



moulton niguel water district

BOARD OF DIRECTORS' MEETING MOULTON NIGUEL WATER DISTRICT

27500 La Paz Road, Laguna Niguel

January 17, 2019

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.

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 DECEMBER 20, 2018 REGULAR BOARD OF DIRECTORS' MEETING

5. PROFESSIONAL SERVICES AGREEMENT FOR ALISO CREEK AND SOUTHWING LIFT STATIONS AUXILIARY GENERATOR REPLACEMENTS

It is recommended that the Board of Directors approve the Professional Services Agreement for engineering services with Lee & Ro, Inc. in the amount of \$159,040; 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:

6. CONSTRUCTION CONTRACT AWARD FOR REHABILITATION OF THE BEAR BRAND NO. 2 RESERVOIR

It is recommended that the Board of Directors award the construction services contract to J. Colon Coatings, Inc. in the amount of \$756,300; authorize the General Manager or Assistant General Manager to execute the contract; and to approve change orders up to 10% of the contract value.

LEGAL MATTERS:

7. ELECTION OF BOARD OFFICERS

The District By-laws require the election of Board officers every two years. These officers are the President and two Vice Presidents.

It is recommended that the Board of Directors conduct an election for the following officers of the Board and District: President, First Vice President, and Second Vice President with office terms effective at the conclusion of the Board Meeting.

8. BOARD PER DIEM

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]

CLOSED SESSION:

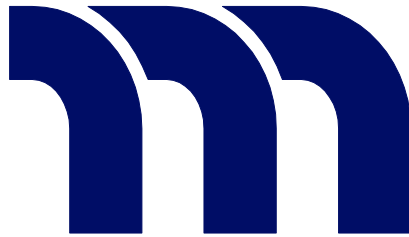
3. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

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

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

December 20, 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 December 20, 2018. There were present and participating:

DIRECTORS

Duane Cave	Vice President
Richard Fiore	Director
Donald Froelich	President
Kelly Jennings	Director
Gary Kurtz	Director
Bill Moorhead	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
Rod Woods	Director of Engineering
Drew Atwater	Director of Finance & Water Resources
Gina Hillary	Director of Human Resources
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
Medha Patel	MNWD
Lindsey Stuvick	MNWD

#4.

1. CALL MEETING TO ORDER:

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

2. PLEDGE OF ALLEGIANCE:

Kelly Jennings 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 NOVEMBER 13, 2018 SPECIAL BOARD OF DIRECTORS' MEETING

5. MINUTES OF THE NOVEMBER 15, 2018 REGULAR BOARD OF DIRECTORS' MEETING

7. PROFESSIONAL SERVICES AGREEMENT FOR 2018-19 RESERVOIR MANAGEMENT SYSTEMS REPLACEMENT

It is recommended that the Board of Directors approve the Professional Services Agreement for engineering services with Tetra Tech, Inc. in the amount of \$476,428; 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. 1 FOR PLANT 3A ENGINEERING SUPPORT SERVICES

It is recommended that the Board of Directors approve Amendment No. 1 to the Agreement for Plant 3A Engineering Support Services with GHD, Inc. in the amount of \$75,000 for a total not-to-exceed agreement amount of \$225,000; and authorize the General Manager or Assistant General Manager to execute the amendment.

9. PROFESSIONAL SERVICES AGREEMENT FOR ASSET REGISTER POPULATION

It is recommended that the Board of Directors approve the Professional Services Agreement with AKM Consulting Engineers in the amount of \$209,012; authorize the General Manager or Assistant General Manager to execute the agreement; and to approve amendments up to 10% of the contract value.

10. PURCHASE OF 2019 CATERPILLAR 908M LOADER

It is recommended that the Board of Directors approve the purchase of a Caterpillar 908M Loader for \$95,897.52.

11. PURCHASE OF SERVICE TRUCK WITH CRANE – PLANT 3A

It is recommended that the Board of Directors approve the purchase of a 2019 Ford F-350 with Service Body and Crane for \$76,616.91.

MOTION DULY MADE BY DUANE CAVE AND SECONDED BY BRIAN PROBOLSKY, CONSENT ITEMS 4,5,7,8,9,10 and 11 WERE APPROVED AS PRESENTED.THE VOTE WAS UNANIMOUS WITH DIRECTORS DUANE CAVE, RICHARD FIORE, DONALD FROELICH, KELLY JENNINGS, GARY KURTZ, BILL MOORHEAD, AND BRIAN PROBOLSKY ALL VOTING ‘AYE’.

ENGINEERING & OPERATIONS MATTERS:

12. 2017-18 RESERVOIR MANAGEMENT SYSTEMS REPLACEMENT CONSTRUCTION CONTRACT AWARD

It is recommended that the Board of Directors award the construction services contract to Gateway Pacific Contractors, Inc. in the amount of \$4,139,329; authorize the General Manager or Assistant General Manager to execute the contract; and to approve change orders up to 10% of the contract value.

This item was taken next.

MOTION DULY MADE BY DUANE CAVE AND SECONDED BY BRIAN PROBOLSKY, ITEM 12 WAS APPROVED AS PRESENTED. THE VOTE WAS UNANIMOUS WITH DIRECTORS DUANE CAVE, RICHARD FIORE, DONALD FROELICH, KELLY JENNINGS, GARY KURTZ, BILL MOORHEAD, AND BRIAN PROBOLSKY ALL VOTING ‘AYE’.

6. CONSTRUCTION MANAGEMENT AND INSPECTION SUPPORT FOR 2017-18 RESERVOIR MANAGEMENT SYSTEMS REPLACEMENT

It is recommended that the Board of Directors approve the Professional Services Agreement with Butier Engineering, Inc. (Butier) in the amount of \$358,990; authorize the General Manager or Assistant General Manager to execute the agreement; and to approve amendments up to 10% of the contract value.

This item was pulled from the consent calendar by Richard Fiore.

MOTION DULY MADE BY BRIAN PROBOLSKY AND SECONDED BY KELLY JENNINGS, ITEM 6 WAS APPORVED AS PRESENTED. THE VOTE WAS

UNANIMOUS WITH DIRECTORS DUANE CAVE, RICHARD FIORE, DONALD FROELICH, KELLY JENNINGS, GARY KURTZ, BILL MOORHEAD, AND BRIAN PROBOLSKY ALL VOTING 'AYE'.

FINANCE & INFORMATION TECHNOLOGY MATTERS:

13. AUDIT REPORTS FOR THE FISCAL YEAR ENDED JUNE 30, 2018

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

MOTION DULY MADE BY GARY KURTZ AND SECONDED BY KELLY JENNINGS, ITEM 13 WAS APPROVED AS PRESENTED. THE VOTE WAS UNANIMOUS WITH DIRECTORS DUANE CAVE, RICHARD FIORE, DONALD FROELICH, KELLY JENNINGS, GARY KURTZ, BILL MOORHEAD, AND BRIAN PROBOLSKY ALL VOTING 'AYE'.

14. 2009 CERTIFICATES OF PARTICIPATION (BUILD AMERICA BONDS) REFUNDING (RESOLUTION 18-22)

It is recommended that the Board of Directors approve the resolution entitled, “Authorizing the Issuance and Sale of Water Revenue Refunding Bonds in the Maximum Amount of \$60,000,000 to Refinance an Outstanding Installment Payment Obligation, and Approving Related Agreements and Actions.”

Discussion ensued regarding the structuring of the bond.

MOTION DULY MADE BY DUANE CAVE AND SECONDED BY BILL MOORHEAD, ITEM 14 WAS APPROVED AS PRESENTED. THE VOTE WAS UNANIMOUS WITH DIRECTORS DUANE CAVE, RICHARD FIORE, DONALD FROELICH, KELLY JENNINGS, GARY KURTZ, BILL MOORHEAD, 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.)

Joone Lopez stated that staff is working on scheduling the 2019 Strategic Planning meeting.

PRESIDENT'S REPORT:

None.

BOARD REPORTS:

Kelly Jennings commended staff on the debriefings which were thorough.

Richard Fiore attended the San Juan Capistrano Chamber of Commerce Annual Holiday Mixer, the Metropolitan Water District Board meeting for the 50 Year Recycled Water presentation and the German Water Partnership where Joone participated as a panelist.

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

Brian Probolsky requested that staff bring back an item to discuss structuring of agendas.

LATE ITEMS: (Appropriate Findings to be Made)

None.

ADJOURNMENT:

The meeting was adjourned at 6:25 p.m.

Respectfully submitted,

Tim Bonita
Recording Secretary

