



moulton niguel water district

**BOARD OF DIRECTORS' MEETING
MOULTON NIGUEL WATER DISTRICT
26880 Aliso Viejo Pkwy, Suite 150, Aliso Viejo
February 11, 2021
CLOSED SESSION – 5:00 PM
OPEN SESSION – 6:00 PM
Approximate Meeting Time: 2 Hours**

IN AN EFFORT TO PREVENT THE SPREAD OF COVID-19 (CORONAVIRUS), AND IN ACCORDANCE WITH THE GOVERNOR'S EXECUTIVE ORDER N-29-20, THERE WILL BE NO PUBLIC LOCATION FOR THE PUBLIC TO ATTEND THIS BOARD MEETING IN PERSON. MEMBERS OF THE PUBLIC MAY LISTEN AND PROVIDE PUBLIC COMMENT TELEPHONICALLY BY CALLING THE FOLLOWING NUMBER:

**DIAL: 1-669-900-9128
MEETING ID: 942-941-7034#
PASSCODE: 26161#**

1. CALL MEETING TO ORDER:

CLOSED SESSION:

2. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6
Agency designated representative: Joone Lopez, General Manager
Employee organization: Moulton Niguel Water District Employees Association

OPEN SESSION - 6:00PM

3. PLEDGE OF ALLEGIANCE:

4. 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 Administrative and Technical Committee 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.

5. MINUTES OF THE JANUARY 14, 2021 SPECIAL BOARD OF DIRECTORS MEETING

6. MINUTES OF THE JANUARY 14, 2021 BOARD OF DIRECTORS MEETING

7. LA PAZ CREEK VEGETATION MANAGEMENT CONTINGENCY

It is recommended that the Board of Directors approve a \$50,000 not-to-exceed contingency for a total not-to-exceed authorization of \$125,000 with LSA Associates, Inc. and authorize the General Manager or Assistant General Manager to execute any required amendments through December 2022.

8. VEHICLE REPLACEMENT – HYDRO EXCAVATOR TRUCK

It is recommended that the Board of Directors approve the purchase of a 2021 Vactor Hydro Excavator Truck for \$488,473.

ADMINISTRATIVE MATTERS:

9. ADOPTION OF RESOLUTION ESTABLISHING DATES AND TIMES FOR REGULAR BOARD MEETINGS AND ESTABLISHING COMMITTEES (RESOLUTION 21-__)

It is recommended that the Board of Directors approve the resolution entitled, "Establishing Dates and Times for Regular Board Meetings and Establishing Committees".

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

INFORMATION ITEMS:

10. MONTHLY FINANCIAL REPORT

11. DISTRICT MEMBERSHIPS OVERVIEW

LEGAL MATTERS:

12. 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

PRESIDENT'S REPORT:

13. ASSIGNMENTS FOR THE BOARD

Recommended Action: As directed by the Board of Directors

14. APPOINTING DIRECTOR TO ASSOCIATION OF CALIFORNIA WATER AGENCIES/JOINT POWERS INSURANCE AUTHORITY (ACWA/JPIA) (RESOLUTION 21-__)

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)."

15. APPOINTING COMMISSIONER AND ALTERNATE TO THE SANTIAGO AQUEDUCT COMMISSION (SAC) (RESOLUTION 21-__)

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

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)

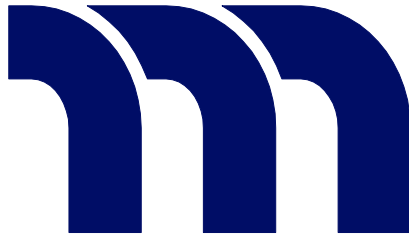
- a. Need to take immediate action; and
- b. Need for action came to District's attention after Agenda Posting. [Requires 2/3 vote (5 members) or unanimous vote if less than 2/3 are present]

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, 26880 Aliso Viejo Parkway, Suite 150, Aliso Viejo, 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**

January 14, 2021

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 5:07 PM on January 12, 2021. There were present and participating at 26880 Aliso Viejo Pkwy, Suite 150, Aliso Viejo, CA:

DIRECTORS

Duane Cave	Vice President
Richard Fiore	Director
Donald Froelich	Vice President
Bill Moorhead	Director
Brian Probolsky	President
Sherry Wanninger	Director (via teleconference)

Also present and participating were:

STAFF MEMBERS AND BOARD CANDIDATE IN-PERSON

Joone Lopez	General Manager
Matt Collings	Assistant General Manager
Tim Bonita	Recording Secretary
Diane Rifkin	Board Candidate

STAFF MEMBERS, LEGAL COUNSEL, AND MEMBERS OF THE PUBLIC TELEPHONICALLY

Rod Woods	Director of Engineering
Johnathan Cruz	Director of Financial Planning & Innovation
Gina Hillary	Director of Human Resources
Todd Novacek	Director of Operations
Jeff Ferre	Best, Best, & Krieger (General Counsel)

Paige Gulck	Board Secretary
Trevor Agrelius	MNWD
Matt Brown	MNWD
Todd Dmytryshyn	MNWD
Shanika Goonewardene	MNWD
David Larsen	MNWD
Genevieve Ramirez	MNWD
Lindsey Stuvick	MNWD
Kaden Young	MNWD

1. CALL MEETING TO ORDER

The meeting was called to order by President Probolsky at 5:07 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

None.

LEGAL MATTER

3. BOARD OF DIRECTORS VACANCY

It is recommended that the Board of Directors consider the following actions for filling the Board vacancy:

1. That the Board conduct an interview with the individual interested in being appointed to the vacant Board seat; and
2. That the Board take action to fill the vacant Board seat.

Discussion ensued regarding the item. Diane Rifkin provided the Board with a brief summary of her background. The Board members then engaged in a discussion with candidate Rifkin.

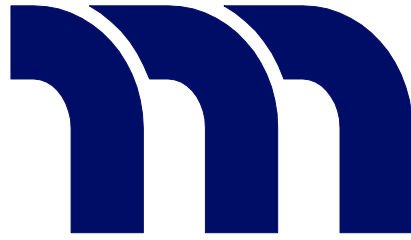
MOTION DULY MADE BY DUANE CAVE AND SECONDED BY RICHARD FIORE, TO APPOINT DIANE RIFKIN TO THE BOARD OF DIRECTORS. A ROLL CALL VOTE WAS TAKEN AND THE VOTE WAS UNANIMOUS WITH DIRECTORS DUANE CAVE, RICHARD FIORE, DONALD FROELICH, BILL MOORHEAD, SHERRY WANNINGER AND BRIAN PROBOLSKY ALL VOTING ‘AYE’.

ADJOURNMENT

The meeting was adjourned at 5:40 p.m.

Respectfully submitted,

Tim Bonita
Recording Secretary



moulton niguel water district

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

January 14, 2021

A Regular 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 6:01 PM on January 14, 2021. There were present and participating at 26880 Aliso Viejo Pkwy, Suite 150, Aliso Viejo, CA:

DIRECTORS

Duane Cave	Vice President
Richard Fiore	Director
Donald Froelich	Vice President
Bill Moorhead	Director
Brian Probolsky	President
Diane Rifkin	Director
Sherry Wanninger	Director (via teleconference)

Also present and participating were:

STAFF MEMBERS IN-PERSON

Joone Lopez	General Manager
Matt Collings	Assistant General Manager
Tim Bonita	Recording Secretary

**STAFF MEMBERS, LEGAL COUNSEL, AND MEMBERS OF THE PUBLIC
TELEPHONICALLY**

Rod Woods	Director of Engineering
Johnathan Cruz	Director of Financial Planning & Innovation
Gina Hillary	Director of Human Resources
Todd Novacek	Director of Operations

Jeff Ferre	Best, Best, & Krieger (General Counsel)
Paige Gulck	Board Secretary
Trevor Agrelius	MNWD
Matt Brown	MNWD
Todd Dmytryshyn	MNWD
Shanika Goonewardene	MNWD
David Larsen	MNWD
Genevieve Ramirez	MNWD
Lindsey Stuvick	MNWD
Kaden Young	MNWD

1. CALL MEETING TO ORDER:

The meeting was called to order by President Probolsky at 6:01 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. PLEDGE OF ALLEGIANCE:

Director Rifkin led the Pledge of Allegiance.

3. PUBLIC COMMENTS:

None.

PRESENTATION ITEM:

4. QUARTERLY INVESTMENT REPORT - CHANDLER ASSET MANAGEMENT

Jayson Schmitt from Chandler Asset Management presented the Quarterly Investment Report.

CONSENT CALENDAR ITEMS:(Items on the Consent Calendar have been discussed at the regularly scheduled Administrative and Technical Committee meetings)

5. MINUTES OF THE DECEMBER 10, 2020 BOARD OF DIRECTORS MEETING

6. MINUTES OF THE DECEMBER 23, 2020 SPECIAL BOARD OF DIRECTORS MEETING

9. AMENDMENT NO. 2 FOR ON-CALL INSPECTION SUPPORT SERVICES

It is recommended that the Board of Directors approve Amendment No. 2 to the On-Call

Inspection Support Services Agreement with MWH Constructors in the amount of \$175,000 for a total not-to-exceed amount of \$925,000; authorize the General Manager or Assistant General Manager to execute the amendment; and to approve amendments up to 10% of the total contract value.

10. MOBILE BYPASS PUMP PURCHASE

It is recommended that the Board of Directors approve the purchase of a mobile Xylem (Godwin) Dri-Prime HL200M Bypass Pump in the amount of \$203,000.

Director Rifkin stated she would be abstaining from voting on Items 4 and 5.

MOTION DULY MADE BY DONALD FROELICH AND SECONDED BY BILL MOORHEAD, ITEMS 5, 6, 9 AND 10 WERE APPROVED AS PRESENTED. A ROLL CALL VOTE WAS TAKEN AND THE VOTE WAS UNANIMOUS WITH DIRECTORS DUANE CAVE, RICHARD FIORE, DONALD FROELICH, BILL MOORHEAD, DIANE RIFKIN, SHERRY WANNINGER, AND BRIAN PROBOLSKY ALL VOTING 'AYE'.

7. AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT FOR THE PLANT 3A SOLIDS HANDLING FACILITIES IMPROVEMENTS

It is recommended that the Board of Directors approve Amendment No. 1 to the Professional Services Agreement for engineering services with Hazen & Sawyer in the amount of \$321,957 for a new total contract amount of \$2,679,807; authorize the General Manager or Assistant General Manager to execute the amendment; and to approve amendments up to 10% of the total contract value.

This item was pulled from consent by Director Wanninger. Discussion ensued regarding the item.

MOTION DULY MADE BY SHERRY WANNINGER AND SECONDED BY DUANE CAVE, ITEM 7 WAS APPROVED AS PRESENTED. A ROLL CALL VOTE WAS TAKEN AND THE VOTE WAS UNANIMOUS WITH DIRECTORS DUANE CAVE, RICHARD FIORE, DONALD FROELICH, BILL MOORHEAD, DIANE RIFKIN, SHERRY WANNINGER, AND BRIAN PROBOLSKY ALL VOTING 'AYE'.

8. CONSTRUCTION CONTRACT AMENDMENT FOR THE ELECTRICAL DISTRIBUTION EQUIPMENT REPLACEMENTS

It is recommended that the Board of Directors amend the construction services contract with Southern Contracting Company by \$45,834 for a total contract amount of \$544,334; extend the contract through November 30, 2021; and authorize the General Manager or Assistant General Manager to execute the contract change order.

This item was pulled from consent by Director Wanninger. Discussion ensued regarding the item.

MOTION DULY MADE BY SHERRY WANNINGER AND SECONDED BY DONALD FROELICH, ITEM 8 WAS APPROVED AS PRESENTED. A ROLL CALL VOTE WAS TAKEN AND THE VOTE WAS UNANIMOUS WITH DIRECTORS DUANE CAVE, RICHARD FIORE, DONALD FROELICH, BILL MOORHEAD, DIANE RIFKIN, SHERRY WANNINGER, AND BRIAN PROBOLSKY ALL VOTING 'AYE'.

TECHNICAL MATTERS:

11. PRETREATMENT AND SOURCE CONTROL PROGRAM ORDINANCE

It is recommended that the Board of Directors repeal Ordinance 09-2 and adopt Ordinance 21-1 for The Waste Discharge Pretreatment and Source Control Program.

Matt Collings provided information on the item. Discussion ensued regarding the Ordinance.

MOTION DULY MADE BY DUANE CAVE AND SECONDED BY BILL MOORHEAD, ITEM 11 WAS APPROVED AS PRESENTED. A ROLL CALL VOTE WAS TAKEN AND THE VOTE WAS UNANIMOUS WITH DIRECTORS DUANE CAVE, RICHARD FIORE, DONALD FROELICH, BILL MOORHEAD, DIANE RIFKIN, SHERRY WANNINGER, AND BRIAN PROBOLSKY ALL VOTING 'AYE'.

INFORMATION ITEMS:

12. MONTHLY FINANCIAL REPORT

Trevor Agrelius provided the Monthly Financial Report.

13. FISCAL YEAR 2021-22 BUDGET UPDATE

Johnathan Cruz presented the Fiscal Year 2021-22 Budget Update.

LEGAL MATTERS:

14. 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.

MOTION DULY MADE BY BILL MOORHEAD AND SECONDED BY RICHARD FIORE, TO ELECT BRIAN PROBOLSKY AS PRESIDENT, DUANE CAVE AS 1ST VICE

PRESIDENT AND DONALD FROELICH AS 2ND VICE PRESIDENT FOR NEW TERMS. A ROLL CALL VOTE WAS TAKEN AND THE VOTE WAS UNANIMOUS WITH DIRECTORS DUANE CAVE, RICHARD FIORE, DONALD FROELICH, BILL MOORHEAD, DIANE RIFKIN, SHERRY WANNINGER, AND BRIAN PROBOLSKY ALL VOTING 'AYE'.

15. BOARD PER DIEM

Discussion ensued regarding the item. The Board directed staff to make the appropriate notices and agenda items at a future meeting.

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

Joone Lopez provided the following updates and reports:

- *COVID-19 update*
- *The District will be recognized as the spotlight member for the upcoming ISDOC meeting on January 28th*
- *The District has been designated a Top Workplace USA company and the virtual awards event is on January 27th*
- *The District maintained its AAA rating with Fitch*

PRESIDENT'S REPORT:

President Probolsky stated that he attended the Fitch Surveillance meeting. President Probolsky reported that he has been participating in the South County Agencies meetings and is part of the ad-hoc committee tasked with recommending a candidate to MWDOC to serve as the representative to MET. President Probolsky stated that he participated in the All Hands meeting with staff on December 29th and provided the opening remarks for the CaDC workshop on January 14th.

BOARD REPORTS:

Duane Cave welcomed Director Rifkin to the Board. Duane reported that he attended the San Juan Basin Authority meeting on January 12th.

Sherry Wanninger stated that she attended multiple meetings including the Mission Viejo Chamber of Commerce, WACO, MWDOC, San Juan Basin Authority and the CA Data Collaborative.

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

Bill Moorhead stated that he would like to receive an update on Leak Detection at a future meeting.

LATE ITEMS: (Appropriate Findings to be Made)

None.

ADJOURNMENT:

The meeting was adjourned at 8:15 p.m.

Respectfully submitted,

Tim Bonita
Recording Secretary

Also following a competitive solicitation, District staff executed a \$75,000 contract with LSA Associates, Inc. (LSA) to initially prepare and submit a SAA application package to the California Department of Fish and Wildlife (CDFW), prepare a Vegetation Management Plan for La Paz Creek, assist with CEQA compliance and other required permits, and assist with the procurement of HRS' services for vegetation removal and management. LSA has been providing the required maintenance and restoration monitoring that is required to comply with the SAA. This includes ongoing oversight of HRS, as well as coordination and reporting to the CDFW for the five years following the initial vegetation clearing effort.

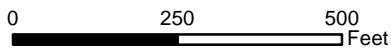
DISCUSSION:

The initial clearing of non-native vegetation and debris occurred in February 2017. However, due to limited rainfall, the re-growth of native species has been challenging. Additional plantings and seeding were deemed necessary to meet the regrowth requirements of the SAA. The original level of effort anticipated by LSA and District staff in 2016 will not be sufficient to complete the anticipated services that will be required to complete this project and comply with all requirements of the SAA. LSA has been instrumental in providing its expertise and oversight of this ongoing effort.

Therefore, Staff is recommending approval of an additional not-to-exceed contingency of \$50,000 to allow LSA to continue providing services on a time and materials basis through term of the SAA and corresponding 5-year reporting period. If additional requirements are imposed by the CDFW at that time, District staff will evaluate its options and present a future recommendation to the Board.

This project is part of the capital improvement program costs for the Plant 3A facility, of which Santa Margarita Water District's proportionate share is 28-percent.

Attachment: Exhibit A - Location Map



Scale = 1:3,500

**Exhibit "A" Location Map
La Paz Creek Vegetation Management
Contract No. 2016.016**



moulton niguel water district

STAFF REPORT

TO: Board of Directors **MEETING DATE:** February 11, 2021

FROM: Todd Novacek, Director of Operations
Adrian Tasso, Superintendent of Operations

SUBJECT: Vehicle Replacement – Hydro Excavator Truck

SUMMARY:

Issue: Board action is required to authorize the purchase of a 2021 Vactor Hydro Excavator Truck to replace the existing Unit #73.

Recommendation: It is recommended that the Board of Directors approve the purchase of a 2021 Vactor Hydro Excavator Truck for \$488,473.

Fiscal Impact: Sufficient funds are included in the adopted Fiscal Year 2020-2021 Budget.

Reviewed by Committee: Yes, recommended for approval at Technical Committee Meeting on February 1, 2021.

Reviewed by Legal: Not applicable

BACKGROUND:

District staff utilizes hydro-excavator trucks as the primary tool to expose underground infrastructure during both planned and emergency repairs, as well as emergency clean-up on job sites. In calendar year 2020, the District utilized hydro-excavators to perform excavations on a total of 255 repairs.

Hydro Excavation has many benefits to the District. Staff utilize these units to stay in compliance with city storm drain regulations (MS4), our own NPDES permit requirements, increased excavation safety, and to mitigate potentially costly damage incurred to other utilities while excavating District infrastructure. This new proposed hydro-excavator will replace Unit #73, which is seventeen years old, has logged over 11,000 hours and has consequently seen an increase in maintenance requirements. Currently, the District has three hydro-excavators that are utilized on a daily basis.

DISCUSSION:

Comparative price analysis for this equipment purchase was performed through Sourcewell (previously National Joint Powers Alliance) which is a public agency that executes cooperative purchasing contracts for the benefit of its members. Sourcewell contracts are competitively solicited nationally.

MNWD is a member of Sourcewell (ID# 158819) and is authorized by California Government Code Section 6502 and Section 23 of MNWD's 2019 Purchasing Policy to participate in cooperative purchasing agreements with other public agencies. Staff is recommending the purchase of a 2021 Vactor Hydro-Excavator Truck, in the amount of \$488,473 based on cost, and satisfaction of District's requirements.

RESOLUTION NO. 21-___

**RESOLUTION OF THE BOARD OF DIRECTORS OF
MOULTON NIGUEL WATER DISTRICT
ESTABLISHING DATES AND TIMES FOR REGULAR BOARD MEETINGS
AND ESTABLISHING COMMITTEES**

WHEREAS, pursuant to Water Code Section 34802 and Government Code Section 54954, the Moulton Niguel Water District (“District”) shall hold regular meetings of the Board of Directors at such time and place as may be agreed upon by resolution. In addition, such a resolution should be adopted to establish Board standing committees and the time and place for meetings of such committees.

WHEREAS, the Board currently holds its Regular Board Meetings on the second Thursday of each month, and also schedules standing committee meetings which currently include an Administrative Standing Committee and a Technical Standing Committee. A Community Relations Forum is currently held on a biannual basis.

WHEREAS, the Board continually reviews its organization and procedures with a view toward enhancing access to public meetings and improving the efficient operation of the business of the Board.

WHEREAS, the Board desires to adopt this Resolution in order to establish new schedules for meetings of the standing committees.

NOW, THEREFORE, the Board of Directors of the Moulton Niguel Water District does hereby **RESOLVE, DETERMINE** and **ORDER** as follows:

Section 1. The Administrative Standing Committee shall conduct regular meetings on the Wednesday in the week of the Regular Board Meeting for each month. Upon appointment of the Committee Chair, the Committee Chair shall determine the time for regular meetings and said time shall be included on the District’s website as part of the Committee meeting schedule.

Section 2. The Technical Standing Committee shall conduct regular meetings on the Monday in the week of the Regular Board Meeting for each month. Upon appointment of the Committee Chair, the Committee Chair shall determine the time for regular meetings and said time shall be included on the District’s website as part of the Committee meeting schedule.

Section 3. The Secretary of the District is hereby directed to conform any terms in the District’s policies or other documents to conform to the changes in the schedule for the meetings approved by this Resolution.

Section 4. Any existing resolutions or other policies of the District which may be in conflict with the provisions of this Resolution shall be of no further force or effect upon the effective date of this Resolution.

Section 5. This Resolution shall be in effect as of the date of adoption.

Section 6. In the event any part of this Resolution shall be deemed to be unenforceable, it is the intent of the Board that the remaining provisions shall remain in effect.

APPROVED, SIGNED and ADOPTED this 11th day of February, 2020.

MOULTON NIGUEL WATER DISTRICT

President
MOULTON NIGUEL WATER DISTRICT
and the Board of Directors thereof

Secretary
MOULTON NIGUEL WATER DISTRICT
and the Board of Directors thereof

MOULTON NIGUEL WATER DISTRICT
Summary of Financial Results
February 11, 2021

Year to date unaudited results of operations as of December 31, 2020, are summarized below.

Total operating revenues were \$38.2 million for the month ended, which came in at 56% of the budget. Total operating expenses ended at \$38.1 million, which amounted to 47% of the approved budget. Total net income for the period ended was \$4.6 million. The District has received 53% of the budgeted amount for property taxes thus far. The District expects to receive more allotments in April 2021.

The District currently has \$3.7 million available in the Water Efficiency Fund for new projects, rebate applications or additional programs. The remaining balance considers \$0.3 million in approved water efficiency program commitments, as well as \$3.0 million in capital spending this fiscal year, and future expected grant reimbursements for the Smart Meter project. The Smart Meter Project accounts for \$2.3 million of the \$3.0 million capital spending for this fund.

The District's total unrestricted cash and investments balance at December 31, 2020, was \$132.0 million. The construction in progress balance has increased by \$26.1 million this year, driven by the execution of the District's capital improvement plan.

The District also holds \$3.5 million in cash that is deposited with the District's fiscal agent. The District only has one reserve as required by the bond indentures for the 2015 Revenue Refunding Bonds. The reserve is calculated using ten percent of the outstanding principal remaining on the bonds. With \$6.6 million remaining on that debt, the reserve has declined to \$0.7 million. The excess funds will be moved to the installment payment fund to pay the next scheduled payment in March.

Based on the approved fiscal year 2020-21 Budget, the Board had established a target reserve level of \$69.8 million, and as of the end of this period, the District held \$69.9 million in reserves. Additionally, the District has \$37.3 million available in the funds designated for capital projects.

Moulton Niguel Water District
All Funds - Budget Comparison Report
Year To Date Totals December 31, 2020

	1	2	3	=3-1	=1/3
Description	Fiscal Year to Date Actuals	Prior Fiscal Year to Date Actuals	Current Year Approved Budget	Current Year Budget Balance	% of Actuals to Budget
ALL FUNDS					
<u>Operating Revenues</u>					
Water Sales	\$ 17,535,859	\$ 15,929,091	\$ 31,438,154	\$ 13,902,295	56%
Recycled Water Sales	3,526,013	3,124,099	5,941,355	2,415,342	59%
Sewer Sales	13,696,983	13,078,125	25,446,037	11,749,054	54%
Water Efficiency	3,341,796	2,655,809	4,587,175	1,245,379	73%
Other Operating Income	102,763	200,048	1,079,522	976,759	10%
A Total Operating Revenue	38,203,414	34,987,171	68,492,243	30,288,829	56%
<u>Operating Expenses</u>					
Salaries ¹	7,107,184	6,903,355	16,159,959	9,052,775	44%
PERs Employer Contributions	1,524,381	1,262,596	2,824,211	1,299,830	54%
Defined Contribution 401A ¹	129,544	124,691	294,546	165,002	44%
Educational Courses	22,505	23,953	86,360	63,855	26%
Travel & Meetings	25,194	167,472	391,501	366,307	6%
Recruitment & Employee Relations	4,359	4,211	98,055	93,696	4%
General Services	173,774	165,189	528,874	355,100	33%
Annual Audit	26,750	18,850	55,000	28,250	49%
Member Agencies O&M	211,822	117,717	515,520	303,698	41%
Dues & Memberships	82,693	127,154	208,647	125,954	40%
Election Expenses	-	-	180,000	180,000	0%
Consulting Services	1,001,637	1,078,645	3,272,000	2,270,363	31%
Equipment Rental	25,472	30,832	63,010	37,538	40%
District Fuel	105,409	137,558	330,000	224,591	32%
Insurance - District	311,878	255,562	558,300	246,422	56%
Insurance - Personnel	251,496	242,188	402,638	151,142	62%
Insurance - Benefits ¹	2,299,540	1,865,277	3,535,028	1,235,488	65%
Legal Services - Personnel	4,633	5,903	50,000	45,367	9%
Legal Services - General	86,976	89,318	620,000	533,024	14%
District Office Supplies	267,908	456,529	1,093,053	825,145	25%
District Operating Supplies	393,885	697,951	1,159,250	765,365	34%
Repairs & Maintenance - Equipment	439,969	610,006	1,406,595	966,626	31%
Repairs & Maintenance - Facilities	1,341,577	1,680,299	4,359,324	3,017,747	31%
Safety Program & Compliance Requirements	145,479	159,524	363,787	218,308	40%
Wastewater Treatment	4,687,609	4,574,770	9,374,975	4,687,366	50%
Special Outside Assessments	31,186	27,290	153,967	122,781	20%
Utilities	1,584,177	1,321,803	3,079,533	1,495,356	51%
Water Purchases	15,534,655	13,837,251	28,637,921	13,103,266	54%
Water Efficiency	267,611	689,512	1,850,000	1,582,389	14%
B Total Operating Expenses	38,089,302	36,675,404	81,652,053	43,562,752	47%
A-B Operating Income (Loss)	114,113	(1,688,233)	(13,159,810)	(13,273,923)	
<u>Non-Operating Revenues (Expenses)</u>					
Property Tax Revenue	16,413,421	15,683,732	30,744,255	14,330,834	53%
Investment Income ²	472,536	1,455,010	2,469,486	1,996,950	19%
Property Lease Income	827,386	883,485	1,943,911	1,116,525	43%
Interest Expense	(2,073,050)	(1,842,079)	(4,945,081)	(2,872,031)	42%
Misc. Non-Operating Income (Expense)	(9,477)	419,053	245,312	254,789	-4%
Capacity and Demand Offset Fees	36,959	47,119	420,384	383,425	9%
C Total Non-Operating Revenue (Expenses)	15,667,775	16,646,321	30,457,883	14,790,108	51%
A-B+C Change in All Funds	\$ 15,781,887	\$ 14,958,088	\$ 17,298,073	\$ 1,516,186	
<u>Other Non Cash Expenses</u>					
Depreciation and amortization	11,192,122	10,663,793	-	(11,192,122)	n/a
D Total Change in Net Position	4,589,766	4,294,295	17,298,073	12,708,307	

Note: Totals may not sum due to rounding.

1. The District has capitalized \$848,920 in salaries and benefits year-to-to date related to time spent on capital projects.
2. Investment income is comprised of realized income of \$1,459,801 and unrealized income (loss) of (\$987,265).

**Moulton Niguel Water District
All Funds - Budget Comparison Report
Year To Date Totals December 31, 2020
Legal Services - General**

Firm	Water Use		Capital ²	Total
	General ¹	Efficiency ¹		
Alvarado Smith APC	\$ 11,635	\$ -	\$ -	\$ 11,635
Best Best & Krieger LLP	68,917	6,424	14,246	89,587
Total	80,552	6,424	14,246	101,222
Budget Amount	600,000	20,000	-	620,000
Budget Balance	\$ 519,448	\$ 13,577	n/a	\$ 533,024

Note: Totals may not sum due to rounding.

1. Legal Services - General on the previous page is made up of the General balance of \$80,552 and the \$6,424 Water Use Efficiency balance, for a total of \$86,976.
2. Capital legal services represent legal services rendered during construction and are capitalized by the District as part of the project. Each project has a separate budget for legal expenses and those individual budgets are not included as part of this schedule.

Consulting Services - Grant Administration

Firm	YTD	Overall
Nossaman LLP	\$ -	\$ 85,250
West Yost Associates ³	11,615	185,948
Grants Received ⁴	-	(4,585,430)
Totals	\$ 11,615	\$ (4,314,233)

3. West Yost compiled the AMI WaterSmart final closeout documents for Phase I and II and prepared documents for additional grant applications, including the AMI Phase II and III projects, and two additional Cal OES grant applications.

4. The District has received two grants from the US Bureau of Reclamation since the start of the grant administration program, totalling \$1.8 million, and one grant from the California Governor's Office of Emergency Services (Cal-OES) for \$2.8 million for the potable steel reservoir seismic retrofit project. Additionally, the District has received over \$0.7 million in grants from the Metropolitan Water District of Southern California and MWDOC that are not included in this schedule as those grants were received and awarded utilizing internal staff only.

Moulton Niguel Water District
General Fund - Budget Comparison Report
Year To Date Totals December 31, 2020

	1	2	=1-2	=2/1
Description	Approved Budget	Fiscal Year to Date Actuals	Budget Balance	% of Actuals to Budget
GENERAL FUND				
<u>Operating Revenues</u>				
Water Sales	\$ 31,438,154	\$ 17,535,859	\$ 13,902,295	56%
Recycled Water Sales	5,941,355	3,526,013	2,415,342	59%
Sewer Sales	25,446,037	13,696,983	11,749,054	54%
Other Operating Income	1,079,522	102,763	976,759	10%
A Total Operating Revenue	63,905,068	34,861,618	29,043,450	55%
<u>Operating Expenses</u>				
Salaries	14,531,475	6,337,188	8,194,288	44%
PERs Employer Contributions	2,610,595	1,397,034	1,213,561	54%
Defined Contribution 401A	263,876	115,979	147,897	44%
Educational Courses	80,360	18,218	62,142	23%
Travel & Meetings	340,301	23,444	316,857	7%
Recruitment & Employee Relations	98,055	4,359	93,696	4%
General Services	528,874	173,774	355,100	33%
Annual Audit	55,000	26,750	28,250	49%
Member Agencies O&M	515,520	211,822	303,698	41%
Dues & Memberships	131,147	78,359	52,788	60%
Election Expenses	180,000	-	180,000	0%
Consulting Services	1,799,000	693,410	1,105,590	39%
Equipment Rental	63,010	25,472	37,538	40%
District Fuel	330,000	105,409	224,591	32%
Insurance - District	558,300	311,878	246,422	56%
Insurance - Personnel	371,257	235,964	135,293	64%
Insurance - Benefits	3,216,962	2,089,264	1,127,698	65%
Legal Services - Personnel	50,000	4,633	45,367	9%
Legal Services - General	600,000	80,552	519,448	13%
District Office Supplies	706,803	182,255	524,548	26%
District Operating Supplies	1,158,250	391,861	766,389	34%
Repairs & Maintenance - Equipment	1,381,595	436,317	945,278	32%
Repairs & Maintenance - Facilities	4,359,324	1,341,577	3,017,747	31%
Safety Program & Compliance Requirements	361,137	144,555	216,582	40%
Wastewater Treatment	9,374,975	4,687,609	4,687,366	50%
Special Outside Assessments	153,967	31,186	122,781	20%
Utilities	3,079,533	1,584,177	1,495,356	51%
Water Purchases	28,637,921	15,534,655	13,103,266	54%
B Total Operating Expenses	75,537,237	36,267,702	39,269,535	48%
A-B Operating Income (Loss)	(11,632,169)	(1,406,083)	(10,226,085)	
<u>Non-Operating Revenues (Expenses)</u>				
Property Tax Revenue	30,744,255	16,413,421	14,330,834	53%
Investment Income	2,464,629	233,904	2,230,725	9%
Property Lease Income	1,943,911	827,386	1,116,525	43%
Misc. Non-Operating Income (Expense)	250,812	89,239	161,573	36%
C Total Non-Operating Revenue (Expenses)	35,403,607	17,563,950	17,839,657	50%
A-B+C Change in General Fund	\$ 23,771,439	\$ 16,157,867	\$ 7,613,572	56%
<u>Other Non Cash Expenses</u>				
Depreciation	-	11,192,122	(11,192,122)	n/a
D Total Change in Net Position	\$ 23,771,439	\$ 4,965,745	\$ 18,805,694	

Note: Totals may not sum due to rounding.

Moulton Niguel Water District
Water Efficiency Fund - Budget Comparison Report
Year To Date Totals December 31, 2020

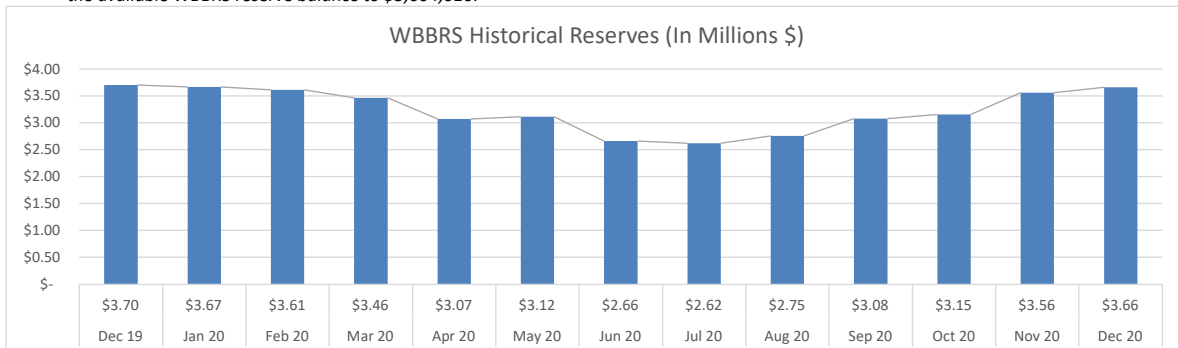
	1	2	=1-2	=2/1
Description	Approved Budget	Fiscal Year to Date Actuals	Budget Balance	% of Actuals to Budget
WATER EFFICIENCY FUND				
Projected Operating Revenue				
Water Efficiency	\$ 4,587,175	\$ 3,341,796	\$ 1,245,379	73%
A	Projected Total Operating Revenue	4,587,175	3,341,796	73%
Projected Operating Expenses				
Labor	2,222,217	1,136,717	1,085,500	51%
Educational Courses	6,000	4,287	1,713	71%
Travel & Meetings	51,200	1,749	49,451	3%
Dues & Memberships	77,500	4,333	73,167	6%
Consulting Services	1,473,000	308,227	1,164,773	21%
Legal Services	20,000	6,424	13,577	32%
Conservation supplies	387,250	87,676	299,574	23%
Repairs and Maintenance - Equipment	25,000	3,652	21,348	15%
Safety Program & Compliance Requirements	2,650	924	1,726	35%
Water Efficiency	1,850,000	267,611	1,582,389	14%
B	Projected Total Operating Expenses	6,114,817	4,293,217	30%
A-B	Projected Operating Income (Loss)	(1,527,642)	1,520,196	(3,047,838)
Projected Non-Operating Revenue				
Demand offset fees	96,079	34,237	61,842	36%
Investment Income	4,857	12,769	(7,912)	263%
C	Projected Total Non-Operating Revenue	100,936	47,006	53,930
A-B+C	Projected Change in Water Efficiency Fund	\$ (1,426,706)	\$ 1,567,203	\$ (2,993,909)

Note: Totals may not sum due to rounding.

Water Efficiency Available Net Position¹

Description	Approved Budget	Fiscal Year to Date Actuals	Budget Balance
Fund Net Position, Beginning of Year	\$ 5,436,059	\$ 5,436,059	\$ 5,436,059
Projected Change in Water Efficiency Fund	(1,426,706)	1,567,203	(2,993,909)
Project Commitments		(303,933)	
Capital Spending	(3,350,000)	(3,034,719)	
Fund Net Position, Year To Date Totals December 31, 2020	\$ 659,353	\$ 3,664,610	

1. In addition to realized expenditures, there is approximately \$303,933 in project commitments, and \$3,034,719 in capital spending, reducing the available WBBRS reserve balance to \$3,664,610.



MOULTON NIGUEL WATER DISTRICT
STATEMENT OF NET POSITION

	(Unaudited)	
	December 31, 2020	June 30, 2020
CURRENT ASSETS:		
Cash and investments	\$ 47,774,937	\$ 40,782,802
Accounts receivables:		
Water and sanitation charges	4,446,347	3,958,988
Property taxes	-	400,257
Grant Reimbursements	98,352	166,772
Other accounts receivable	-	1,215,292
Interest receivable	475,935	719,157
Inventory	1,433,514	1,440,862
Prepaid expenses	2,183,114	761,434
	56,412,199	49,445,564
NONCURRENT ASSETS:		
Investments	84,183,772	108,942,276
Restricted cash and investments with fiscal agent	3,542,251	11,373,458
Retrofit loans receivable	464,438	474,808
Lease receivable	15,175,090	15,175,090
Regulated assets	936,842	961,382
Intangible asset - right to use leased asset	1,880,958	1,880,958
Capital assets, net of accumulated depreciation	374,432,092	384,122,951
Capital assets not being depreciated:		
Land	1,091,910	1,091,910
Construction in progress	74,429,898	48,266,048
	556,137,251	572,288,881
TOTAL ASSETS	612,549,450	621,734,445
DEFERRED OUTFLOW OF RESOURCES:		
Deferred Charges on Refunding	268,854	317,736
Deferred Items related to Pension	5,559,108	5,559,108
Deferred Items related to OPEB	717,051	717,051
	6,545,013	6,593,895
TOTAL ASSETS AND DEFERRED OUTFLOW OF RESOURCES	\$ 619,094,463	\$ 628,328,340

MOULTON NIGUEL WATER DISTRICT
STATEMENT OF NET POSITION

	(Unaudited)	
	December 31, 2020	June 30, 2020
CURRENT LIABILITIES:		
Accounts payable	\$ 7,449,847	\$ 17,225,841
Interest payable	1,638,438	1,686,771
Unearned Revenue	79,499	697,186
Compensated absences	1,017,541	1,042,996
Current portion of long-term debt:		
Bonds payable	2,085,000	1,990,000
Certificates of participation	1,215,000	910,000
TOTAL CURRENT LIABILITIES	13,485,324	23,552,794
LONG-TERM LIABILITIES		
Compensated absences	339,180	347,665
Long-term debt:		
Bonds payable	53,095,000	55,180,000
Certificates of participation	62,445,000	63,660,000
Net Pension Liability	22,455,803	22,455,803
Net OPEB Liability	1,275,305	1,275,305
Present value of future lease payments	2,216,088	2,216,088
TOTAL LONG-TERM LIABILITIES	141,826,376	145,134,861
Bond Discount/Premium	13,893,982	14,341,646
TOTAL LIABILITIES	169,205,682	183,029,301
DEFERRED INFLOW OF RESOURCES:		
Deferred Items related to Pension	1,490,997	1,490,997
Deferred items related to OPEB	326,759	326,759
Present value of future lease receipts	15,175,090	15,175,090
TOTAL DEFERRED INFLOW OF RESOURCES	16,992,846	16,992,846
NET POSITION:		
Net investment in capital assets	321,632,735	309,716,709
Restricted for capital projects	40,843	295,848
Unrestricted	111,222,357	118,293,636
TOTAL NET POSITION	432,895,935	428,306,193
TOTAL LIABILITIES, DEFERRED INFLOW OF RESOURCES, AND NET POSITION	\$ 619,094,463	\$ 628,328,340

Note: Totals may not sum due to rounding.

MOULTON NIGUEL WATER DISTRICT
RESTRICTED CASH AND INVESTMENTS WITH FISCAL AGENT
As of December 31, 2020

	Reserve Requirement	(Unaudited) Balance 12/31/2020	Over (Under) Requirement	Balance 6/30/2020	Outstanding Debt Balance 12/31/2020
Restricted Cash and Investments:					
2015 Refunding Bonds Reserve	\$ 657,500	\$ 1,367,236	\$ 709,736	\$ 1,364,449	\$ 6,575,000
2019 Revenue Bonds	-	2,175,015	2,175,015	3,382,611	48,605,000
2019 Certificates of Participation	-	-	-	6,626,398	63,660,000
Total Restricted Trust Accounts	\$ 657,500	\$ 3,542,251	\$ 2,884,751	\$ 11,373,458	\$ 118,840,000

Note: Totals may not sum due to rounding.

FY	Remaining Payoff Schedule		
	Principal	Interest	Totals
2021*	\$ -	\$ 2,483,916	\$ 2,483,916
2022	3,300,000	4,812,831	8,112,831
2023	3,465,000	4,643,706	8,108,706
2024	3,640,000	4,466,081	8,106,081
2025	3,460,000	4,288,581	7,748,581
2026	3,630,000	4,111,331	7,741,331
2027	3,815,000	3,925,206	7,740,206
2028	4,005,000	3,728,806	7,733,806
2029	4,210,000	3,524,331	7,734,331
2030	4,415,000	3,308,706	7,723,706
2031	4,640,000	3,082,331	7,722,331
2032	4,865,000	2,854,581	7,719,581
2033	5,090,000	2,646,406	7,736,406
2034	5,280,000	2,448,097	7,728,097
2035	5,485,000	2,238,513	7,723,513
2036	5,705,000	2,010,088	7,715,088
2037	5,945,000	1,768,925	7,713,925
2038	6,185,000	1,522,738	7,707,738
2039	6,440,000	1,265,613	7,705,613
2040	6,700,000	995,594	7,695,594
2041	2,490,000	819,600	3,309,600
2042	2,565,000	743,775	3,308,775
2043	2,645,000	665,625	3,310,625
2044	2,725,000	585,075	3,310,075
2045	2,805,000	502,125	3,307,125
2046	2,890,000	416,700	3,306,700
2047	2,975,000	328,725	3,303,725
2048	3,065,000	238,125	3,303,125
2049	3,155,000	144,825	3,299,825
2050	3,250,000	48,750	3,298,750
	\$ 118,840,000	\$ 64,619,706	\$ 183,459,706

* Thus far this year the District has made \$5.4M in debt service payments, consisting of \$2.9M in principal and \$2.5M in interest

MOULTON NIGUEL WATER DISTRICT
NET POSITION
As of December 31, 2020

		(Unaudited)		
	Reserve Target	Balance 12/31/2020	Net Change	Balance 6/30/2020
Adopted Reserve Targets ¹				
Designated for Self Insurance Reserve	\$ 250,000	\$ 214,505	\$ (18,897)	\$ 233,402
Designated for Rate Stabilization	15,372,127	15,420,906	356,100	15,064,806
Designated for Emergency Reserves	35,300,000	35,300,000	-	35,300,000
Designated for Operating Reserves ²	18,884,259	18,919,754	(29,492,123)	48,411,877
Total Adopted Reserve Targets	\$ 69,806,386	\$ 69,855,165	\$ (29,154,920)	\$ 99,010,085
	FY Capital Budget ⁴			
Designated for Capital Projects ³				
Designated for Replacement and Refurbishment	\$ 41,393,593	24,680,798	\$ 11,143,140	\$ 13,537,658
Designated for Water Supply Reliability	100,000	99,472	90,315	9,157
Designated for Planning and Construction	21,048,504	12,550,103	12,249,426	300,677
Total Designated for Capital Projects	\$ 62,542,097	\$ 37,330,373	\$ 23,482,881	\$ 13,847,492
Other amounts				
Designated for Water Efficiency (WBRS)		\$ 4,036,818	\$ (1,399,241)	\$ 5,436,059
Restricted for Capital Facilities (Projects)		40,843	(255,005)	295,848
Net Investment in Capital Assets ⁵		321,632,735	11,916,026	309,716,709
Total Other amounts		\$ 325,710,397	\$ 10,261,781	\$ 315,448,616
Total Net Position		\$ 432,895,935	\$ 4,589,742	\$ 428,306,193

Note: Totals may not sum due to rounding.

1. Board designated balances represent available cash in that fund.
2. General Operating Reserves include the unrestricted, undesignated balance, and other general District accrued cash flows. This amount includes the remaining total cash balance of \$39,581,979.
3. Balances in the Capital Project Funds represent available and designated cash to fund identified CIP projects.
4. FY Budget also includes capital expenses of \$1,690,404 and \$3,350,000 in Funds 1 and 6, respectively, bringing the total CIP budget to \$67,582,501.
5. Net Investment in Capital Assets calculated as follows:

Total capital assets and regulated assets	\$ 451,834,858
Less capital related debt	(132,733,982)
Add deferred charges related to debt	268,854
Add leases receivable and regulated assets	16,111,932
Less leases payable and lease deferred outflows	(17,391,178)
Add fiscal agent cash	3,542,251
Total Net Investment in Capital Assets	\$ 321,632,735

**MOULTON NIGUEL WATER DISTRICT
SUMMARY OF DISBURSEMENTS
FOR THE MONTH OF JANUARY**

Summary of Disbursements in January:

General Fund Disbursements		4,960,282
 <u>Other Fund Disbursements:</u>		
Self Insurance Fund	1,920	
Water Efficiency Fund	290,341	
Replacement & Refurbishment Fund	536,247	
Planning & Construction Fund	664,325	
2019 COP payment	2,000	
Total Disbursements for all Funds	1,494,832	6,455,114

Detail of Major Expenditures in January:

1. Municipal Water District of Orange County (MWDOC)		
November Water Purchases 2039 AF	1,954,500	
November Readiness To Service Adjustment	115,136	
November Capacity Charge	28,851	
November SCP and SAC Operation Surcharges	10,341	
November Smart Timer Rebates	1,435	2,110,263
2. Pacific Hydrotech Corporation		
C#2017022 Regional Lift Station Enhancements, progress payment #6	591,604	
C#2019303 Plant 3A Primary Clarifiers Rehabilitation, progress payment #2	51,367	642,971
3. SS Mechanical Construction Corporation		
C#2018015 Casa Del Oso Pump Station Replacement, progress payment #5	96,805	
C#2018013 Cabot CIP Flow Control Facility, progress payment #3	44,294	
C#2011028 Paseo de Valencia Lift Station Rehabilitation, progress payment #15	10,106	151,205
4. Ferreira Construction Company		
C#2018003 RWOS Miscellaneous Distribution System Improvements, progress payment #4	115,521	
Emergency repair at Eaton Lane in Laguna Niguel	6,603	122,124
5. Southern Contracting Company		
C#2017001 Electrical System Improvements, progress payment #7		104,115
6. State Water Resources Control Board (SWRCB)		
FY 20/21 Water System Annual Fees		100,131

ORDINANCE NO. 21-02

**ORDINANCE OF THE BOARD OF DIRECTORS OF
MOULTON NIGUEL WATER DISTRICT
TO INCREASE THE AMOUNT OF PER DIEM FOR
MEMBERS OF THE BOARD OF DIRECTORS**

WHEREAS, Water Code Section 20200 *et seq.* sets forth the authority and procedure for establishing per diem compensation for the Board of Directors for attendance at meetings of the Board or for each day's services rendered as a Director. Occurrences constituting District business, official duties or each day's service rendered as a Director, as a "day service" are defined and authorized by separate policy of the District and by law; and

WHEREAS, the Water Code authorizes an increase in the per diem compensation that may be received by the Board of Directors up to an amount equal to five percent (5%) for each calendar year since the effective date of the last increase, and limits the total compensation that may be received to a maximum of ten (10) days per calendar month; and

WHEREAS, the Board of Directors last took action on February 27, 2020 to increase the per diem compensation amount from \$231.00 per day to \$242.55 per day; and

WHEREAS, the Board of Directors seeks to increase the amount of compensation in accordance with the provisions of the Water Code; and

WHEREAS, in accordance with Section 20203 of the Water Code and Section 6066 of the Government Code, a public hearing was held on February 11, 2021, at 6:00 p.m., or soon thereafter as practicable, at the Board meeting, and a notice of said hearing was duly published in the *Orange County Register*, a newspaper of general circulation, once a week for two weeks as follows: on January 22, 2021 and January 29, 2021. In an effort to prevent the spread of COVID-19, and in accordance with the Governor's Executive Order N-29-20, there was no public location for the hearing. Members of the public were provided the opportunity to provide comment telephonically or in writing.

NOW THEREFORE, THE BOARD OF DIRECTORS OF THE MOULTON NIGUEL WATER DISTRICT DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The amount of compensation to be received by members of the Board for each day's attendance at meetings of the Board, or for each day's service rendered as a Director, shall be in the amount of Two Hundred and Fifty Four Dollars and Sixty Five Cents (\$254.65). Said increase does not exceed an amount equal to five percent (5%) for each calendar year since the date of the last adjustment as authorized according to Water Code Section 20200.

Section 2. In accordance with Section 20202 of the Water Code, no member of the Board of Directors shall receive the compensation set forth in Section 1 of this Ordinance for more than ten (10) days in any calendar month.

Section 3 Any actual expenses, including mileage, incurred by members of the Board with respect to services rendered as a Director shall be reimbursed by the District upon

presentation of satisfactory evidence thereof and compliance with the applicable rules and regulations of the District.

Section 4. All ordinances, resolutions, or administrative actions by the Board of Directors, or parts thereof, that are inconsistent with any provision of this Ordinance are hereby superseded only to the extent of such inconsistency.

Section 5. Pursuant to Section 20204 of the Water Code, this Ordinance shall take effect sixty (60) days from the date of adoption.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of Moulton Niguel Water District held on February 11, 2021 by the following vote:

- Duane Cave:
- Richard Fiore:
- Donald Froelich:
- William Moorhead:
- Brian Probolsky:
- Diane Rifkin:
- Sherry Wanninger:

MOULTON NIGUEL WATER DISTRICT

President
MOULTON NIGUEL WATER DISTRICT
and the Board of Directors thereof

Secretary
MOULTON NIGUEL WATER DISTRICT
and the Board of Directors thereof

RESOLUTION 21-___

**RESOLUTION OF THE BOARD OF DIRECTORS OF
MOULTON NIGUEL WATER DISTRICT
APPOINTING DIRECTOR AND ALTERNATE TO ASSOCIATION OF CALIFORNIA
WATER AGENCIES/JOINT POWERS INSURANCE AUTHORITY (ACWA/JPIA)**

WHEREAS, on May 15, 1986, the Moulton Niguel Water District (MNWD) became a member of the Association of California Water Agencies/Joint Powers Insurance Authority (ACWA/JPIA); and

WHEREAS, MNWD Directors Brian Probolsky and Gary Kurtz were previously appointed the MNWD Director and Alternate Director, respectively to ACWA/JPIA; and

WHEREAS, the MNWD Board of Directors desires at this time to appoint a new Director and Alternate Director to ACWA/JPIA in accordance with the ACWA/JPIA Joint Powers Agency;

NOW, THEREFORE, the Board of Directors of Moulton Niguel Water District does hereby **RESOLVE, DETERMINE**, and **ORDER** as follows:

Section 1. President Brian Probolsky, is hereby appointed as MNWD’s Director to ACWA/JPIA as the date of this Resolution.

Section 2. Director Diane Rifkin is hereby appointed as MNWD’s Alternate Director to ACWA/JPIA as of the date of this Resolution.

Section 3. The Secretary of MNWD is hereby directed to file a certified copy of this Resolution with ACWA/JPIA.

Section 4. Resolution No. 19-02, “Appointing Director to Association of California Water Agencies/Joint Powers Insurance Authority (ACWA/JPIA)”, dated February 21, 2019, is hereby rescinded in its entirety.

ADOPTED, SIGNED and **APPROVED** this 11th day of February, 2021.

MOULTON NIGUEL WATER DISTRICT

President/Vice President of the
MOULTON NIGUEL WATER DISTRICT
and the Board of Directors thereof

Secretary/Assistant Secretary of the
MOULTON NIGUEL WATER DISTRICT
and the Board of Directors thereof

RESOLUTION NO. 21-___

**RESOLUTION OF THE BOARD OF DIRECTORS OF
MOULTON NIGUEL WATER DISTRICT
APPOINTING COMMISSIONER AND ALTERNATE
TO THE SANTIAGO AQUEDUCT COMMISSION (SAC)**

WHEREAS, the Moulton Niguel Water District (MNWD) is a member agency of the Santiago Aqueduct Commission (SAC), a joint powers agency, and MNWD is required pursuant to the Joint Powers Agreement establishing SAC to appoint both a Commissioner and Alternate Commissioner to represent MNWD on the Board of Commissioners of SAC; and

WHEREAS, MNWD Director Kelly Jennings and Assistant General Manager Matthew Collings, were previously appointed the MNWD Commissioner and Alternate Commissioner to SAC.; and

WHEREAS, the MNWD Board of Directors desires at this time to appoint a new Commissioner and Alternate Commissioner to the Santiago Aqueduct Commission (SAC);

NOW, THEREFORE, the Board of Directors of Moulton Niguel Water District does hereby **RESOLVE, DETERMINE** and **ORDER** as follows:

Section 1. Director Sherry Wanninger is hereby appointed as Commissioner to the Santiago Aqueduct Commission as the date of this Resolution.

Section 2. Assistant General Manager Matthew Collings is hereby appointed as Alternate Commissioner to SAC, as of the date of this Resolution.

Section 3. The Secretary of MNWD is hereby directed to file a certified copy of this Resolution with SAC.

Section 4. Resolution No. 19-05, “Resolution of the Board of Directors of the Moulton Niguel Water District Appointing Alternate Director to ACWA/JPIA”, dated February 19, 2019, is hereby rescinded in its entirety.

ADOPTED, SIGNED and **APPROVED** this 11th day of February, 2021.

MOULTON NIGUEL WATER DISTRICT

President/Vice President of the
MOULTON NIGUEL WATER DISTRICT
and the Board of Directors thereof

Secretary/Assistant Secretary of the
MOULTON NIGUEL WATER DISTRICT
and the Board of Directors thereof