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Satisfying our Community's  
Water Needs

**MINUTES OF THE BOARD OF DIRECTORS  
MESA WATER DISTRICT  
Thursday, January 11, 2018  
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 on January 11, 2018 at 6:00 p.m. by President Atkinson at the District Office Boardroom, located at 1965 Placentia Avenue, Costa Mesa, California.

**PLEDGE OF ALLEGIANCE**

Director Dewane led the Pledge of Allegiance.

**Directors Present**

Jim Atkinson, President  
Fred R. Bockmiller, P.E., Vice President  
Marice H. DePasquale, Director  
Shawn Dewane, Director  
James R. Fisler, Director

**Directors Absent**

None

**Staff Present**

Paul E. Shoenberger, P.E., General Manager  
Phil Lauri, P. E., Assistant General Manager/  
District Treasurer  
Denise Garcia, Administrative Services Manager/  
District Secretary  
Marwan Khalifa, CPA, MBA, Chief Financial Officer  
Stacie Sheek, Customer Services Manager  
Stacy Taylor, External Affairs Manager  
Syndie Ly, Human Resources Manager  
Tracy Manning, Water Operations Manager  
Rob Anslow, Partner, Atkinson, Andelson, Loya, Ruud & Romo

**Others Present**

Rafael Hidalgo Gatty, Account Manager, Alliant Employee Benefits  
Michael Morales, Benefits Consultant, Vice President, Alliant Employee Benefits  
Mark J. Austin, Partner, Rutan & Tucker, LLP  
Bob Ooten, Member of the Public  
Anna Vrska, Member of the Public

**PUBLIC COMMENTS**

President Atkinson asked for public comments on non-agendized items.

There were no comments and President Atkinson proceeded with the meeting.

## ITEMS TO BE ADDED, WITHDRAWN, OR REORDERED ON THE AGENDA

General Manager Shoenberger requested to reorder the agenda to take the Closed Session related to Existing Litigation after the Consent Calendar. There were no objections from the Board.

### CONSENT CALENDAR ITEMS:

1. Approve minutes of regular Board meeting of December 14, 2017.
2. Approve minutes of special Board meeting of December 18, 2017.
3. Approve minutes of special Board meeting of December 19, 2017.
4. Approve minutes of special Board meeting of December 21, 2017.
5. Approve attendance considerations (additions, changes, deletions).
6. Board Schedule:
  - Conferences, Seminars, and Meetings
  - Board Calendar
  - Upcoming Community Outreach Events
7. Award a contract in the amount of \$154,760 to Trussell Technologies, Inc. to evaluate the feasibility of converting from chloramination disinfection to free chloring disinfection.
8. Approve an increase to the On-Call Pipeline Repair and Construction contracts by \$150,000 for a total not-to-exceed amount of \$400,000 for Fiscal Year 2018, and authorize execution of the change order.
9. Renew the contract with California Advocates for Advocacy Consulting Services through December 31, 2018 for an amount not to exceed \$84,000.

President Atkinson asked for comments from the public. There were no comments.

### MOTION

Motion by Director Dewane, second by Vice President Bockmiller, to approve Items 1 - 9 of the Consent Calendar. Motion passed 5-0.

### Item 11 - CLOSED SESSION:

President Atkinson asked for comments from the public.

There were no comments and President Atkinson announced the Board was going into Closed Session at 6:05 p.m.

#### CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:

Pursuant to California Government Code Sections 54956.9 (d) (1) and 54954.5 (c)

Case: *Costa Mesa Sanitary District v. Mesa Water District*

Case No. 30-2017-00923819-CU-PT-CJC

#### RETURN TO OPEN SESSION.

The Board returned to Open Session at 6:56 p.m.

Special Legal Counsel Austin announced that the Board conducted one Closed Session with the General Manager, Assistant General Manager, District Secretary, External Affairs

Manager and Special Legal Counsel pursuant to Government Code Sections 54956.9 (d) (1) and 54954.5 (c). The Board received information and there was no other announcement.

**PRESENTATION AND DISCUSSION ITEMS:**

None.

**ACTION ITEMS:**

10. BOARD WORKSHOP PLANNING:

GM Shoenberger reviewed the proposed topics and noted the Board Workshop is scheduled for Monday, March 26, 2018. He asked for additional topics and the Board replied that there were none at this time.

No action was taken on this item.

The agenda was reordered to take Items 13 - 16 prior to Closed Session. There were no objections.

**REPORTS:**

Item 13 – REPORT OF THE GENERAL MANAGER:

- December Key Indicators Report
- Other (no enclosure)

Item 14 – DIRECTORS' REPORTS AND COMMENTS:

**INFORMATION ITEMS:**

Item 15 - DIRECTORS' REPORTS (AB 1234) PER CA GOVERNMENT CODE SECTION 53232.3 (D)

Item 16 - OTHER (NO ENCLOSURE)

**ACTION ITEMS:**

President Atkinson asked for comments from the public.

There were no comments and President Atkinson announced the Board was going into Closed Session at 7:18 p.m.

11. CLOSED SESSION:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:

Pursuant to California Government Code Sections 54956.9 (d) (1) and 54954.5 (c)

Case: *Costa Mesa Sanitary District v. Mesa Water District*

Case No. 30-2017-00923819-CU-PT-CJC

The first Closed Session was taken earlier on the agenda.

**CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOVERNMENT  
CODE 54957.6:**

District Negotiator: General Manager  
Employee Organization: District Employees

**RETURN TO OPEN SESSION.**

The Board returned to Open Session at 8:21 p.m.

Attorney Anslow announced that the Board met in one Closed Session with the General Manager, Assistant General Manager, District Secretary, Human Resources Manager, Alliant Employee Benefits Vice President Morales and Account Manager Gatty and Legal Counsel pursuant to Government Code 54957.6. The Board received information. Action will be taken under Item 12.

**12. TERMS AND CONDITIONS FOR COMPENSATION – NON-REPRESENTED  
EMPLOYEES:**

President Atkinson asked for comments from the public. There were no comments.

**MOTION**

Motion by Vice President Bockmiller, second by Director DePasquale, to extend the same terms and conditions to the Non-Represented Employees as set forth in the proposed Memorandum of Understanding with the Mesa Water District Employee Association (MWDEA) for the period of January 1, 2018 through December 31, 2022. Motion passed 5-0.

**REPORTS:**

**13. REPORT OF THE GENERAL MANAGER:**

- December Key Indicators Report
- Other (no enclosure)

Item taken earlier on the agenda.

**14. DIRECTORS' REPORTS AND COMMENTS:**

Item taken earlier on the agenda.

**INFORMATION ITEMS:**

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

Item taken earlier on the agenda.

**16. OTHER (NO ENCLOSURE)**

Item taken earlier on the agenda.

President Atkinson adjourned the meeting at 8:23 p.m. in honor of the victims and rescue workers in Montecito, California to a Regular Board Meeting scheduled for Thursday, February 8, 2018, at 6:00 p.m.

Approved:

  
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Jim Atkinson, President

  
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Denise Garcia, District Secretary

Recording Secretary: Sharon D. Brimer