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Water Needs

**MINUTES OF THE BOARD OF DIRECTORS
MESA WATER DISTRICT
Thursday, April 9, 2020
1965 Placentia Avenue, Costa Mesa, CA 92627
6:00 p.m. Regular Board Meeting**

CALL TO ORDER The meeting of the Board of Directors was called to order at 6:01 p.m. by President Dewane.

PLEDGE OF ALLEGIANCE President Dewane led the Pledge of Allegiance.

Directors Present Shawn Dewane, President *(teleconference)*
Marice H. DePasquale, Vice President *(teleconference)*
Jim Atkinson, Director *(teleconference)*
Fred R. Bockmiller, P.E., Director *(teleconference)*
James R. Fisler, Director *(teleconference)*

Directors Absent None

Staff Present Paul E. Shoenberger, P.E., General Manager
Phil Lauri, P.E., Assistant General Manager *(teleconference)*
Denise Garcia, Administrative Services Manager/
District Secretary
Wendy Duncan, Records Management Specialist/
Assistant District Secretary
Marwan Khalifa, CPA, MBA, Chief Financial Officer/
District Treasurer *(teleconference)*
Stacy Taylor, External Affairs Manager *(teleconference)*
Syndie Ly, Human Resources Manager *(teleconference)*
Tracy Manning, Water Operations Manager *(teleconference)*
Jeff Hoskinson, Partner, Atkinson, Andelson, Loya, Ruud &
Romo *(teleconference)*

Others Present Jonathan Aparicio, IT Support Engineer, T2 Tech Group

President Dewane stated that the Board of Directors was attending the meeting via teleconference per Governor Newsom's Executive Order N-29-20 which suspended certain provisions of the Ralph M. Brown Act.

President Dewane stated that for each action, a roll call vote was taken in accordance with California Government Code Section 54953 (b)(2) which states, "all votes taken during a teleconferenced meeting shall be by roll call."

President Dewane proceeded with the meeting.

PUBLIC COMMENTS

President Dewane asked for public comments.

There were no comments.

ITEMS TO BE ADDED, REMOVED, OR REORDERED ON THE AGENDA

General Manager Shoenberger reported there were no items to be added, removed, or reordered on the agenda.

CONSENT CALENDAR ITEMS:

Approve all matters under the Consent Calendar by one motion unless a Board member, staff, or a member of the public requests a separate action.

Director Bockmiller pulled Item 13 for discussion. There were no objections.

1. Approve minutes of regular Board meeting of March 12, 2020.
2. Approve minutes of special Board meeting of March 17, 2020.
3. Approve attendance considerations (additions, changes, deletions).
4. Board Schedule:
 - Conferences, Seminars, and Meetings
 - Board Calendar
7. Award a contract to Letner Roofing Co. in the amount of \$214,900 with a 10% contingency of \$21,490 for a contract amount not to exceed \$236,390 for construction of new roof membranes on the buildings at Wells 5 and 9, and associated fall protection guardrails on the building at Well 5.
6. Receive and file the Developer Project Status Report.
7. Receive and file the Mesa Water and Other Agency Projects Status Report.
8. Receive and file the Water Quality Call Report.
9. Receive and file the Water Operations Status Report.
10. Receive and file the Accounts Paid Listing.
11. Receive and file the Monthly Financial Reports.
12. Approve the nomination of James R. Fidler to the regular special district member seat on the Orange County Local Agency Formation Commission and authorize President Shawn Dewane to be the voting delegate and Vice President Marice H. DePasquale as the alternate for the Special District Member Seat Election.
13. Approve the updated Orange County Local Agency Formation Commission (OC LAFCO) dues structure to pay for the Special District portion of the OC LAFCO budget.
14. Approve a proclamation honoring Art Hernandez for his dedicated and committed service to Mesa Water District.

President Dewane asked for public comments. There were no comments.

MOTION

Motion by Vice President DePasquale, second by Director Atkinson, to approve Items 1 – 12 and Item 14 of the Consent Calendar. Motion passed 5-0, by the following roll call vote:

AYES: DIRECTORS Atkinson, Bockmiller, Fisler, DePasquale, Dewane
NOES: DIRECTORS None
ABSTAIN: DIRECTORS None
ABSENT: DIRECTORS None

ITEM 13 – Approve the updated Orange County Local Agency Formation Commission (OC LAFCO) dues structure to pay for the Special District portion of the OC LAFCO budget.

Discussion ensued amongst the Board.

MOTION

Motion by Vice President DePasquale, second by Director Atkinson, to approve the updated Orange County Local Agency Formation Commission (OC LAFCO) dues structure to pay for the Special District portion of the OC LAFCO budget. Motion passed 4-1, by the following roll call vote:

AYES: DIRECTORS Atkinson, Fisler, DePasquale, Dewane
NOES: DIRECTORS Bockmiller
ABSTAIN: DIRECTORS None
ABSENT: DIRECTORS None

ACTION ITEMS:

15. RATIFICATION OF CORONAVIRUS DISEASE 2019 RELATED ACTIONS:

MOTION

Motion by Director Fisler, second by Director Atkinson, to ratify actions taken to date by the General Manager and management staff in response to the crisis caused by the Coronavirus Disease 2019 pandemic. Motion passed 5-0, by the following roll call vote:

AYES: DIRECTORS Atkinson, Bockmiller, Fisler, DePasquale, Dewane
NOES: DIRECTORS None
ABSTAIN: DIRECTORS None
ABSENT: DIRECTORS None

16. STATE LEGISLATION POSITIONS:

MOTION

Motion by Vice President DePasquale, second by Director Bockmiller, to approve the recommended positions. Motion passed 5-0, by the following roll call vote:

AYES: DIRECTORS Atkinson, Bockmiller, Fisler, DePasquale, Dewane
NOES: DIRECTORS None
ABSTAIN: DIRECTORS None
ABSENT: DIRECTORS None

17. MESA WATER RELIABILITY FACILITY PARKING PROJECT:

MOTION

Motion by Director Bockmiller, second by Vice President DePasquale, to:

- a. Award a contract to GMC Engineering, Inc. in the amount of \$697,000 with a 10% contingency for a contract amount not to exceed \$766,700 for construction of the Mesa Water Reliability Facility (MWRF) Parking Project; and authorize execution of the contract.
- b. Award a contract to Butier Engineering, Inc. in the amount to \$98,608 with a 10% contingency for a contract amount not to exceed \$108,469 to provide construction management and inspection services for the MWRF Parking Project; and authorize execution of the contract.
- c. Award a contract to NV5, Inc. in the amount of \$15,500 with a 10% contingency for a contract amount to exceed \$17,050 to provide engineering services during construction of the MWRF Parking Project; and authorize execution of the contract.

Motion passed 5-0, by the following roll call vote:

AYES: DIRECTORS Atkinson, Bockmiller, Fisler, DePasquale, Dewane
NOES: DIRECTORS None
ABSTAIN: DIRECTORS None
ABSENT: DIRECTORS None

18. MESA WATER RELIABILITY FACILITY OUTREACH CENTER:

MOTION

Motion by Director Atkinson, second by Vice President DePasquale, to award a contract to IBI Group in the amount of \$574,330 with a 10% contingency for a contract amount not to exceed \$631,763 for design and construction support services for the Mesa Water Reliability Facility (MWRF) Outreach Center and two spare parts storage buildings (MWRF and Well 9); and authorize execution of the contract. Motion passed 5-0, by the following roll call vote:

AYES: DIRECTORS Atkinson, Bockmiller, Fisler, DePasquale, Dewane
NOES: DIRECTORS None
ABSTAIN: DIRECTORS None
ABSENT: DIRECTORS None

19. WELL 1 NOISE MITIGATION PROJECT:

MOTION

Motion by Director Bockmiller, second by Vice President DePasquale, to:

- a. Reject the only bid for the project; and
- b. Give the General Manager, or his designee, authority to negotiate and, as appropriate, execute a contract with Paulus Engineering for a not to exceed amount of \$170,000 plus a 10% contingency, for a total not to exceed amount of \$187,000 to perform construction of the Well 1 Noise Mitigation Enclosure.

Motion passed 5-0, by the following roll call vote:

AYES: DIRECTORS Atkinson, Bockmiller, Fisler, DePasquale, Dewane
NOES: DIRECTORS None
ABSTAIN: DIRECTORS None
ABSENT: DIRECTORS None

20. 3rd PARTY METER MONITORING DEVICES:

MOTION

Motion by Director Bockmiller, second by Vice President DePasquale, to approve a pilot program for use of non-invasive 3rd party meter monitoring devices (3rd Party Devices) for a period of 1-year with execution of a Customer waiver.

Motion passed 4-1, by the following roll call vote:

AYES: DIRECTORS Bockmiller, Fisler, DePasquale, Dewane
NOES: DIRECTORS Atkinson
ABSTAIN: DIRECTORS None
ABSENT: DIRECTORS None

PRESENTATION AND DISCUSSION ITEMS:

None.

REPORTS:

21. REPORT OF THE GENERAL MANAGER:

- March Key Indicators Report
- Other (no enclosure)

22. DIRECTORS' REPORTS AND COMMENTS

INFORMATION ITEMS:

23. DIRECTORS' REPORTS (AB 1234) PER CA GOVERNMENT CODE SECTION 53232.3 (D)

24. OTHER (NO ENCLOSURE)

RECESS

President Dewane declared a recess at 7:43 p.m.

The meeting reconvened at 7:46 p.m.

CLOSED SESSION:

President Dewane announced that the Board was going into Closed Session at 7:46 p.m.

- 25. CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOVERNMENT CODE 54957.6:
District Negotiator: General Manager
Employee Organization: District Employees

The Board returned to Open Session at 8:06 p.m.

District Secretary Garcia announced that the Board conducted one Closed Session with the General Manager, District Secretary, and Human Resources Manager pursuant to California Government Code Section 54957.6. There was no further announcement.

President Dewane adjourned the meeting at 8:07 p.m. to a Regular Board Meeting scheduled for Thursday, May 14, 2020 at 6:00 p.m.

Approved:



Shawn Dewane, President



Denise Garcia, District Secretary