15. ADOPTION OF RESOLUTION IN SUPPORT OF DIRECTOR DUANE D. CAVE'S CANDIDACY FOR THE ORANGE COUNTY LOCAL AGENCY FORMATION COMMISSION (OCLAFCO) (RESOLUTION 18-04)

It is recommended that the Board of Directors approve the resolution entitled, "Support of Director Duane D. Cave's Candidacy for the Orange County Local Agency Formation Commission (OCLAFCO)."

Matt Collings provided information on the item.

MOTION DULY MADE BY RICHARD FIORE AND SECONDED BY SCOTT COLTON, ITEM 15 WAS APPROVED AS PRESENTED. THE VOTE WAS UNANIMOUS WITH DIRECTORS DUANE CAVE, SCOTT COLTON, RICHARD FIORE, GARY KURTZ, LARRY LIZOTTE, AND BRIAN PROBOLSKY VOTING 'AYE'.

PRESIDENT'S REPORT:

None.

BOARD REPORTS:

Duane Cave and Richard Fiore stated that they attended the ACWA DC Conference in Washington D.C. and that it was a very informative and beneficial trip.

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 6:34 p.m.

Respectfully submitted,

Tim Bonita
Recording Secretary

DRAFT

RESOLUTION NO. 18- __

**RESOLUTION OF THE BOARD OF DIRECTORS
OF MOULTON NIGUEL WATER DISTRICT
AUTHORIZING THE GENERAL MANAGER, OR DESIGNEE, TO APPLY FOR,
RECEIVE, AND ENTER INTO A COOPERATIVE AGREEMENT, AND
ADMINISTER A GRANT FOR THE 2018 BUREAU OF RECLAMATION WATER AND
ENERGY EFFICIENCY GRANT**

BE IT RESOLVED, by the Moulton Niguel Water District Board of Directors (“Board”) that the District General Manager or his/her designee is hereby authorized and directed to sign and file, for and on behalf of the Moulton Niguel Water District (“District”), a Water Smart Water and Energy Efficiency Grant Application for a grant from the U.S. Bureau of Reclamation in the amount not to exceed \$300,000; and

BE IT RESOLVED, the District General Manager, or his/her designee, is hereby authorized to acknowledge and approve of the application and the information submitted for consideration, and is further authorized to certify that the District has and will provide the amount of funding and/or in-kind contributions specified in the funding plan; and

BE IT RESOLVED, that the Board hereby agrees and further does authorize the aforementioned representative or his/her designee to certify that the District has and will comply with all statutory and regulatory requirements related to any grant funds, and

BE IT FURTHER RESOLVED, that the General Manager or his/her designee is hereby authorized to negotiate and execute a grant and any amendments or change order thereto on behalf of the District received and will work with Reclamation to meet established deadlines for entering into a cooperative agreement.

ADOPTED, SIGNED and APPROVED this 17th day of May, 2018.

MOULTON NIGUEL WATER DISTRICT

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

#11.

STATE OF CALIFORNIA)

) ss.

COUNTY OF ORANGE)

I, PAIGE GULCK, Secretary of the Board of Directors of the MOULTON NIGUEL WATER DISTRICT, do hereby certify that the foregoing Resolution was duly adopted by the Board of Directors of said District at a regular meeting of said Board held on the 17th day of May, 2018 that it was so adopted by the following vote:

AYES: CAVE, COLTON, FIORE, FROELICH, KURTZ, LIZOTTE, PROBOLSKY

NOES:

ABSTAIN:

ABSENT:

Paige Gulck, Secretary
MOULTON NIGUEL WATER DISTRICT
and of the Board of Directors thereof



moulton niguel water district

STAFF REPORT

TO: Board of Directors **MEETING DATE:** May 17, 2018

FROM: Rod Woods, Director of Engineering
Alex Thomas, Senior Engineer

SUBJECT: Construction Contract Award for Mission Viejo High School
Line/Vault Refurbishment

SUMMARY:

Issue: Board action is required for the Notice Inviting Sealed Proposals (Bids) for the Mission Viejo High School Line/Vault Refurbishment, Project No. 2011.037.

Recommendation: It is recommended that the Board of Directors award the construction services contract to Shoffeitt Pipeline, Inc. in the amount of \$151,400; authorize the General Manager or Assistant General Manager to execute the contract; and to approve change orders up to 10% of the contract value.

Fiscal Impact: Project No. 2011.037 is budgeted in Fund 7, Rehabilitation and Replacement with a current project budget of \$200,000. The proposed project budget is \$221,540. The project will be constructed next fiscal year. Adequate funds are included in the proposed FY 2018-19 Capital Improvement Program budget.

Reviewed by Legal: Yes

BACKGROUND:

The District provides potable water to Mission Viejo High School through a 4-inch cast iron service pipeline for irrigation use and a 6-inch cast iron service pipeline for domestic use. An existing metering vault is located within the sidewalk adjacent to Chrisanta Drive to meter the flows through the 4-inch and 6-inch service pipelines. The service pipelines and metering vault were installed in 1966. The appurtenances within the metering vault are in need of replacement.

#14.

Construction Contract Award for Mission Viejo High School Line/Vault Refurbishment

May 17, 2018

Page 2 of 2

The proposed work for this project includes: replacing the service pipelines with 4-inch and 6-inch ductile iron pipe; relocating the metering vault to a location within a landscaped area just outside of the sidewalk; replacing appurtenances within the metering vault; installing a meter bypass system; installing mainline valves; and abandoning the existing metering vault.

DISCUSSION:

A request for bids was issued to five qualified construction contractors. The District received five sealed bids for the subject contract on April 25, 2018. The table below summarizes the bids received:

Firm	Bid
Shoffeitt Pipeline, Inc.	\$151,400
Ferreira Construction Co., Inc.	\$157,177
Paulus Engineering, Inc.	\$199,900
T.E. Roberts, Inc.	\$227,400
G.B. Cooke, Inc.	\$247,000
Engineer's Estimate	\$128,000

Staff has determined that the lowest responsible and responsive bidder was Shoffeitt Pipeline, Inc. Staff has completed its review of the contract documents and has determined that they are in order. Shoffeitt Pipeline, Inc. has performed quality work for the District in the past and is well-qualified to perform this type of work.

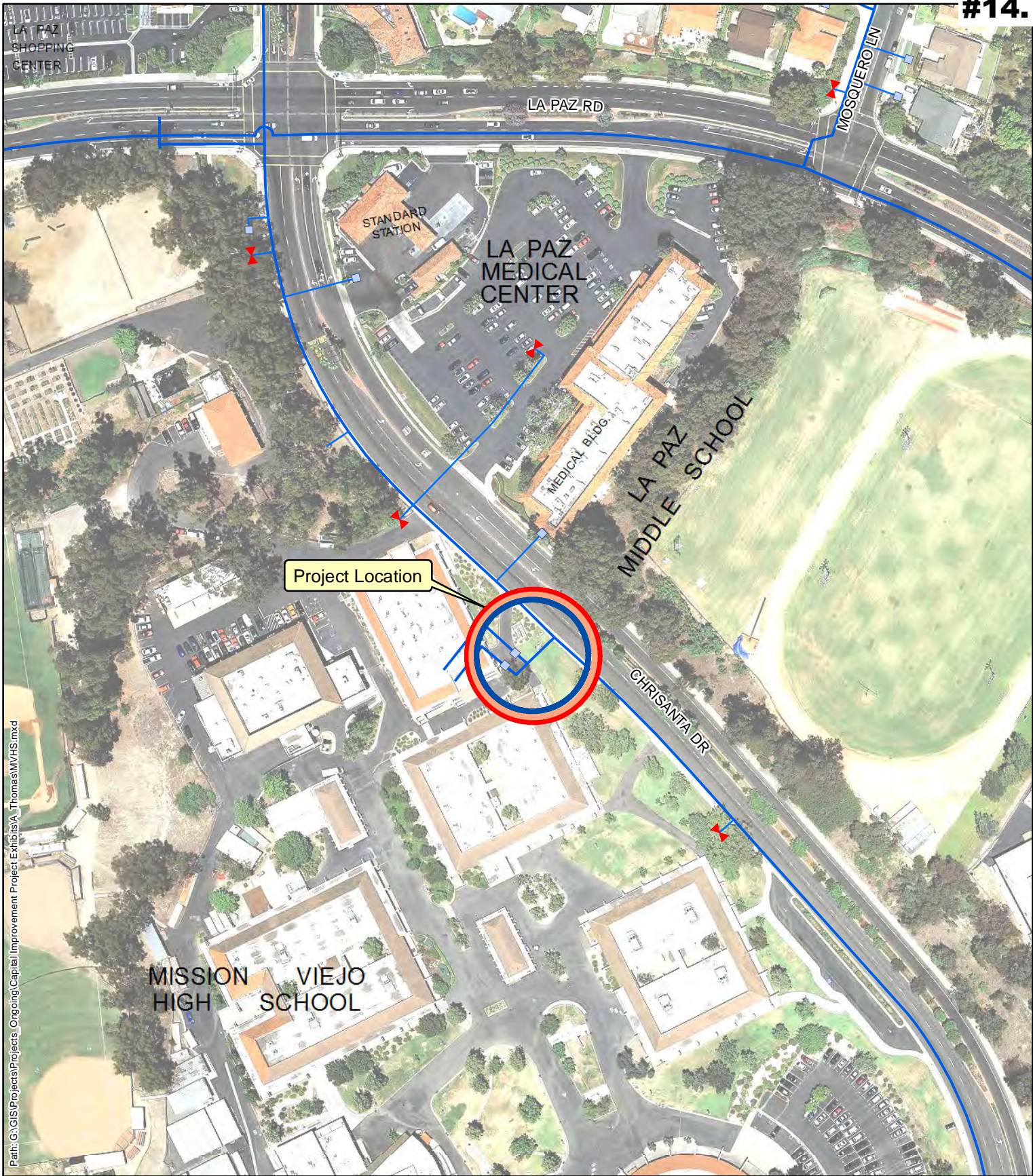
SUMMARY OF PROJECT BUDGET:

	Project Budget	Proposed / Approved Contract	Proposed / Authorized Contingency	Total Proposed / Authorized Amount
Project Items				
Engineering*	\$50,000	\$50,000	\$0	\$50,000
Construction	\$145,000	\$151,400	\$15,140	\$166,540
Legal, Permits, District Labor	\$5,000	\$5,000	\$0	\$5,000
Totals	\$200,000	\$206,400	\$15,140	\$221,540

*\$31,554 has been expended to date.

 Currently Proposed Amount

Attachment: Exhibit A – Location Map



Path: G:\GIS\Projects\Ongoing\Captial Improvement Project\ExhibitA_Thomas\MVHS.mxd

- Service Meter
- ✠ Hydrant
- Potable Mainline

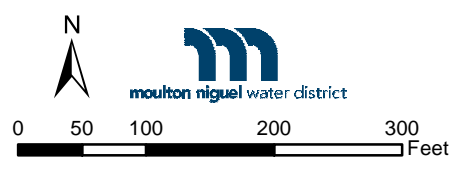


Exhibit "A" Location Map
Mission Viejo High School
Line/Vault Refurbishment
Contract No. 2011.037

