AGENDA
MESA WATER DISTRICT
EXECUTIVE COMMITTEE MEETING
TUESDAY, JUNE 6, 2017 AT 12:30 P.M.
PANIAN CONFERENCE ROOM

Committee Members: Ethan Temianka, President
Jim Atkinson, Vice President
Paul E. Shoenberger, P.E., General Manager
Coleen L. Monteleone, Assistant General Manager
Denise Garcia, Executive Assistant to the General Manager

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.

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.

None

PRESENTATION AND DISCUSSION ITEMS:
Items recommended for approval at this meeting may be agendized for approval at a future Board meeting.

1. City/Districts Liaison Committee Meeting

ACTION ITEMS:

2. Independent Special Districts of Orange County Proposed Amended and Restated Bylaws
3. Proclamation Honoring the Career of Coleen L. Monteleone
4. Appointments of District Secretary and District Treasurer
5. Revised Schedule of Positions and Salary Rate Ranges
6. Attendance at Conferences, Seminars, Meetings, and Events
7. Selection Process for the Appointments of General Legal Counsel and Independent Auditor

REPORTS:

8. Future Agenda Topics and Conference Schedule
10. Directors’ Reports and Comments
INFORMATION ITEMS:

11. Other (no enclosure)

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 Water District (Mesa Water) to make reasonable arrangements to accommodate your requests.

Members of the public desiring to make verbal comments utilizing a translator to present their comments into English shall be provided reasonable time accommodations that are consistent with California law.

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

ADJOURNMENT
MEMORANDUM

TO: Executive Committee
FROM: Paul E. Shoenerberger, P.E., General Manager
DATE: June 6, 2017
SUBJECT: City/Districts Liaison Committee Meeting Topics

RECOMMENDATION

Provide guidance to staff on topics for the Friday, June 23, 2017 City/Districts Liaison Committee meeting agenda.

STRATEGIC PLAN

Goal #4: Increase public awareness about Mesa Water® and about water.
Goal #7: Actively participate in regional water issues.

DISCUSSION

The next City/Districts Liaison Committee meeting is scheduled for Friday, June 23, 2017, at 8:00 a.m. and is being hosted by Mesa Water District. Staff is requesting guidance from the Committee for agenda topics.

FINANCIAL IMPACT

None.

ATTACHMENTS

None.
MEMORANDUM

TO: Executive Committee
FROM: Paul E. Shoenberger, P.E., General Manager
DATE: June 6, 2017
SUBJECT: Independent Special Districts of Orange County Proposed Amended and Restated Bylaws

RECOMMENDATION

Recommend that the Board of Directors approve support of the Independent Special Districts of Orange County Proposed Amended and Restated Bylaws and authorize President Ethan Temianka to cast the District’s vote on the official ballot.

STRATEGIC PLAN

Goal #1: Provide a safe, abundant, and reliable water supply.
Goal #2: Practice perpetual infrastructure renewal and improvement.
Goal #3: Be financially responsible and transparent.
Goal #4: Increase public awareness about Mesa Water® and about water.
Goal #5: Attract and retain skilled employees.
Goal #6: Provide outstanding customer service.
Goal #7: Actively participate in regional water issues.

PRIOR BOARD ACTION/DISCUSSION

At its May 18, 2017 meeting, the Board of Directors approved the Fiscal Year 2018 Budget and confirmed the District Memberships.

DISCUSSION

The Independent Special Districts of Orange County (ISDOC) is conducting a vote of the regular special district members on proposed changes to the Bylaws. The primary purpose to the bylaw amendments is to add language pursuant to State requirements and to protect the liability of ISDOC members. The ISDOC Executive Committee discussed the amendments at its February, March, April, and May meetings, unanimously approved the revisions, and authorized a vote of the membership.

The proposed amendments are as follows:
1. Addition to Section II of Article 1
   This Organization will not engage in activities for the pecuniary gain or profit of the members.

2. Addition of Section IV to Article I
   This new section specifies that the Independent Special Districts of Orange County is an unincorporated association.

3. Addition of Section V to Article I
   This new section specifies that association members may assume responsibilities for certain association duties, but that they will not be compensated or assumes any obligations.
4. Addition of Section VI to Article II
   This new section specifies that ISDOC’s limitation is to only engage in activities and exercise
   its authority for the furtherance of the organization’s purpose.

5. Addition of Section VI to Article III
   This new section specifies that member agencies will not be liable for the obligations, debts
   or liabilities of the association unless they have expressly assumed such liability in writing.
   Further, no member will have the authority to enter into any obligation, debt or liability on
   behalf of the association unless first approved in by the Board of Directors.

6. Addition to Section III of Article III
   Secretary: All official correspondence to the members will be approved in advance by the
   President or the President’s designee.

Attached is the ISDOC correspondence, their Amended and Restated Bylaws, and an official ballot.
Each regular member in good standing is entitled to one vote. The ballot must be signed by the
presiding officer of the special district or an alternate designated by official action of the district.
Ballots must be received by 5:00 p.m. on Tuesday, June 27, 2017; the results will be announced on
Thursday, June 29, 2017 at the ISDOC Quarterly Luncheon.

Staff recommends that the Board of Directors approve support of the Independent Special Districts
of Orange County Proposed Amended and Restated Bylaws and authorize President Ethan
Temianka to cast the District’s vote on the official ballot.

FINANCIAL IMPACT

In Fiscal Year 2018, $200 is budgeted for ISDOC membership under the District Memberships
account.

ATTACHMENTS

Attachment A: ISDOC Proposed Amended and Restated Bylaws Correspondence and Ballot
DATE: May 16, 2017

TO: ISDOC Members

FROM: James R. Fisler, President, ISDOC Executive Committee

SUBJECT: Proposed Amendments to ISDOC Bylaws

ISDOC is conducting a vote of regular special district members on proposed changes to the bylaws. The primary purpose to the bylaw amendments is to add language pursuant to State requirements and to protect the liability of ISDOC members. They were discussed at the February, March, April and May Executive Committee meetings. Upon a motion and a second, the Executive Committee has unanimously approved the revisions and authorized a vote of the membership.

A ballot has been included with this memo, as well as a copy of the proposed amended bylaws. Each regular member in good standing is entitled to one vote. The ballot must be signed by the presiding officer of the special district or an alternate designated by official action of the district. Ballots must be received by 5:00 p.m. on Tuesday, June 27, 2017; the results will be announced on Thursday, June 29, 2017 at the ISDOC Quarterly Luncheon.

The proposed amendments are as follows:

1. Addition to Section II of Article I
   This Organization will not engage in activities for the pecuniary gain or profit of the members.

2. Addition of Section IV to Article I
   This new section specifies that the Independent Special Districts of Orange County is an unincorporated association.

3. Addition of Section V to Article I
   This new section specifies that association members may assume responsibilities for certain association duties, but that they will not be compensated or assume any obligations.
4. Addition of Section VI to Article II
   This new section specifies that ISDOC’s limitation is to only engage in activities and
   exercise its authority for the furtherance of the organization’s purpose.

5. Addition of Section VI to Article III
   This new section specifies that member agencies will not be liable for the obligations, debts
   or liabilities of the association unless they have expressly assumed such liability in writing.
   Further, no member will have the authority to enter into any obligation, debt or liability on
   behalf of the association unless first approved in by the Board of Directors.

6. Addition to Section III of Article III
   Secretary: All official correspondence to the members will be approved in advance by the
   President or the President’s designee.

Thank you in advance for your consideration of this matter.

Sincerely,

[Signature]

James R. Fisler, President
ISDOC Executive Committee
INDEPENDENT SPECIAL DISTRICTS
OF
ORANGE COUNTY

AMENDED AND RESTATED BYLAWS

Proposed May 2, 2017
INDEPENDENT SPECIAL DISTRICTS OF ORANGE COUNTY

BYLAWS

ARTICLE I    GENERAL

SECTION I.    NAME

The name of the organization shall be INDEPENDENT SPECIAL DISTRICTS OF ORANGE COUNTY, herein referred to as the Organization.

SECTION II.    PURPOSE

The purpose of the Organization is to advance the interests of Orange County special districts through its advocacy of sound public policy, its facilitation of educational opportunities to enhance special district governance and the services provided, and its collaboration with others to elevate awareness of the role special districts play as the form of government closest and most directly accountable to the people. The purpose of the Organization shall not include any duties or responsibilities held by the Orange County Special Districts Selection Committee, which is a separate and unrelated entity from the Organization. Furthermore, these Bylaws shall have no effect on, and are independent and distinct from, the Bylaws of the Orange County Special District Selection Committee. This Organization will not engage in activities for the pecuniary gain or profit of the members.

SECTION III.    ADMINISTRATIVE OFFICE

The administrative office for the transaction of the business of the Organization is located at the Municipal Water District of Orange County. All official documents (agendas, minutes, voted ballots, voting authorization and financial records) of the Organization shall be maintained and stored at the administrative office. The Board of Directors is granted full power and authority to change the administrative office from one location to any place within the County of Orange, State of California, and such change shall not be considered an amendment of these bylaws.
SECTION IV.  UNINCORPORATED ASSOCIATION

The Organization is an unincorporated association within the meaning of Part 1 of Title 3 of the California Corporations Code and shall have all of the powers and authority of an unincorporated association as set forth therein.

SECTION V.  ADMINISTRATIVE SERVICES

One or more members may agree to provide administrative services on behalf of Organization, but except as expressly set forth in writing, such member or members will not be entitled to compensation for such services, nor will such member or members be deemed to have assumed any obligation of the Organization.

SECTION VI.  LIMITATION

Notwithstanding any of powers enumerated herein or in the California Corporations Code, this Organization shall not, except to an insubstantial degree engage in any activities or exercise any powers that are not in furtherance of the specific purpose of this organization as set forth in Section II.

ARTICLE II  MEMBERSHIP

SECTION I.  QUALIFICATION FOR MEMBERSHIP

A. There shall be two categories of membership in the Organization:

1. REGULAR MEMBERS: Shall be INDEPENDENT SPECIAL DISTRICTS that are public agencies within the County of Orange, State of California, for the local performance of governmental proprietary functions within limited boundaries, governed by a publicly elected Board of Directors or those officials appointed, in whole or in part, by another governmental body. Independent
Special Districts do not include the State, the county, cities, or school districts.

Independent Special Districts shall be further defined in accordance with California Government Code Section 56044: "Independent district" or "independent special district" includes any special district having a legislative body all of whose members are elected by registered voters or landowners within the district, or whose members are appointed to fixed terms, and excludes any special district having a legislative body consisting, in whole or in part, of ex officio members who are officers of a county or another local agency or who are appointees of those officers other than those who are appointed to fixed terms. "Independent special district" does not include any district excluded from the definition of district contained in Sections 56036 and 56036.6.

2. ASSOCIATE MEMBERS: Shall be those persons, organizations, or governmental entities that have evidenced interest in the purposes and goals of the Organization, but are not Independent Special Districts. Officers or members of an Independent Special District are ineligible to be an Associate Member.

B. APPROVAL OF MEMBERSHIP: The Executive Committee shall review and approve all applications for membership, provided that the applicant meets the established membership criteria.

SECTION II. VOTING RIGHTS

A. Each Regular Member district, in good standing, shall be entitled to one vote on all matters brought before the membership for a vote. The presiding officer of the governing body of each Regular Member district shall be recognized by the Organization as the voting representative for his/her district. Each district shall designate in writing and submit to the Organization's Secretary one alternate governing board member who shall have the right to vote in the absence of the presiding officer.

B. The Executive Committee may, at its discretion, authorize the voting upon any issue by written ballot which shall be sent via U.S. mail
and email to each Regular Member district or by electronic distribution/email. Such authorization shall specify the time, date and method by which the completed written ballots must be received by the Organization.

C. A majority vote of all members present at a meeting or of all written ballots received by the submission deadline shall be necessary to carry any matter voted upon.

D. Associate Members shall not have the right to vote on any matter before the Organization.

SECTION III. ANNUAL DUES

A. Annual dues shall be due and payable on or before the first day of January of each year. New members shall pay their annual dues at the time they are approved for membership in the Organization. New member dues for the initial year shall not be pro-rated.

B. The dues of the Organization shall be reviewed and set by the Executive Committee for Regular Members and Associate Members. Associate Member dues need not be the same as dues for Regular Members. A minimum of two months' notice of changes in dues will be provided to the membership.

C. No assessments, other than annual dues, shall be levied on the members of the association without an affirmative majority vote of the membership.

SECTION IV. TERMINATION OF MEMBERSHIP

A. Any member in arrears in the payment of dues for a period of thirty (30) days after said dues are due and payable shall be notified in writing by the Treasurer of such arrearage, and, if such dues shall continue unpaid for a period of another thirty (30) days, such member shall automatically cease to be a member of the Organization.

B. Any member that voluntarily terminates membership in the Organization shall not be eligible for a refund of membership dues or other assessment already paid to the Organization.
SECTION V. REINSTATEMENT OF MEMBERSHIP

Regular and Associate memberships that were previously terminated may be reinstated after the Executive Committee receives a written petition for reinstatement and payment of the petitioners annual membership dues and other assessments for the current calendar year have been received by the Organization.

SECTION VI. LIABILITY OF MEMBERS; NO AUTHORITY

No member will be liable for the obligations, debts or liabilities of the Organization unless such member has expressly assumed such liability in writing. No member will have the authority to enter into any obligation, debt or liability on behalf of the Organization unless approved in by the Board of Directors.

ARTICLE III BOARD OF DIRECTORS

SECTION I. NUMBER AND TERM OF OFFICE

A. The Board of Directors shall consist of the presiding officer from each Regular Member district, in good standing. If the presiding officer is not present, then that district’s alternate representative shall act in his/her stead.

B. The members of the Board of Directors shall serve until replaced by another governing board member as the presiding officer of his/her district. Any vacancy on the Board of Directors shall be filled by the new presiding officer of the District from which the vacancy occurred.

SECTION II. DUTIES OF THE BOARD OF DIRECTORS

A. The Board of Directors shall set policy for the Organization.

B. The Board of Directors shall elect, at or before its final meeting in even years, a President, a First Vice President, a Second Vice President, a Third Vice President, a Secretary, and a Treasurer, who shall serve for two-year terms.
C. These officers, along with the Immediate Past President, shall be designated as the Executive Committee.

D. The Executive Committee shall be elected following a notice of position availability and solicitation for nominations. At the end of the nominating period, if only one candidate is nominated for a vacant seat, that candidate shall be deemed selected. If two or more candidates are nominated, the Secretary shall prepare and deliver one ballot and voting instructions to each eligible district. The ballot shall include the names of all nominees and the office for which each was nominated. Each presiding officer, or his or her alternate as designated by the governing body, shall return the ballot to the Secretary by the date specified in the voting instructions.

E. With the exception of the immediate past president, if a vacancy occurs on the Executive Committee, the Committee shall, within 60 days from the commencement of the vacancy, either fill the vacancy by appointment or call a special election to fill the vacancy. A person appointed or elected to fill a vacancy shall hold office for the unexpired term of the former incumbent.

F. If the vacancy is in the offices of President or Vice President, the Executive Committee may, prior to an election to fill the vacancy, move current officers into vacant positions, and proceed then to fill the resulting vacant position in accordance with Section E above.

SECTION III OFFICERS AND DUTIES

A. The Executive Committee shall assist the Board of Directors in setting and implementing policy, and conducting the business of the Organization, as noted in the bylaws or approved at a General Membership Meeting or a Special Meeting of the membership. The members of the Executive Committee shall consist of:

1. PRESIDENT: The President shall be the chief executive officer of the Organization. The President shall preside at all meetings of the Board of Directors, the Executive Committee and the general membership.
The President shall appoint all committees.

The President shall represent the Organization as its official spokesperson and he/she shall also have the authority to delegate such responsibility, with approval of the Executive Committee.

The President shall be an ex-officio member of all Committees.

2. **FIRST VICE PRESIDENT:** The First Vice President, in the absence or disability of the President, shall perform all the duties of the President, and when so acting, he/she shall have the powers of and be subject to all the restrictions upon the President.

   The First Vice President shall be the Chair of the Program Committee.

3. **SECOND VICE PRESIDENT:** The Second Vice President, in the absence or disability of the President and First Vice President, shall perform all the duties of the President and when so acting, shall have all the powers of and be subject to all the restrictions upon the President.

   The Second Vice President shall be Chair of the Membership Committee.

4. **THIRD VICE PRESIDENT:** The Third Vice President, in the absence or disability of the President, First Vice President, and Second Vice President, shall perform all the duties of the President, and when so acting, shall have all the powers of and be subject to all the restrictions upon the President.

   The Third Vice President shall be Chair of the Legislative Committee.

5. **SECRETARY:** The Secretary or his/her designee shall be responsible for all correspondence and the dissemination of information to members. All official correspondence to the
members will be approved in advance by the President or the President's designee.

6. TREASURER: The Treasurer shall maintain the complete financial records and, establish and maintain bank accounts in the name of the Organization, and pay all bills duly approved by the Executive Committee in accordance with the yearly budget.

   There shall be an annual audit of the books of the Treasurer by a competent accountant or accounting agency, designated by the Executive Committee, with a report to be presented to the membership at the Organization’s next membership meeting.

7. IMMEDIATE PAST PRESIDENT: The Immediate Past President shall serve as a voting, ex-officio member of the Executive Committee.

B. All officers of the Organization shall be elected or appointed officials of a Regular Member district.

C. Officials who wish to seek election or appointment as an officer of the Organization shall first secure from his/her district an official endorsement of his/her candidacy in the form of a board resolution.

D. The Executive Committee may consider removing Officers who miss three consecutive meetings. Prior to removing an Officer, the Committee shall consider the reasons for absence and the potential for continued absence. A unanimous vote of the Executive Committee shall be required to remove an officer.

ARTICLE IV    MEETINGS

SECTION I    BOARD OF DIRECTORS

A. The Board of Directors shall meet quarterly or no less than three times per calendar year. The last meeting of the calendar year shall be designated as the ANNUAL MEETING of the Organization.
B. The Organization shall disseminate notices of Board Meetings at least thirty (30) days prior to the Meeting. Said notices shall be disseminated via email to all Regular and Associate Members. The Notice shall give the date, time, location and any action items for the meeting.

C. Special Meetings of the Board of Directors may be called at any time by the President, any ten (10) Members of the Board of Directors or by a majority of the Executive Committee. The Organization shall disseminate notices of the Special Meeting at least five (5) business days prior to the meeting. Said notice shall give the date, time, location, and the subject matter of the Special Meeting. Action may only be taken on matters listed on the Special Meeting notice.

D. All meetings of the Board of Directors shall be held in Orange County.

E. No action shall be taken unless a quorum has first been established. A quorum shall be established when the designated representatives of fifty percent (50%) of the Regular Members are present at a duly noticed Regular or Special Meeting of the Organization, or, if a vote has been authorized by written ballot, a quorum shall be established only when the designated representatives of fifty percent (50%) of the Regular Members have submitted a ballot in the manner and by the deadline authorized by the Executive Committee.

SECTION II. EXECUTIVE COMMITTEE

A. The Executive Committee shall meet monthly at the Municipal Water District of Orange County, at a time specified by the President and announced in the meeting notice. The monthly meeting may be cancelled by the President if he/she determines that there is not sufficient business to justify a meeting.

B. A Special Meeting of the Executive Committee may be called by the President or a majority of the Executive Committee, with five (5) business days advance notice given in writing via email by the Organization. Such notice shall state the date, time, location and agenda for the Special Meeting.
C. All meetings of the Executive Committee shall take place in Orange County.

D. A quorum shall be established by 50% of the then-filled Executive Committee.

ARTICLE V AMENDMENTS

These Bylaws may be amended by a majority of the Board of Directors present at a duly noticed membership meeting or, if a vote has been authorized by written ballot, by the combined majority vote of the designated representatives present and submitting a written ballot. All proposed amendments shall be disseminated via U.S. Mail and email to each Regular Member district no less than thirty (30) days prior to the membership meeting.

ARTICLE VI ENACTMENT OF AMENDMENTS

These Amended and Restated Bylaws are to take effect immediately upon approval of the Board of Directors.

ARTICLE VII PARLIAMENTARY AUTHORITY

All matters not covered under these Bylaws shall be governed by Roberts' Rules of Order.
INDEPENDENT SPECIAL DISTRICTS OF ORANGE COUNTY

Amended and Restated Bylaws

The Question

Does your special district, as member in good standing, approve or disapprove of the amended and restated bylaws recommended by the Executive Committee on May 2, 2017.

CAST YOUR VOTE

Please cast your vote by checking the box, or printing the name, of the nominee for who you wish to vote.

______  Yes, we approve the amended and restate ISDOC bylaws, as recommended by the Executive Committee

______  No, we do not approve the proposed amended and restated bylaws

DISTRICT NAME

NAME AND TITLE OF VOTING DELEGATE*

SIGNATURE OF VOTING REPRESENTATIVE

* If not the presiding officer, please provide written authorization documenting your ability to vote on behalf of your district.

Please send your completed and executed ballot to Laura Loewen at either:
- lloewen@mwdoc.com
- MWDOC, P.O. Box 20895, Fountain Valley, CA 92728

All ballots must be received no later than by 5 p.m., Tuesday, June 27, 2017.
MEMORANDUM

TO: Executive Committee
FROM: Denise Garcia, Administrative Services Manager
DATE: June 6, 2017
SUBJECT: Proclamation Honoring the Career of Coleen L. Monteleone

RECOMMENDATION

Recommend that the Board of Directors approve a proclamation honoring Coleen L. Monteleone for her more than 32 years of dedicated and committed service to Mesa Water District.

STRATEGIC PLAN

Goal #5: Attract and retain skilled employees.

DISCUSSION

After more than 32 years of service to Mesa Water, Coleen L. Monteleone will be retiring on July 7, 2017. Ms. Monteleone began her career with the District in the Financial Services Department. In 1996, she was promoted to Administrative Services Manager overseeing support for the Board of Directors and General Manager. In 2015, her distinguished career culminated in being chosen as the District’s Assistant General Manager.

During her career she managed various departments including Administrative Services, Customer Services, Financial Services, Human Resources and Public Affairs and directed various business activities including conservation, information technology and records management.

On more than one occasion, Ms. Monteleone was named Interim General Manager by the Board of Directors to oversee the District. On July 10, 2007 she was presented with Resolution No. 1349, which recognized her leadership and loyalty. The Board also acknowledged that she set a standard of excellence in communication with the Board while successfully building employee trust and morale under challenging circumstances.

Ms. Monteleone was awarded Mesa Water’s Distinctive Service award in 1996 and the Karl Kemp Silver Lining award in 2016. She received the inaugural Staff Member of the Year award in 2012 from the California Special Districts Association.

FINANCIAL IMPACT

None.

ATTACHMENTS

Attachment A: Draft Proclamation
Whereas, Ms. Monteleone began her career on February 25, 1985 in the Financial Services Department. For over three decades, she flourished and advanced and, in 1996, she was promoted to Administrative Services Manager overseeing support for the Board of Directors and General Manager. In 2015, her distinguished career culminated in being chosen as the District’s Assistant General Manager.

Whereas, During her career she managed various departments including Administrative Services, Customer Services, Financial Services, Human Resources and Public Affairs and directed various business activities including conservation, information technology and records management.

Whereas, On more than one occasion, Ms. Monteleone was named Interim General Manager by the Board of Directors to oversee the District. On July 10, 2007 she was presented with Resolution No. 1349, which recognized her leadership and loyalty and acknowledged that she set a standard of excellence in communication with the Board while successfully building employee trust and morale under challenging circumstances.

Whereas, Ms. Monteleone was awarded Mesa Water’s Distinctive Service award in 1996 and the Karl Kemp Silver Lining award in 2016. She received the inaugural Staff Member of the Year award in 2012 from the California Special Districts Association.

Whereas, Ms. Monteleone has been a consistent, strong and steadfast force at Mesa Water where she has made invaluable, lasting and positive contributions to guiding staff, leading the District through several organizational transitions, and playing a pivotal role in growing Mesa Water’s success to be the industry leader it is today.

Now Therefore, Be It Proclaimed that the Board of Directors of Mesa Water District hereby recognizes and honors Ms. Monteleone for her more than 32 years of dedicated and committed service to the District and wishes her the best as she begins her retirement.

__________________________________________
Ethan Temianka, President

__________________________________________
Jim Atkinson, Vice President

__________________________________________
Fred R. Bockmiller, Jr., P.E., Director

__________________________________________
Shawn Dewane, Director

__________________________________________
James R. Fisler, Director

July 7, 2017
MEMORANDUM

TO: Executive Committee
FROM: Paul E. Shoenberger, P.E., General Manager
DATE: June 6, 2017
SUBJECT: Appointments of District Secretary and District Treasurer

RECOMMENDATION

Recommend that the Board of Directors:

a. Appoint Denise Garcia as District Secretary, effective June 19, 2017;
b. Appoint Phil Lauri as District Treasurer, effective July 1, 2017;
c. Confirm the delegation of the same authority to the District Secretary and District Treasurer, as previously authorized and approved by the Board of Directors and as authorized by the California Water Code; and
d. Award the stipend for the District Secretary and District Treasurer in the amount of $285 per month each.

STRATEGIC PLAN

Goal #1: Provide a safe, abundant, and reliable water supply.
Goal #2: Practice perpetual infrastructure renewal and improvement.
Goal #3: Be financially responsible and transparent.
Goal #4: Increase public awareness about Mesa Water® and about water.
Goal #5: Attract and retain skilled employees.
Goal #6: Provide outstanding customer service.
Goal #7: Actively participate in regional water issues.

PRIOR BOARD ACTION/DISCUSSION

At its April 13, 2017 meeting, the Board of Directors appointed Coleen L. Monteleone the District Treasurer upon the resignation of the Chief Financial Officer.

DISCUSSION

With the impending retirement of Assistant General Manager/District Secretary/District Treasurer Coleen L. Monteleone it is necessary for the Board to fill the position of District Secretary and District Treasurer.

Denise Garcia has been the Assistant District Secretary for over eight years and, with her recent promotion to Administrative Services Manager, it is appropriate to appoint her as District Secretary. Ms. Garcia is extremely knowledgeable in areas related to the duties of District Secretary including the Ralph M. Brown Act and Public Records Act.

Phil Lauri is the Assistant General Manager and it is appropriate for the Board to appoint him as District Treasurer until the vacancy of the Chief Financial Officer is filled.

The District Treasurer position cannot be held by the General Manager.
FINANCIAL IMPACT

The stipends in the amount of $3,500 per year each for the District Secretary and District Treasurer, totaling $7,000, are included in the Fiscal Year 2018 budget.

ATTACHMENTS

None.
MEMORANDUM

TO: Executive Committee
FROM: Coleen L. Monteleone, Assistant General Manager
DATE: June 6, 2017
SUBJECT: Resolution No. XXXX Establishing a Revised Schedule of Positions and Salary Rate Ranges

RECOMMENDATION

Recommend that the Board of Directors adopt Resolution No. XXXX Establishing a Revised Schedule of Positions and Salary Rate Ranges.

STRATEGIC PLAN

Goal #5: Attract and retain skilled employees.

PRIOR BOARD ACTION/DISCUSSION

At its December 8, 2016 meeting, the Board of Directors approved the Classification and Compensation Study which established a revised schedule of positions and salary rate ranges.

DISCUSSION

To comply with CalPERS regulations, as noted below, it is recommended that the Board adopt a resolution for the updated salary titles and ranges:

(a) For purposes of determining the amount of “compensation earnable” pursuant to Government Code Sections 20630, 20636 and 20636.1, payrate shall be limited to the amount listed on a pay schedule that meets all of the following requirements:
   (1) Has been duly approved and adopted by the employee’s governing body in accordance with requirement of applicable public meeting laws;

Adopting a resolution establishing a revised schedule of positions and salary rate ranges is recommended by the District’s Special Legal Counsel, Liebert Cassidy Whitmore.

FINANCIAL IMPACT

In the Fiscal Year 2018 budget, the financial impacts of the Classification and Compensation Study were incorporated.

ATTACHMENTS

Attachment A: Draft Resolution No. XXXX
RESOLUTION NO. XXXX

RESOLUTION OF THE
MESA WATER DISTRICT BOARD OF DIRECTORS
ESTABLISHING A REVISED SCHEDULE OF POSITIONS
AND SALARY RATE RANGES

WHEREAS, the Mesa Water District (Mesa Water®) is a county water district
organized and operating pursuant to the provisions of California law; and

WHEREAS, the Board of Directors of Mesa Water District, approved the
Classification and Compensation Study on December 8, 2016, and established a
revised Schedule of Positions and Salary Rate Ranges of the Mesa Water District; and

WHEREAS, the Board of Directors of Mesa Water District has reviewed the
Schedule of Positions and Salary Rate Ranges and desires to make revisions thereto.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE MESA
WATER DISTRICT DOES HEREBY RESOLVE, DETERMINE, AND ORDER AS
FOLLOWS:

Section 1. That the Schedule of Positions and Salary Rate Ranges adopted
effective January 8, 2016 is hereby rescinded.

Section 2. That the Schedule of Positions and Salary Rate Ranges for the
Mesa Water District be and hereby is approved and adopted as
more particularly set forth in Exhibit A of this Resolution, attached
hereto and by this reference made a part hereto.

Section 3. That the provisions of this Resolution shall be effective January 6,
2017.

ADOPTED, SIGNED, and APPROVED this XX day of MONTH YEAR by a roll call vote.

AYES: DIRECTORS:
NOES: DIRECTORS:
ABSENT: DIRECTORS:
ABSTAIN: DIRECTORS:

________________________________________
Ethan Temianka
President, Board of Directors

Coleen L. Monteleone
District Secretary

Resolution No. XXXX
Page 1 of 1
Adopted: MONTH DAY YEAR
RESOLUTION NO. XXXX

EXHIBIT A

RESOLUTION OF THE MESA WATER DISTRICT BOARD OF DIRECTORS ESTABLISHING A REVISED SCHEDULE OF POSITIONS AND SALARY RATE RANGES

Schedule of Positions and Salary Rate Ranges

January 6, 2017
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<th>Job Classification - Level</th>
<th>Salary Range</th>
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**Mesa Water District - Salary Range Table - Monthly**

**Manager Contract** (Contract: 235,725/month)
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**Effective: Mid-Shift 1/1/17**
MEMORANDUM

TO: Board of Directors
FROM: Paul E. Shoenberger, P.E., General Manager
DATE: June 6, 2017
SUBJECT: Attendance at Conferences, Seminars, Meetings, and Events

RECOMMENDATION

Recommend that the Board of Directors approve the Fiscal Year 2018 attendance at Conferences, Seminars, Meetings, and Events.

STRATEGIC PLAN

Goal #1: Provide a safe, abundant, and reliable water supply.
Goal #2: Practice perpetual infrastructure renewal and improvement.
Goal #3: Be financially responsible and transparent.
Goal #4: Increase public awareness about Mesa Water® and about water.
Goal #5: Attract and retain skilled employees.
Goal #6: Provide outstanding customer service.
Goal #7: Actively participate in regional water issues.

PRIOR BOARD ACTION/DISCUSSION

None.

DISCUSSION

For the Committee’s review and consideration, the following Proposed List of attendance considerations is based on Director attendance over the past four years:

Proposed List (in accordance with Ordinance No. 28, adopted April 13, 2017):
1. Mesa Water Outreach Events (for Directors’ fees approval; event is at no cost):
   a. Children’s Water Education Festival
   b. Director meetings with General Manager
   c. Mesa Water Director meetings with other Mesa Water Directors
   d. Facility tours
   e. OC Fair garden presentations
   f. Various employee recognition events
   g. Water Issues Study Group meetings

2. Annual Conferences/Seminars:
   a. ACWA/JPIA conferences, seminars, symposiums, tours, and functions
   b. AMTA conferences, seminars, tours, and functions
   c. AWWA conferences, seminars, tours, and functions
   d. CALAFCO conferences, seminars, and functions
   e. California Water Policy conferences, seminars, and functions
   f. CA-NV AWWA conferences, seminars, tours, and functions
   g. Chapman University Economics & Business Forecast and Update
   h. CRWUA conferences, seminars, tours, and functions
i. CSDA conferences, seminars, tours, and functions  
.j. Ethics training for local officials  
k. Green Technology seminars, tours, and functions  
l. National Water Quality Monitoring Council conferences, seminars, and functions  
m. National Water Resources Association conferences, seminars, tours, and functions  
n. BusinessH2O summits  
o. Public Utility Elected Officials conference  
p. Senior Executive in State/Local Government program  
q. Sexual harassment prevention training  
r. Southwest Membrane Operator Association conferences, seminars, and functions  
s. Urban Water Institute conferences, seminars, tours, and functions

3. Other Agencies/Organizations Meetings and Events:
   a. 19th Street Bridge Community Group meetings and functions  
b. Activist Groups (Newport-Mesa Tea Party) meetings and functions  
c. Association of California Cities Orange County meetings, events, tours, and forums  
d. Association of California Water Agencies Joint Powers Insurance Authority meetings, events, tours, forums, and functions  
e. Association of California Water Agencies meetings, events, tours, forums, and functions  
f. Bond Buyer's California Public Finance Conference  
g. CalDesal conferences, meetings, events, tours, forums, and functions  
h. California Municipal Treasurers Association meetings and functions  
i. City Council meetings, events, tours, forums, and functions  
j. Colorado River Water Users Association meetings, events, tours, forums, and functions  
k. Costa Mesa/Newport Beach Chamber of Commerce meetings and functions  
l. Global Water Summit conferences, seminars, tours, and functions  
m. Independent Special Districts of Orange County meetings, events, tours, forums, and functions  
n. Law Seminars International seminars  
o. Local Federal Senator/Assembly Member and Elected Official meetings and functions  
p. Local Homeowners Association meetings  
q. Local OC Supervisors, State Senator/Assembly Member and Elected Officials meetings and functions  
r. MWD meetings, events, tours, forums, and functions  
s. MWDOC meetings, events, tours, forums, and functions  
t. Neighborhood Community Associations meetings and functions  
u. Newport-Mesa Unified School District meetings and functions  
v. OCWD meetings, events, tours, forums, and functions  
w. Orange County Business Council meetings, events, tours, forums, and functions  
x. Orange County Forum meetings, events, tours, forums, and functions  
y. Orange County Local Agency Formation Commission meetings, events, tours, forums, and functions  
z. Orange County Water Association meetings and functions  
aa. Presentation of resolutions and proclamations to various officials and/or agencies  
bb. Regional Water Resources Control Board meetings and functions
cc. Residents For Responsible Desalination meetings and functions
dd. Residents for Responsible Government meetings and functions
e. Southern California Water Committee events, tours, forums, and functions
ff. State Water Resources Control Board meetings, seminars, and functions
gg. Taxpayers Groups (Costa Mesa Taxpayers Association) meetings and functions
hh. Water Advisory Committee of Orange County events, tours, forums, and functions
ii. WaterReuse meetings, conferences, seminars, tours, and functions
jj. WaterNow Alliance conferences, seminars, tours, and functions

FINANCIAL IMPACT

The costs associated with Director attendance at the events listed above are budgeted in the Board Staff Development & Conferences account where $63,000 is budgeted. No funds have been spent to date.

ATTACHMENTS

None.
MEMORANDUM

TO: Executive Committee
FROM: Coleen L. Monteleone, Assistant General Manager
DATE: June 6, 2017

SUBJECT: Establishing a Policy for the Selection Process for the Appointments of General Legal Counsel and Independent Auditor

RECOMMENDATION

Recommend that the Board of Directors adopt Resolution No. XXXX Establishing a Selection Process for the Appointments of General Legal Counsel and Independent Auditor, Superseding Resolution No. 1307.

STRATEGIC PLAN

Goal #5: Attract and retain skilled employees.

PRIOR BOARD ACTION/DISCUSSION

At its meeting on June 20, 2016, the Board of Directors directed staff to prepare a resolution documenting the selection process for General Legal Counsel and Independent Auditor.

At its meeting on October 12, 2004, the Board of Directors adopted Resolution No. 1307 updating an established policy for soliciting proposals for outside auditing services.

DISCUSSION

The General Legal Counsel and Independent Auditor firms are selected by, and report directly, to the Board of Directors. Previously the Board adopted Resolution No. 1307, which provided guidance to staff on soliciting proposals for outside auditing services.

The updated resolution includes the process that was established when the Board recently approved the selection of General Legal Counsel, as well as the recognized process from the Independent Auditor selection.

Bowie, Arneson, Wiles and Giannone was selected as General Legal Counsel by the Board on October 21, 2016 and White Nelson Diehl Evans LLP was selected as Independent Auditor on June 20, 2016.

FINANCIAL IMPACT

None.

ATTACHMENTS

Attachment A: Draft Resolution No. XXXX
Attachment B: Redline Resolution No. 1307
RESOLUTION NO. XXXX

RESOLUTION OF THE
MESA WATER DISTRICT BOARD OF DIRECTORS
ESTABLISHING A POLICY FOR THE SELECTION PROCESS
FOR THE APPOINTMENTS OF GENERAL LEGAL COUNSEL
AND INDEPENDENT AUDITOR, SUPERSEDING RESOLUTION NO. 1307

WHEREAS, Mesa Water District (Mesa Water®) is a county water district organized and operating pursuant to the provisions of California law; and

WHEREAS, Section 30544 of the California Water Code authorizes the Mesa Water Board of Directors (Board) to appoint or employ and prescribe the authorities and duties of certain officers, employees, attorneys and engineers necessary or convenient for conduct of the business of Mesa Water, each of whom shall serve at the pleasure of the Board; and

WHEREAS, the Board has previously adopted Resolution No. 1307, establishing a policy to solicit proposals for outside auditing services for Mesa Water; and

WHEREAS, the Board desires to adopt an updated policy concerning the selection process for the appointments of general legal counsel and independent auditor for Mesa Water and superseding Resolution No. 1307.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE MESA WATER DISTRICT DOES HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1. Adoption of Policy. The Board hereby adopts the Policy, attached hereto as Appendix A (Policy), entitled “Selection Process for the Appointments of General Legal Counsel and Independent Auditor”.

Section 2. Effective Date. The Policy shall be effective immediately upon the date of adoption by the Board. Any amendment of, or exceptions to, the Policy shall be made by action(s) of the Board.

Section 3. Resolution No. 1307 Superseded. This Resolution shall supersede Resolution No. 1307 with regard to previously established policies for soliciting proposals for outside auditing services.
ADOPTED, SIGNED, and APPROVED this 8th day of June 2017 by a roll call vote.

AYES: DIRECTORS: 
NOES: DIRECTORS: 
ABSENT: DIRECTORS: 
ABSTAIN: DIRECTORS: 

______________________________________________
Ethan Temianka
President, Board of Directors

______________________________________________
Coleen L. Monteleone
District Secretary
RESOLUTION NO. XXXX

APPENDIX A

RESOLUTION OF THE
MESA WATER DISTRICT BOARD OF DIRECTORS
ESTABLISHING A POLICY FOR THE SELECTION PROCESS
FOR THE APPOINTMENTS OF GENERAL LEGAL COUNSEL AND
INDEPENDENT AUDITOR, SUPERSEDING RESOLUTION NO. 1307

Selection Process for the Appointments of General Legal Counsel and Independent Auditor
I. Purpose

The purpose of this policy (Policy) is to set forth the selection process for certain positions that are appointed by and report to Mesa Water District’s (Mesa Water®) Board of Directors (Board) and to provide for certain related matters.

II. General

A. The Board retains and shall have the authority and responsibility to select, appoint, negotiate terms for, prescribe scope of services, and directly receive reports and information from, the following:

1. General Legal Counsel; and
2. Independent Auditor.

B. Appointments Made by the Board – Appointments of General Legal Counsel and Independent Auditor shall be made by the Board. The Board may delegate such to a committee or the General Manager to make recommendations to the Board.

C. General Legal Counsel (Counsel) – shall serve as the attorney for the District and its Board in all general legal matters pertaining to the operation, maintenance, and other related business of Mesa Water. Counsel shall perform such duties as the Board, General Manager, and designated Mesa Water staff may request or direct. Counsel shall attend and/or participate in Board meetings and other meetings as directed by the Board or the General Manager.

D. Independent Auditor (Auditor) – shall conduct an annual financial audit of Mesa Water and the Mesa Consolidated Water District Improvement Corporation. The Auditor shall review applicable financial statements and prepare the audit report for the preceding fiscal year. Such audit reports shall conform to Mesa Water’s adopted financial and reporting policies and the applicable requirements of State law. The Auditor shall report, directly to the Board and/or the Audit Committee, any suspected financial irregularities, or other matters which present significant material weakness to Mesa Water. Such matters should simultaneously be reported by Mesa Water’s Treasurer to the Board President. Suspected criminal matters shall be promptly reported to the appropriate law enforcement agencies for investigation.

E. The Audit Committee will review the performance of the Auditor on at least an annual basis and make any recommendations concerning the performance of the Auditor to the Board.
III. Selection/Appointment Process

A. Selections made pursuant to this Policy will be made from a group of, pre-selected candidates who have been approved by the Board or responsible committee.

1. General Legal Counsel Services
   a. A full-scale competitive process will be held at a minimum every five years for the selection of Counsel.
   b. The Board will meet to conduct the interview and selection of Counsel.

2. Auditing Services
   a. A full-scale competitive process will be held at a minimum after five consecutive years with the same independent auditing firm.
   b. The Board authorizes the General Manager to send Requests for Proposal to audit firms after three consecutive annual reports by the same firm, unless the renewal provision is invoked by the Board, and if desired, may include the then-current Auditor in the proposal process.
   c. The Board requires mandatory audit rotation when the then-present audit firm has completed five consecutive annual financial audits.
   d. The Board will meet to conduct the interview and selection process of Auditor.

B. Appointments made following the selection process shall conform to the provisions of Section II.B hereof.

IV. Selection Criteria

A. Candidates for the position of Counsel must, at a minimum, be a licensed member of the State Bar of California and have a comprehensive understanding of public sector and applicable laws to assist Mesa Water. The attorney/firm should have a minimum of 10 years’ experience representing cities and/or special district water, wastewater and/or groundwater management agencies. Mesa Water reserves the right to establish the selection criteria for Counsel when soliciting proposals for such position.

B. Candidates for the position of Auditor must, at a minimum, be a qualified independent certified public accounting firm licensed to practice in the State of
SELECTION PROCESS FOR THE APPOINTMENTS
OF GENERAL LEGAL COUNSEL AND INDEPENDENT AUDITOR

California. Firms must be able to demonstrate complete independence from Mesa Water and an ability to maintain independence throughout the engagement period. Mesa Water reserves the right to establish the selection criteria for Auditor when soliciting proposals for such position.

C. The Board authorizes the General Manager to reject any proposal submitted by any firm that has performed the five consecutive audits immediately prior to the solicitation of proposals for Auditor services.

D. Other Criteria

Other than the mandatory criteria mentioned above, the Board may select the person(s) or firm to represent Mesa Water as Counsel or Auditor based on criteria relevant to the business of Mesa Water such as experience in the industry in which Mesa Water operates, references, cost and any other matters deemed relevant by the Board.

V. Conflict of Interest

A. It shall be the responsibility of the Counsel/Auditor retained by the Board to promptly identify potential conflicts of interest in the provision of their respective services to Mesa Water. Further, it shall be the duty of the Board to take prompt action to replace Counsel/Auditor when it is determined that an actual conflict exists, regardless of how reported.

B. Notwithstanding Section V. A. above, the parties to a Counsel or Auditor contract may also choose to enter into a conflict waiver agreement or similar arrangement.

VI. Contracts: Term of Contract

A. All contracts for the provision of Counsel or Auditor services shall be in writing and shall be approved by the Board prior to execution by, or on behalf of, Mesa Water. All such contracts shall set out the terms of service and shall conform to Mesa Water’s then-current policies applicable to the retention of professional services.

B. General Legal Counsel – Unless otherwise specified by the Board, the initial contract term shall be for a period of five years.

1. Renewal Provision – Providing services are satisfactory, the Board may authorize up to two additional one-year renewals with the then-current Counsel.
C. Auditor – Unless otherwise specified by the Board, the initial contract term shall be for a period of three years.

1. Renewal Provision – At the discretion of the Board, upon conclusion of the initial three-year term, the Board may authorize up to two additional one-year renewals with the current firm.

2. It is the policy of the Board that Mesa Water shall not retain the same firm for the provision of Auditor services for a period of more than five years.
RESOLUTION NO. XXXX

RESOLUTION OF THE
MESA CONSOLIDATED WATER DISTRICT BOARD OF DIRECTORS
ESTABLISHING A POLICY TO SOLICIT FOR THE SELECTION PROCESS PROPOSALS FOR OUTSIDE AUDITING SERVICES FOR THE APPOINTMENTS OF GENERAL LEGAL COUNSEL AND INDEPENDENT AUDITOR, SUPERSEDMING RESOLUTION NO. 13071226

WHEREAS, Mesa Consolidated Water District is a County (Mesa Water District formed under®) is a county water district organized and existing pursuant to the County Water District Law, operating pursuant to the provisions of California law; and

WHEREAS, Section 30000 and following30544 of the California Water Code; authorizes the Mesa Water Board of Directors (Board) to appoint or employ and prescribe the authorities and duties of certain officers, employees, attorneys and engineers necessary or convenient for conduct of the business of Mesa Water, each of whom shall serve at the pleasure of the Board; and

WHEREAS, the Board has been the previously adopted Resolution No. 1307, establishing a policy of Mesa Consolidated Water District to hire an independent auditor to annually review Mesa’s Financial Statements solicit proposals for the preceding fiscal year outside auditing services for Mesa Water; and

WHEREAS, it the Board desires to adopt an updated policy concerning the task of selection process for the independent auditor to express an opinion on the fairness of the Financial Statements of the District appointments of general legal counsel and the independent auditor for Mesa Consolidated Water District Improvement Corporation; and superseding Resolution No. 1307.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE MESA CONSOLIDATED WATER DISTRICT DOES HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOW:

Section 1. Adoption of Policy. The Board hereby adopts the Policy, attached hereto as Appendix A (Policy), entitled “Selection Process for the Appointments of General Legal Counsel and Independent Auditor”. The Board of Directors desires to solicit audit agreements for a three-year term. At the discretion of the Board, upon conclusion of the three-year term, the Board may authorize up to two additional one-year renewals with the current firm.

Section 2. Effective Date. The Policy shall be effective immediately upon the date of adoption by the Board. Any amendment of, or exceptions to, the Policy shall be made by action(s) of the Board. The Board of Directors also desires to
continue soliciting proposals for audit services after three consecutive audits by the same firm, unless the renewal provision is invoked.

Section 3. Resolution No. 1307 Superseded. This Resolution shall supersede Resolution No. 1307 with regard to previously established policies for soliciting proposals for outside auditing services. The Board of Directors hereby imposes a limit of five consecutive annual audits by the same firm.

Section 4. The Board of Directors hereby authorizes the General Manager to send Requests for Proposals to audit firms after three consecutive audits by the same firm, unless the renewal provision is invoked, and if desired, include the current firm in the proposal process.

Section 5. The Board of Directors hereby establishes that any firm that has performed five consecutive audits immediately prior to the solicitation of proposals wait a minimum of three consecutive audit years before being considered to perform the annual audit.

Section 6. The Board of Directors authorizes the General Manager to reject any proposal submitted by the firm that has performed the five consecutive audits immediately prior to the solicitation of proposals.

Section 7. This policy shall be effective immediately upon the date of adoption.

Section 8. This Resolution shall supersede Resolution No. 1226 with regard to previously established policies for soliciting proposals for outside auditing services.
ADOPTED, SIGNED, and APPROVED this 8th day of June 2017 by a roll call vote.

AYES:             DIRECTORS:
NOES:             DIRECTORS:
ABSENT: DIRECTORS:
ABSTAIN: DIRECTORS:

____________________________________
Ethan Temianka  
President, Board of Directors

Coleen L. Monteleone  
District Secretary

ADOPTED, SIGNED, and APPROVED this 12th day of October 2004 by a roll call vote.

AYES: DIRECTORS: Atkinson, Shoenberger, Bockmiller
NOES: DIRECTORS:
ABSENT: DIRECTORS: Ohlig-Hall, Healey
ABSTAIN: DIRECTORS:

____________________________________
Fred R. Bockmiller  
President, Board of Directors

____________________________________
Coleen L. Monteleone  
District Secretary
RESOLUTION NO. XXXX

APPENDIX A

RESOLUTION OF THE
MESA WATER DISTRICT BOARD OF DIRECTORS
ESTABLISHING A POLICY FOR THE SELECTION PROCESS
FOR THE APPOINTMENTS OF GENERAL LEGAL COUNSEL AND
INDEPENDENT AUDITOR, SUPERSEEDING RESOLUTION NO. 1307

Selection Process for the Appointments of General Legal Counsel and Independent Auditor
SELECTION PROCESS FOR THE APPOINTMENTS
OF GENERAL LEGAL COUNSEL AND INDEPENDENT AUDITOR

I. Purpose

The purpose of this policy (Policy) is to set forth the selection process for certain positions that are appointed by and report to Mesa Water District’s (Mesa Water®) Board of Directors (Board) and to provide for certain related matters.

II. General

A. The Board retains and shall have the authority and responsibility to select, appoint, negotiate terms for, prescribe scope of services, and directly receive reports and information from, the following:

1. General Legal Counsel; and
2. Independent Auditor.

B. Appointments Made by the Board – Appointments of General Legal Counsel and Independent Auditor shall be made by the Board. The Board may delegate such to a committee or the General Manager to make recommendations to the Board.

C. General Legal Counsel (Counsel) – shall serve as the attorney for the District and its Board in all general legal matters pertaining to the operation, maintenance, and other related business of Mesa Water. Counsel shall perform such duties as the Board, General Manager, and designated Mesa Water staff may request or direct. Counsel shall attend and/or participate in Board meetings and other meetings as directed by the Board or the General Manager.

D. Independent Auditor (Auditor) – shall conduct an annual financial audit of Mesa Water and the Mesa Consolidated Water District Improvement Corporation. The Auditor shall review applicable financial statements and prepare the audit report for the preceding fiscal year. Such audit reports shall conform to Mesa Water’s adopted financial and reporting policies and the applicable requirements of State law. The Auditor shall report, directly to the Board and/or the Audit Committee, any suspected financial irregularities, or other matters which present significant material weakness to Mesa Water. Such matters should simultaneously be reported by Mesa Water’s Treasurer to the Board President. Suspected criminal matters shall be promptly reported to the appropriate law enforcement agencies for investigation.

E. The Audit Committee will review the performance of the Auditor on at least an annual basis and make any recommendations concerning the performance of the Auditor to the Board.
III. Selection/Appointment Process

A. Selections made pursuant to this Policy will be made from a group of, pre-selected candidates who have been approved by the Board or responsible committee.

1. General Legal Counsel Services

   a. A full-scale competitive process will be held at a minimum every five years for the selection of Counsel.

   b. The Board will meet to conduct the interview and selection of Counsel.

2. Auditing Services

   a. A full-scale competitive process will be held at a minimum after five consecutive years with the same independent auditing firm.

   b. The Board authorizes the General Manager to send Requests for Proposal to audit firms after three consecutive annual reports by the same firm, unless the renewal provision is invoked by the Board, and if desired, may include the then-current Auditor in the proposal process.

   c. The Board requires mandatory audit rotation when the then-present audit firm has completed five consecutive annual financial audits.

   d. The Board will meet to conduct the interview and selection process of Auditor.

B. Appointments made following the selection process shall conform to the provisions of Section II.B hereof.

IV. Selection Criteria

A. Candidates for the position of Counsel must, at a minimum, be a licensed member of the State Bar of California and have a comprehensive understanding of public sector and applicable laws to assist Mesa Water. The attorney/firm should have a minimum of 10 years’ experience representing cities and/or special district water, wastewater and/or groundwater management agencies. Mesa Water reserves the right to establish the selection criteria for Counsel when soliciting proposals for such position.

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A. It shall be the responsibility of the Counsel/Auditor retained by the Board to promptly identify potential conflicts of interest in the provision of their respective services to Mesa Water. Further, it shall be the duty of the Board to take prompt action to replace Counsel/Auditor when it is determined that an actual conflict exists, regardless of how reported.

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2. It is the policy of the Board that Mesa Water shall not retain the same firm for the provision of Auditor services for a period of more than five years.
MEMORANDUM

TO: Executive Committee
FROM: Paul E. Shoenberger, P.E., General Manager
DATE: June 6, 2017
SUBJECT: Future Agenda Topics and Conference Schedule

RECOMMENDATION

Review future agenda topics and conference schedule.

STRATEGIC PLAN

Goal #1: Provide a safe, abundant, and reliable water supply.
Goal #2: Practice perpetual infrastructure renewal and improvement.
Goal #3: Be financially responsible and transparent.
Goal #4: Increase public awareness about Mesa Water® and about water.
Goal #5: Attract and retain skilled employees.
Goal #6: Provide outstanding customer service.
Goal #7: Actively participate in regional water issues.

PRIOR BOARD ACTION/DISCUSSION

None.

DISCUSSION

Staff will provide an updated future agenda topics and conference schedule at the Executive Committee meeting.

FINANCIAL IMPACT

None.

ATTACHMENTS

None.
REPORTS:

9. REPORT OF THE GENERAL MANAGER:
REPORTS:

10. DIRECTORS' REPORTS AND COMMENTS:
There are no support materials for this item.