



moulton niguel water district

BOARD OF DIRECTORS' MEETING MOULTON NIGUEL WATER DISTRICT

27500 La Paz Road, Laguna Niguel

March 21, 2019

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 14, 2019 ENGINEERING AND OPERATIONS BOARD OF DIRECTORS' MEETING

5. MINUTES OF THE FEBRUARY 6, 2019 SPECIAL BOARD OF DIRECTORS' MEETING

6. MINUTES OF THE FEBRUARY 7, 2019 SPECIAL BOARD OF DIRECTORS' MEETING

7. MINUTES OF THE FEBRUARY 19, 2019 SPECIAL BOARD OF DIRECTORS' MEETING

8. MINUTES OF THE FEBRUARY 21, 2019 BOARD OF DIRECTORS' MEETING

9. USBR WATERSMART GRANT FOR AMI IMPLEMENTATION PROGRAM PHASE III (RESOLUTION 19-__)

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."

10. WATER EFFICIENCY SCHOOL PARTNERSHIP

It is recommended that the Board of Directors approve the MOU with SVUSD for a total not-to-exceed amount of \$115,000 for device installations associated with the High Efficiency Devices for Schools Program; and authorize the General Manager or Assistant General Manager to execute the MOU.

11. REGIONAL TURF REMOVAL INCENTIVE FUNDING UPDATE

It is recommended that the Board of Directors direct staff to increase the level of rebates available under the turf removal portion of the Program for the District's residential and commercial customers to \$3 per square foot based on funding from Metropolitan and grants from MWDOC.

12. NATURESCAPE TURF REMOVAL INCENTIVE FUNDING UPDATE

It is recommended that the Board of Directors authorize the General Manager or Assistant General to amend the contract with Tree of Life Nursery, Inc.; and direct the General Manager or Assistant General Manager to increase the level of funding for the District's NatureScape Program to \$3 per square foot.

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

13. TEMPORARY OFFICE SPACE LEASE AGREEMENT

It is recommended that the Board of Directors approve the Office Lease Agreement with Bixby Land Company subject to non-substantive changes approved by the General manager and Legal Counsel; and authorize the Board President to execute the Office Lease Agreement.

FINANCE & INFORMATION TECHNOLOGY MATTERS:

14. PROFESSIONAL SERVICES AGREEMENT FOR COMPUTERIZED MAINTENANCE MANAGEMENT SYSTEM IMPLEMENTATION SERVICES AND SOFTWARE LICENSE AGREEMENT

It is recommended that the Board of Directors approve Professional Services Agreements with Nexgen Asset Management (Nexgen) in the amount of \$540,880 for implementation services and in the amount of \$85,000 for software licensing and maintenance; authorize the General Manager or Assistant General Manager to execute both Agreements and to approve amendments to the implementation services Agreement up to 10% of the contract value.

15. MUNICIPAL WATER DISTRICT OF ORANGE COUNTY BUDGET UPDATE

ENGINEERING & OPERATIONS MATTERS:

16. SEWER SYSTEM MANAGEMENT PLAN 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]

CLOSED SESSION:

17. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8
Property: 26880 Aliso Viejo Parkway, Aliso Viejo, CA
Agency Negotiator: Rod Woods
Negotiating Parties: Bixby Land Company
Under Negotiation: Price and Terms of Payment for Potential Office Lease Agreement

18. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

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

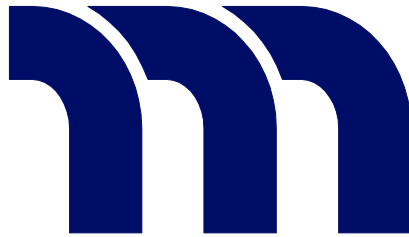
Name of case: SOCWA, City of Laguna Beach, South Coast Water District and Emerald Bay Service District v. Moulton Niguel Water District

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

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 ENGINEERING & OPERATIONS BOARD OF DIRECTORS OF THE MOULTON NIGUEL WATER DISTRICT

January 14, 2019

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 January 14, 2019. There were present and participating:

DIRECTORS

Duane Cave	Vice President/Chair
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
Gina Hillary	Director of Human Resources
Todd Novacek	Director of Operations
Jose Solorio	Government Affairs Officer
Jeff Ferre	Best, Best, & Krieger (General Counsel)
Paige Gulck	Board Secretary
Tim Bonita	Recording Secretary
Trevor Agrelius	MNWD
Matt Brown	MNWD
Todd Dmytryshyn	MNWD
Jesus Garibay Jr.	MNWD
Jin Kim	MNWD

#4.

David Larsen	MNWD
Steve Merk	MNWD
Medha Patel	MNWD
Alex Thomas	MNWD
Sheldon Yu	MNWD
Ruben Smith	Alvarado Smith
Doug Chotkevys	Chotkevys Consulting
Roger Faubel	Faubel Public Affairs

1. CALL MEETING TO ORDER

The meeting was called to order by Duane Cave at 8:30 a.m.

2. APPROVE THE MINUTES OF THE DECEMBER 17, 2018 ENGINEERING AND OPERATIONS BOARD OF DIRECTORS' MEETING

MOTION DULY MADE BY KELLY JENNINGS AND SECONDED BY GARY KURTZ, MINUTES OF THE DECEMBER 17, 2018 ENGINEERING AND OPERATIONS BOARD OF DIRECTORS' MEETING WERE APPROVED AS PRESENTED. THE VOTE WAS UNANIMOUS WITH DIRECTORS DUANE CAVE, RICHARD FIORE, DONALD FROELICH, KELLY JENNINGS, GARY KURTZ, AND BILL MOORHEAD ALL VOTING 'AYE'. DIRECTOR BRIAN PROBOLSKY WAS ABSENT.

3. PUBLIC COMMENTS

None.

DISCUSSION ITEMS

4. Construction Contract Award for Rehabilitation of the Bear Brand No. 2 Reservoir

Brian Probolsky arrived at 8:31 a.m.

Alex Thomas provided information on the item. Staff recommends 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. Discussion ensued regarding the project.

5. Professional Services Agreement for Aliso Creek and Southwing Lift Stations Auxiliary Generator Replacements

Sheldon Yu provided details on the item. Staff recommends 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. Discussion ensued regarding the cost of the project.

INFORMATION ITEMS

6. Operations Center Consolidation Improvement Project Update

Rod Woods provided the Operations Center Consolidation Improvement Project update. District staff should have completed drawings from Ware Malcomb in February. The proposals for the construction manager-at-risk contract are due at the end of January and staff will have a recommendation for the Board in February. Staff also met with the homeowner’s associations around the project on January 8th and provided them with an update on the project.

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

None.

8. Late Items (Appropriate Findings to be Made)

None.

CLOSED SESSION

The Board entered closed session at 8:55 a.m. and exited at 9:40 a.m. Jeff Ferre stated that there was no reportable action.

9. 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

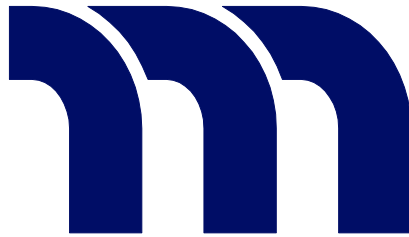
Case number 30-2017-00923143-CU-BC-CJC

ADJOURNMENT

The meeting adjourned at 9:41 a.m.

Respectfully submitted,

Tim Bonita
Recording Secretary



moulton niguel water district

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

February 6, 2019

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 5:00 PM on February 6, 2019. There were present and participating:

DIRECTORS

Duane Cave	Vice President
Richard Fiore	Director
Donald Froelich	Vice President
Kelly Jennings	Director
Gary Kurtz	Director
Brian Probolsky	President (arrived at 5:14 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
Drew Atwater	Director of Finance & Water Resources
Jose Solorio	Government Affairs Officer
Paige Gulck	Board Secretary
Roger Faubel	Faubel Public Affairs

1. CALL MEETING TO ORDER

The meeting was called to order by Duane Cave at 5:07 p.m.

2. PUBLIC COMMENTS

None.

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

The Board entered closed session at 5:10 p.m.

Brian Probolsky arrived at 5:14 p.m.

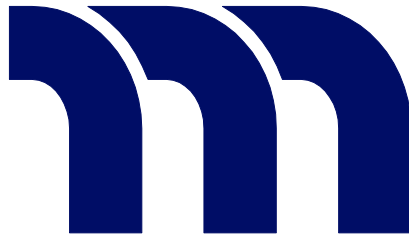
The Board exited closed session at 6:23 p.m. Ruben Smith stated that there was no reportable action.

ADJOURNMENT

The meeting was adjourned at 6:24 p.m.

Respectfully submitted,

Paige Gulck
Board Secretary



moulton niguel water district

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

February 7, 2019

A Special Meeting of the Board of Directors of the Moulton Niguel Water District was held at the District offices, 26161 Gordon Road, Laguna Hills CA 92653, California, at 8:00 AM on February 7, 2019. There were present and participating:

DIRECTORS

Duane Cave	Vice President
Richard Fiore	Director
Donald Froelich	Vice President
Kelly Jennings	Director
Gary Kurtz	Director
Brian Probolsky	President (arrived at 8:07 a.m.)

Also present and participating were:

STAFF MEMBERS, LEGAL COUNSEL, AND MEMBERS OF THE PUBLIC

Rod Woods	Director of Engineering
Drew Atwater	Director of Finance & Water Resources
Gina Hillary	Director of Human Resources
Todd Novacek	Director of Operations
Paige Gulck	Board Secretary
Trevor Agrelius	MNWD
Larry Ballew	MNWD
John Banoczi	MNWD
Malachi Berard	MNWD
Matt Brown	MNWD
Ty Coston	MNWD
Matt Crowl	MNWD
Johnathan Cruz	MNWD
Brad Daley	MNWD
Todd Dmytryshyn	MNWD

#6.

Jennifer Dooley	MNWD
Karen Flores	MNWD
Jesus Garibay Jr.	MNWD
James Glover	MNWD
Ronin Goodall	MNWD
Brian Gurdine	MNWD
Mark Herron	MNWD
Gregg Hooper	MNWD
David Larsen	MNWD
Mark Mountford	MNWD
Steve Merk	MNWD
Jane Nguyen	MNWD
Jim Sampson	MNWD
Lindsey Stuvick	MNWD
Adrian Tasso	MNWD
Alex Thomas	MNWD
Dan West	MNWD
Carole Wayman-Piascik	MNWD
Roger Crawford	Best, Best & Krieger
Ruben Duran	Best, Best & Krieger

1. CALL MEETING TO ORDER

The meeting was called to order by Duane Cave at 8:03 a.m.

2. PUBLIC COMMENTS

None.

PRESENTATION ITEMS

3. AB 1234 Ethics Training

Ruben Duran from Best, Best, & Krieger provided AB 1234 Ethics Training. Brian Probolsky arrived at 8:07 a.m.

4. AB 1825 Sexual Harassment Avoidance Training

Roger Crawford from Best, Best, & Krieger provided AB 1825 Sexual Harassment Avoidance Training.

ADJOURNMENT

The meeting was adjourned at 11:57 a.m.

Respectfully submitted,

Paige Gulck
Board Secretary

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

February 19, 2019

A Special Meeting of the Board of Directors of the Moulton Niguel Water District was held at the District offices, 31 Santa Barbara, Aliso Viejo, California, at 8:00 AM on February 19, 2019. There were present and participating:

DIRECTORS

Duane Cave	Vice President
Richard Fiore	Director
Donald Froelich	Vice President
Kelly Jennings	Director
Gary Kurtz	Director
Bill Moorhead	Director
Brian Probolsky	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
Jose Solorio	Government Affairs Officer
Jeff Ferre	Best, Best, & Krieger (General Counsel)
Paige Gulck	Board Secretary
Tim Bonita	Recording Secretary
Trevor Agrelius	MNWD
Matt Brown	MNWD
Johnathan Cruz	MNWD
Todd Dmytryshyn	MNWD

#7.

Jesus Garibay Jr.	MNWD
Ronin Goodall	MNWD
David Larsen	MNWD
Steve Merk	MNWD
Ian Morgan	MNWD
Mark Mountford	MNWD
Medha Patel	MNWD
Lindsey Stuvick	MNWD
Adrian Tasso	MNWD
Doug Zytkevicz	MNWD
Ruben Smith	Alvarado Smith
Mike Dunbar	General Manager, Emerald Bay Service District

1. CALL MEETING TO ORDER

The meeting was called to order by Brian Probolsky at 8:22 a.m.

2. PUBLIC COMMENTS

None.

DISCUSSION ITEMS

3. Strategic Planning Session

The Board of Directors discussed the District's goals and objectives for Fiscal Year 2018-19 and 2019-20.

CLOSED SESSION

4. 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

5. 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

The Board entered closed session for Items #4 and #5 at 10:12 a.m. and exited at 11:11 a.m. Jeff Ferre stated that there was no reportable action.

The Board took a recess for lunch at 11:11 a.m.

RETURN OPEN SESSION

- 3. Strategic Planning Session

The Board returned to open session at 11:50 a.m. and continued to discuss the District's goals and objectives for Fiscal Year 2018-19 and 2019-20.

CLOSED SESSION

- 6. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Pursuant to Government Code Section 54956.8
Property: Wastewater Treatment Plant 3A, Treatment Capacity
Agency Negotiator: Matt Collings
Negotiating Parties: Santa Margarita Water District
Under Negotiation: Price and Terms of Payment for Potential Acquisition of the Right to Additional Treatment Capacity

- 7. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Pursuant to Government Code Section 54956.8
Property: 26880 Aliso Viejo Parkway, Aliso Viejo, CA
Agency Negotiator: Rod Woods
Negotiating Parties: Bixby Land Company
Under Negotiation: Price and Terms of Payment for Potential Office Lease Agreement

The Board entered closed session for Items #6 and #7 at 2:03 p.m. and exited at 3:13 p.m. Jeff Ferre stated that there was no reportable action.

RETURN OPEN SESSION

- 3. Strategic Planning Session

The Board returned to open session at 3:12 p.m. and continued to discuss the District's goals and objectives for Fiscal Year 2018-19 and 2019-20.

#7.

ADJOURNMENT

The meeting was adjourned at 3:55 p.m.

Respectfully submitted,

Paige Gulck
Board Secretary

DRAFT



moulton niguel water district

DRAFT

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

February 21, 2019

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 February 21, 2019. There were present and participating:

DIRECTORS

Duane Cave	Vice President
Richard Fiore	Director
Donald Froelich	Vice President
Kelly Jennings	Director
Gary Kurtz	Director
Bill Moorhead	Director
Brian Probolsky	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
Jose Solorio	Government Affairs Officer
Jeff Ferre	Best, Best, & Krieger (General Counsel)
Paige Gulck	Board Secretary
Tim Bonita	Recording Secretary
Trevor Agrelius	MNWD
Matthew Brown	MNWD
Medha Patel	MNWD
Lindsey Stuvick	MNWD

#8.

Adrian Tasso
Melody McDonald
Ruben Smith
Sherry Wanninger
John Thornton
Glen Allen

MNWD
ACWA/JPIA
Alvarado Smith
CAC Member
Layton Construction
Newport Real Estate Services

1. **CALL MEETING TO ORDER:**

The meeting was called to order by Brian Probolsky at 6:02pm.

2. **PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was led by Duane Cave.

3. **PUBLIC COMMENTS:**

Melody McDonald, Executive Committee member at ACWA/JPIA presented the District with a refund check for excess funds in the District's rate stabilization fund for 2011-12 in the amount \$96,329.

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 JANUARY 9, 2019 SPECIAL BOARD OF DIRECTORS' MEETING**

5. **MINUTES OF THE JANUARY 17, 2019 BOARD OF DIRECTORS' MEETING**

6. **CONSTRUCTION CONTRACT AWARD FOR HIDDEN HILLS EASEMENT PIPELINE REPLACEMENT**

It is recommended that the Board of Directors award the construction services contract to Paulus Engineering, Inc. in the amount of \$371,555; 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 JDE SOFTWARE SUPPORT SERVICES**

It is recommended that the Board of Directors approve a three-year Professional Services Agreement with EmeraldCube Solutions in the amount of \$548,736 for software hosting, maintenance, and support services; 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 DONALD FROELICH, CONSENT ITEMS 4 THROUGH 7 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:

8. CONSTRUCTION MANAGER AT RISK SERVICES FOR THE OPERATIONS CENTER CONSOLIDATION AND IMPROVEMENTS PROJECT

It is recommended that the Board of Directors approve CMAR Services Agreement with Layton Construction; authorize the General Manager or Assistant General Manager to execute the Agreement; and to authorize the Pre-Construction Phase 1 services in the amount of \$60,000.

Joone Lopez provided a brief introduction to the item. Discussion ensued regarding the agreement terms.

MOTION DULY MADE BY DONALD FROELICH AND SECONDED BY DUANE CAVE, ITEM 8 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'.

9. CONSTRUCTION CONTRACT AWARD FOR 2017-18 ELECTRICAL SYSTEM IMPROVEMENTS - POTABLE WATER

It is recommended that the Board of Directors award the construction services contract to Southern Contracting Company in the amount of \$1,036,860; 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 DONALD FROELICH AND SECONDED BY GARY KURTZ, ITEM 9 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'.

10. CONSTRUCTION CONTRACT AWARD FOR REHABILITATION OF THE SADDLEBACK RESERVOIR

It is recommended that the Board of Directors award the construction services contract to Advanced Industrial Coatings, Inc. in the amount of \$745,400; authorize the General Manager or Assistant General Manager to execute the contract; and to approve change orders up to 10% of the contract value.

MOTION DULY MADE BY DUANE CAVE AND SECONDED BY BILL MOORHEAD, ITEM 10 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'.

11. SEWER SYSTEM MANAGEMENT PLAN UPDATE

Adrian Tasso provided the Sewer System Management Plan update.

FINANCE & INFORMATION TECHNOLOGY MATTERS:

12. METROPOLITAN WATER DISTRICT BUDGET UPDATE

Drew Atwater provided an update on the Metropolitan Water District Budget.

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

13. ADOPTING THE FUTURE LEADERS OF WATER (FLOW) INITIATIVE (RESOLUTION 19-01)

It is recommended that the Board of Directors approve the resolution entitled, "Adopting the Future Leaders of Water (FLOW) Initiative."

Joone Lopez provided a brief introduction to the item.

MOTION DULY MADE BY RICHARD FIORE AND SECONDED BY GARY KURTZ, 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'.

LEGAL MATTERS:

14. CONDUCT PUBLIC HEARING AND CONSIDER ADOPTION OF ORDINANCE TO INCREASE PER DIEM COMPENSATION FOR BOARD MEMBERS

The Board of Directors will conduct the duly noticed public hearing regarding the proposed Ordinance which would increase the amount of per diem compensation for the members of the Board of Directors for attendance at meetings of the Board or for each day's service rendered as a Director. Upon completion of the public hearing, the Board may consider adoption of the Ordinance to increase the amount of per diem compensation. Occurrences constituting District business, official duties or each day's service rendered as a "day of service" are defined and authorized by separate policy of

the District and by law.

Brian Probolsky opened the Public Hearing on the proposed Ordinance No. 19-1 to increase per diem compensation for members of the Board. Legal Counsel then confirmed the publication of the Hearing Notice and explained the procedures for the Hearing in regard to the receipt of verbal and written testimony. The Board Secretary then announced that no written comments had been submitted prior to the Hearing. President Probolsky then asked whether there was anyone in the audience who wished to speak on this matter. There were no public comments and no written testimony was received during the Hearing. Brian Probolsky then declared the Hearing to be closed.

The Board then engaged in a discussion regarding the item.

MOTION DULY MADE BY DONALD FROELICH AND SECONDED BY GARY KURTZ TO ADOPT ORDINANCE 19-1. A ROLL CALL VOTE WAS TAKEN, AND THE VOTE WAS SPLIT WITH DIRECTORS DUANE CAVE, DONALD FROELICH, KELLY JENNINGS, GARY KURTZ, BILL MOORHEAD, AND BRIAN PROBOLSKY VOTING 'AYE'. DIRECTOR RICHARD FIORE VOTED NO.

PRESIDENT'S REPORT:

15. ASSIGNMENTS FOR THE BOARD

Recommended Action: As directed by the Board of Directors

Brian Probolsky stated that a handout has been given for the Board to review the recommended changes to the 2019-21 Board assignments. Discussion ensued regarding the assignments.

MOTION DULY MADE BY DUANE CAVE AND SECONDED BY KELLY JENNINGS TO APPROVE THE ASSIGNMENTS THAT ARE NOT SUBJECT TO THE RESOLUTIONS IN ITEMS 16 THRU 21. THE VOTE WAS UNANIMOUS WITH DIRECTORS DUANE CAVE, RICHARD FIORE, DONALD FROELICH, KELLY JENNINGS, GARY KURTZ, BILL MOORHEAD, AND BRIAN PROBOLSKY ALL VOTING 'AYE'.

16. APPOINTING DIRECTOR TO ASSOCIATION OF CALIFORNIA WATER AGENCIES/JOINT POWERS INSURANCE AUTHORITY (ACWA/JPIA) (RESOLUTION 19-02)

It is recommended that the Board of Directors approve the resolution entitled, "Appointing Director to Association of California Water Agencies/Joint Powers Insurance Authority (ACWA/JPIA)."

MOTION DULY MADE BY RICHARD FIORE AND SECONDED BY DONALD FROELICH. ITEM 16 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'.

17. APPOINTING REPRESENTATIVE AND ALTERNATE REPRESENTATIVES TO CALIFORNIA ASSOCIATION OF SANITATION AGENCIES (CASA) (RESOLUTION 19-03)

It is recommended that the Board of Directors approve the resolution entitled, "Appointing Representative and Alternate Representatives to California Association of Sanitation Agencies (CASA)."

MOTION DULY MADE BY DONALD FROELICH AND SECONDED BY RICHARD FIORE. ITEM 17 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'.

18. APPOINTING REPRESENTATIVE AND ALTERNATE TO INDEPENDENT SPECIAL DISTRICT SELECTION COMMITTEE (ISDOC) (RESOLUTION 19-04)

It is recommended that the Board of Directors approve the resolution entitled, "Appointing Representative and Alternate to Independent Special District Selection Committee (ISDOC)."

MOTION DULY MADE BY DUANE CAVE AND SECONDED BY KELLY JENNINGS. ITEM 18 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'.

19. APPOINTING COMMISSIONER AND ALTERNATE TO THE SANTIAGO AQUEDUCT COMMISSION (SAC) (RESOLUTION 19-05)

It is recommended that the Board of Directors approve the resolution entitled, "Appointing Commissioner and Alternate to the Santiago Aqueduct Commission (SAC)."

MOTION DULY MADE BY DUANE CAVE AND SECONDED BY GARY KURTZ. ITEM 19 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'.

20. APPOINTING DIRECTOR AND ALTERNATE DIRECTOR TO SAN JUAN BASIN AUTHORITY (SJBA) (RESOLUTION 19-06)

It is recommended that the Board of Directors approve the resolution entitled, "Appointing Director and Alternate Director to San Juan Basin Authority (SJBA)."

MOTION DULY MADE BY KELLY JENNINGS AND SECONDED BY GARY KURTZ. ITEM 20 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'.

21. APPOINTING REPRESENTATIVE AND ALTERNATE TO SOUTH ORANGE COUNTY WATERSHED MANAGEMENT AREA (SOCWMA) EXECUTIVE COMMITTEE (RESOLUTION 19-07)

It is recommended that the Board of Directors approve the resolution entitled, "Appointing Representative and Alternate to South Orange County Watershed Management Area (SOCWMA) Executive Committee."

MOTION DULY MADE BY DUANE CAVE AND SECONDED BY DONALD FROELICH. ITEM 21 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'.

BOARD REPORTS:

Duane Cave stated that he and President Probolsky attended a conference at Amazon as guests of the Building Industry Association of Southern California and that it was a great experience. Duane also stated that he met with Congressman Rouda to discuss energy transportation and was able to also talk to the Congressman about our Advanced Metering Infrastructure (AMI) program.

Brian Probolsky stated that the conference at Amazon was an incredible experience. Brian also shared the Amazon leadership principles.

Kelly Jennings stated that she attended the ACC-OC Washington D.C. trip.

Richard Fiore stated that he attended the ISDOC Quarterly meeting and that the presentation given by Carolyn Emery was very interesting.

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

None.

LATE ITEMS: (Appropriate Findings to be Made)

Jeff Ferre reported that subsequent to the posting of the agenda, there have been some developments in regard to the real property negotiations regarding property in Aliso Viejo which has been discussed in a previous closed session. Since there is a need to consider this matter before the next Board meeting, it is recommended that the following item be added to the agenda as a late-breaking item as permitted under Government Code Section 54954.2:

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8
Property: 26880 Aliso Viejo Parkway, Aliso Viejo, CA
Agency Negotiator: Rod Woods
Negotiating Parties: Bixby Land Company
Under Negotiation: Price and terms of Payment

MOTION DULY MADE BY DUANE CAVE AND SECONDED BY KELLY JENNINGS TO ADD THE ABOVE-MENTIONED ITEM TO THE AGENDA. THE VOTE WAS UNANIMOUS WITH DIRECTORS DUANE CAVE, RICHARD FIORE, DONALD FROELICH, KELLY JENNINGS, GARY KURTZ, BILL MOORHEAD, AND BRIAN PROBOLSKY ALL VOTING 'AYE'.

CLOSED SESSION:

22. 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

The Board entered closed session at 7:33 p.m. and exited at 8:34 p.m. Ruben Smith stated that there were no reportable actions on Item 22 or on the late item added.

ADJOURNMENT:

The meeting was adjourned at 8:37 p.m..

Respectfully submitted,

Tim Bonita
Recording Secretary

RESOLUTION NO. 19-

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
THE 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 2019 BUREAU OF RECLAMATION WATER AND
ENERGY EFFICIENCY GRANT.**

BE IT RESOLVED, by the Moulton Niguel Water District (“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 District , a Water Smart Water and Energy Efficiency Grant Application (“Application”) for a grant from the U.S. Bureau of Reclamation (“Reclamation”) in the amount not to exceed \$1,500,000; 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 General Manager, 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 orders thereto on behalf of the District and will work with Reclamation to meet established deadlines for entering into a cooperative agreement and to comply with any and all other Reclamation requirements.

ADOPTED, SIGNED and APPROVED this 21st day of March, 2019.

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

