



# **moulton niguel water district**

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

**December 23, 2020**

A Special Meeting of the Board of Directors of the Moulton Niguel Water District was held in accordance with the Governor's Executive Order N-29-20 in an effort to prevent the spread of COVID-19 (Coronavirus). As a result, there was no public location for the public to attend in person. The meeting was called to order at 12:08 p.m. on December 23, 2020. There were present and participating telephonically:

### **DIRECTORS**

Duane Cave	Vice President
Richard Fiore	Director
Donald Froelich	Vice President
Bill Moorhead	Director
Brian Probolsky	President
Sherry Wanninger	Director

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
Jeff Ferre	Best, Best, & Krieger (General Counsel)
Tim Bonita	Recording Secretary
Matt Brown	MNWD

#### **1. CALL MEETING TO ORDER**

*The meeting was called to order by President Probolsky at 12:08 p.m. President Probolsky stated that the meeting was being conducted by teleconference pursuant to the Brown Act waivers provided for under the Governor's Executive Orders in response to the COVID-19 State of Emergency. As stated on the agenda, there was no public location for attending the meeting in person. The agenda also stated that the public could listen*

and provide comment telephonically by calling the number listed on the agenda.

## 2. PUBLIC COMMENTS

*President Probolsky stated that as permitted under the Brown Act, and in order to provide an equal opportunity for members of the public to provide comment without everyone talking over one another, public comments, on items on or off the agenda, would be taken during the Public Comment portion of the meeting. President Probolsky then asked if there was anyone on the phone who would like to provide comment. Hearing none, the Public Comment portion of the meeting was closed.*

## **DISCUSSION ITEMS**

### 3. **DECISION TO FILL BOARD VACANCY BY APPOINTMENT AND AUTHORIZE THE POSTING OF A NOTICE OF VACANCY**

It is recommended that the Board of Directors consider the requirements and options for filling the Board vacancy and take the following actions:

- 1) Decide to fill the Board vacancy by appointment and not call a special election; and
- 2) Authorize the posting of a Notice Of Vacancy.

*Discussion ensued regarding the item. On a motion by Director Probolsky, seconded by Director Froelich, the Board decided to fill the Board vacancy by appointment and not call a special election and authorized the posting of a Notice of Vacancy with a deadline of January 8, 2020 at 5:00 pm for the submission of letters of interest or resumes. The motion passed 6-0.*

***MOTION DULY MADE BY BRIAN PROBOLSKY AND SECONDED BY DONALD FROELICH, TO FILL THE BOARD VACANCY BY APPOINTMENT AND NOT CALL A SPECIAL ELECTION AND AUTHORIZED THE POSTING OF A NOTICE OF VACANCY WITH A DEADLINE OF JANUARY 8, 2020 AT 5:00 PM FOR THE SUBMISSION OF LETTERS OF INTEREST OR RESUMES. THE VOTE WAS UNANIMOUS WITH DIRECTORS DUANE CAVE, RICHARD FIORE, DONALD FROELICH, BILL MOORHEAD, BRIAN PROBOLSKY, AND SHERRY WANNINGER ALL VOTING 'AYE'.***

## **CLOSED SESSION**

### 4. **CONFERENCE WITH LABOR NEGOTIATORS**

Pursuant to Government Code Section 54957.6  
Agency designated representative: General Manager Joone Lopez

Employee organization: Moulton Niguel Water District Employees Association

*The Board entered closed session at 12:26 p.m. and exited at 12:45 p.m. Jeff Ferre stated that the Board met in closed session under Government Code Section 54957.6 regarding a conference with labor negotiators. The Board gave direction to the labor negotiator but there was no reportable action.*

**ADJOURNMENT**

*The meeting was adjourned at 12:46 p.m.*

Respectfully submitted,



Tim Bonita  
Recording Secretary