

**BOARD OF DIRECTORS
MESA CONSOLIDATED WATER DISTRICT
1965 Placentia Avenue, Costa Mesa, CA 92627
Tuesday, July 14, 2009
7:00 p.m. Regular Board Meeting**

AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

Non-Agendized Matters: Members of the public are invited to address the Board on matters, which are not on the Agenda. Each speaker is limited to three (3) minutes. The Board will set aside thirty (30) minutes for public comments.

Agendized Matters: Members of the public may comment on Agenda items before action is taken, or after the Board has discussed the item. Each speaker is limited to five (5) minutes.

ITEMS TO BE ADDED, WITHDRAWN, OR REORDERED ON THE AGENDA

At the discretion of the Board, all items appearing on this agenda, whether or not expressly listed as an Action Item, may be deliberated and may be subject to action by the Board.

I. CONSENT CALENDAR ITEMS:

All matters under the Consent Calendar will be approved by one motion unless a Board member, staff, or a member of the public requests a separate action.

- A. Approve minutes of adjourned regular Board meeting of June 19, 2009.
- B. Approve minutes of regular Board meeting of June 23, 2009.
- C. Approve minutes of adjourned regular Board meeting of July 1, 2009.
- D. Approve attendance considerations (additions, changes, deletions).
 - 1. Design a "Green" Garden Presentation; Costa Mesa, CA; various dates.
- E. Board Schedule:
 - 1. Tentative Meeting Topics
 - 2. Conference, Seminars, and Meetings
 - 3. Board Calendar
- F. Cast ballot in support of the bylaws amendments as presented by the California Special Districts Association and authorize the Board President to sign the ballot.
- G. Award a contract to Hill Brothers Chemical Company to furnish Ammonium Hydroxide for the amount of \$0.49 per pound delivered with a fuel surcharge of \$15 per trip and authorize the General Manager to execute the contract.
- H. Approve a professional services contract with DCSE for an amount not to exceed \$98,780 to create a new distribution system hydraulic model from Mesa's GIS data and authorize the General Manager to execute the contract.

II. PRESENTATION AND DISCUSSION ITEMS:

- A. URBAN WATER RESEARCH CENTER:

Recommendation: Receive presentation and provide direction to staff.

- B. AD HOC AUDIT COMMITTEE:

Recommendation: Appoint the Executive Committee Chair and Finance Committee Chair as members of the Ad Hoc Audit Committee.

C. WATER CONSERVATION PROGRAM:

Recommendation: Review, discuss, and direct staff to schedule a public hearing to adopt a Water Conservation Ordinance.

III. ACTION ITEMS:

A. REVISED REGULATIONS OF THE CALIFORNIA FAIR POLITICAL PRACTICES COMMISSION:

Recommendation: Approve resolutions for revised regulations of the California Fair Political Practices Commissions as follows:

- 1. Resolution No. 1376 – Adopting a Policy Authorizing the Provision of Food/Meals to Mesa Consolidated Water District Officials at Certain Meetings; and**
- 2. Resolution No. 1377 – Adopting a Ticket Distribution Policy.**

B. CONTINUE SUPPORT OF THE COSTA MESA CHAMBER OF COMMERCE LES MILLER STUDENT AWARDS PROGRAM:

Recommendation: Approve Resolution No. 1378 – Continue Support of the Costa Mesa Chamber of Commerce Les Miller Awards Program.

C. 2009 REFUNDING CERTIFICATES OF PARTICIPATION DOCUMENTS:

Recommendation: Approve Resolution No. 1379 Approving as to Form and Authorizing Execution and Delivery of an Installment Sale Agreement, Trust Indenture, Escrow Agreement, Approving and Authorizing Delivery of a Preliminary Official Statement and Final Official Statement with Respect to the Execution and Sale of the Mesa Consolidated Water District 2009 Refunding Certificates of Participation, Approving a Certificate Purchase Agreement, Appointing a Trustee and Escrow Agent, Establishing Terms for the Sale, Delivery and Execution of such 2009 Refunding Certificates, Authorizing Necessary Documents and Certifications, Making Certain Findings and Taking Related Actions.

D. 2009 REFUNDING CERTIFICATES OF PARTICIPATION CONTRACTS:

Recommendation: Approve the contracts related to the 2009 Refunding Certificates of Participation and authorize the General Manager to execute the documents.

- 1. Special Counsel Retention Agreement Between Mesa Consolidated Water District and Bowie, Arneson, Wiles & Giannone in an amount not to exceed \$45,500.**
- 2. Professional Services Agreement for Financial Advisor between Mesa Consolidated Water District and Fieldman | Rolapp & Associates in an amount not to exceed \$60,500**
- 3. Engagement Letter for Disclosure Counsel between Mesa Consolidated Water District and Stradling Yocca Carlson & Rauth not to exceed \$25,000.**

- E. MESA CONSOLIDATED WATER DISTRICT IMPROVEMENT CORPORATION SPECIAL MEETING:

Recommendation: Recess from regular Board meeting and hold Mesa Consolidated Water District Improvement Corporation meeting.

- F. PROCLAMATION HONORING LEE PEARL UPON HIS RETIREMENT FROM MESA CONSOLIDATED WATER DISTRICT:

Recommendation: Approve and sign a proclamation honoring the service of Lee Pearl to the Mesa Consolidated Water District.

- G. CLOSED SESSION:

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(A):
Name of case: State of California et al., ex rel. Armenta v. James Jones Co., et al., City of Banning, et al. v. James Jones Co., et al. Los Angeles Superior Court Case No. 173487.

The following closed session item will be taken after V. Information Items.

2. PUBLIC EMPLOYEE APPOINTMENT PURSUANT TO GOVERNMENT CODE SECTION 54957:
Title: General Manager

RETURN TO OPEN SESSION.

- H. DISTRICT MANAGEMENT:

Recommendation: Discuss and possibly take action.

IV. REPORTS AND INFORMATION ITEMS:

- A. REPORT OF THE GENERAL MANAGER:

1. Items of general interest:
 ◆ Other

- B. STANDING COMMITTEE REPORTS:

1. Director Bockmiller:
 a. Special Public Information Committee Meeting, 7/6
2. Director Shoenberger:
 a. Engineering and Operations Committee Meeting, 7/9
3. President Dewane:
 a. Executive Committee Meeting, 7/7

C. DIRECTORS' REPORTS AND COMMENTS:

1. Director Bockmiller:
 - a. Other
2. Director Shoenberger:
 - a. Other
3. Director Ohlig-Hall:
 - a. AWWA Annual Conference, 6/14 – 6/18
 - b. Jt. MWDOC Meeting, 7/1
 - c. Other
4. Director Atkinson:
 - a. OCWD Meeting, 7/1
 - b. Other
5. President Dewane:
 - a. ISDOC Meeting, 7/1
 - b. Other

V. INFORMATION ITEMS:

A. ITEMS OF GENERAL INTEREST:

1. Automatic Meter Reading Update
2. Thank you letters for bottled water donations from the following organizations:
 - ◆ Estancia High School, letter dated 6/20/09
 - ◆ City of Costa Mesa Cultural Arts Committee, letter dated 6/22/09
 - ◆ Costa Mesa High School, letter dated 6/22/09
 - ◆ The Presbyterian Church of the Covenant, letter dated 6/23/09
 - ◆ Coastline Regional Occupational Program, letter dated 6/23/09

In compliance with California law and the Americans with Disabilities Act, if you need disability-related modifications or accommodations, including auxiliary aids or services in order to participate in the meeting, or if you need the agenda provided in an alternative format, please contact the District Secretary at (949) 631-1206. Notification 48 hours prior to the meeting will enable Mesa to make reasonable arrangements to accommodate your requests.

Agenda materials that are public records, which have been distributed to a majority of the Mesa Board of Directors (Board), will be available for public inspection at the District Boardroom, 1965 Placentia Avenue, Costa Mesa, CA. If materials are distributed to the Board less than 72 hours prior or during the meeting, the materials will be available in the Boardroom.

ADJOURN TO A REGULAR BOARD MEETING TO BE HELD ON TUESDAY, JULY 28, 2009 AT 7:00 P.M.