



*Dedicated to  
Satisfying our Community's  
Water Needs*

**MINUTES OF THE BOARD OF DIRECTORS  
MESA WATER DISTRICT  
Thursday, July 14, 2016  
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 July 14, 2016 at 6:06 p.m. by President Dewane at the District Office Boardroom, located at 1965 Placentia Avenue, Costa Mesa, California.

**PLEDGE OF ALLEGIANCE**

Director Atkinson led the Pledge of Allegiance.

**Directors Present**

Shawn Dewane, President  
Ethan Temianka, Vice President  
Jim Atkinson, Director  
Fred R. Bockmiller, Director  
James R. Fisler, Director

**Directors Absent**

None

**Staff Present**

Paul E. Shoenberger, P.E., General Manager  
Coleen L. Monteleone, Assistant General Manager/  
District Secretary  
Phil Lauri, P.E., Assistant General Manager  
Andrew Hamilton, Chief Financial Officer  
Stacy Taylor, External Affairs Manager  
Stacie Sheek, Customer Services Manager  
Denise Garcia, Executive Assistant to the General Manager/  
Assistant District Secretary  
Rob Anslow, Attorney, Bowie, Arneson, Wiles & Giannone

**Others Present**

None

**PUBLIC COMMENTS**

President Dewane asked for public comments on non-agendized items. There were no comments and President Dewane proceeded with the meeting.

**ITEMS TO BE ADDED, WITHDRAWN, OR REORDERED ON THE AGENDA**

General Manager Shoenberger offered there were no items to be added, withdrawn, or reordered on the agenda.

**CONSENT CALENDAR ITEMS:**

1. Approve minutes of adjourned regular Board meeting of June 9, 2016.
2. Approve minutes of special Board meeting of June 16, 2016.

3. Approve minutes of special Board meeting of June 20, 2016.
4. Approve minutes of special Board meeting of June 25, 2016.
5. Board Schedule:
  - Conferences, Seminars, and Meetings
  - Board Calendar
  - Upcoming Community Outreach Events
6. Approve the Fiscal Year 2017 attendance at Conferences, Seminars, Meetings, and Events.
7. Award a professional services contract with Moran Consulting, Inc. for \$99,043 plus a 10% contingency for a not-to-exceed amount of \$108,947 to provide training to create an elite level of customer service at Mesa Water® and authorize execution of the contract.
8. Award a contract change order to Voit Real Estate Services for \$50,000, for a total contract not-to-exceed amount of \$75,000, for real estate acquisition services for two new well sites, and authorize execution of the change order.
9. Award a contract to Schuler Constructors, Inc. for \$516,000 and a 10% contingency for a not-to-exceed amount of \$567,600 to perform the Reservoirs 1 and 2 Improvements Project and authorize execution of the contract.
10. Authorize execution of a new Memorandum of Understanding between the County of Orange and Mesa Water District for use of AlertOC, a countywide emergency mass notification system.
11. Approve the Well 9B Project, approve filing of the Notice of Categorical Exemption from the California Environmental Quality Act, award a contract to Weber Water Resources for construction of the Well 9B Project for \$834,941 plus a 10% contingency for a not-to-exceed amount of \$918,435, and authorize execution of the contract.
12. Approve the General Legal Counsel Services Request for Proposal process.
13. Award a contract change order to Foley & Mansfield for special legal services for an amount not to exceed \$100,000.
14. Approve support of Bill Nelson, Orange County Cemetery District Director, as candidate for the California Special Districts Association Board of Directors Southern Network Seat B, authorize President Shawn Dewane to be the District's voting delegate, and direct staff to cast the mail-in ballot.

President Dewane asked for comments. There were no comments.

#### MOTION

Motion by Director Fidler, second by Director Atkinson, to approve Items 1-14 of the Consent Calendar. Motion passed 5-0.

#### PRESENTATION AND DISCUSSION ITEMS:

##### 15. SPECIAL DISTRICTS SHARED EFFICIENCIES PROJECT UPDATE:

General Manager Shoenberger noted that staff's recommendation was for the Board to receive the Special Districts Shared Efficiencies study completed by Arcadis U.S., Inc. and provide direction to staff. The study has been delayed and will be ready next week. The Board agreed to conduct a special Board meeting on Thursday, July 21, 2016 at 6:00 p.m. to review and discuss the results of the study.

**ACTION ITEMS:**

**16. ORANGE COUNTY WATER DISTRICT LETTER OF SUPPORT:**

General Manager Shoenberger introduced the item noting that Irvine Ranch Water District (IRWD) has filed a complaint against Orange County Water District (OCWD) seeking changes to the Basin Pumping Percentage (BPP) formula. IRWD is also seeking to export groundwater outside the basin. IRWD would save \$3.3 million annually; however, that savings would be shifted to the other Orange County pumpers.

The proposed letter expresses Mesa Water's continued support for OCWD and its management of the groundwater basin. Mesa Water also supports OCWD's decision not to sign the tolling agreement with IRWD.

President Dewane asked for comments. Directors offered comments and suggestions for amending the letter of support. There were no public comments.

**MOTION**

Motion by Vice President Temianka, second by Director Bockmiller, to approve the letter of support, as amended, to the Orange County Water District. Motion passed 5-0.

**17. RESOLUTION NO. 1478 – CLAIMS ACT POLICY:**

Chief Financial Officer Hamilton offered a review of the topic, noting that the Finance Committee reviewed this item at its June 20, 2016 meeting.

**MOTION**

Motion by Vice President Temianka, second by Director Bockmiller, to adopt Resolution No. 1478 Adopting a Policy Concerning Claims Against Mesa Water District Pursuant to the Government Claims Act and Superseding Resolution No. 1278 and adopt Ordinance No. 27 Adopting Government Claims Act Provisions. Motion passed 5-0 by the following roll call vote:

AYES: DIRECTORS Atkinson, Bockmiller, Fislser, Temianka, Dewane  
NOES: DIRECTORS None  
ABSENT: DIRECTORS None  
ABSTAIN: DIRECTORS None

**18. PUBLIC HEARING – 2016 PUBLIC HEALTH GOALS REPORT:**

President Dewane announced the public hearing for the purposes of inviting the public to comment on the 2016 Public Health Goals Report.

General Manager Shoenberger confirmed that notices for the Public Hearing were posted at the District's business office at 1965 Placentia Avenue, Costa Mesa; the United States Post Office at 1590 Adams Avenue, Costa Mesa; Costa Mesa City Hall at 77 Fair Drive,

Costa Mesa; and on Mesa Water's website. Two legal advertisements were published in the Daily Pilot on July 5, 2016 and July 12, 2016 .

The floor was opened to the Board for comments. Director Bockmiller offered that the Engineering and Operations Committee reviewed this item at its May 17, 2016 meeting and recommends approval.

The floor was opened to the public for comments. There were no comments.

President Dewane declared the Public Hearing closed.

## MOTION

Motion by Director Bockmiller, second by Director Atkinson, to receive and file the 2016 Public Health Goals Report . Motion passed 5-0 by the following roll call vote:

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

## 19. RESOLUTION NO. 1479 – PROTOCOLS OF THE BOARD OF DIRECTORS:

President Dewane offered comments. The proposed change provides for Consent Calendar consistency at the committee level by utilizing the process followed at the Board meetings.

## MOTION

Motion by Vice President Temianka, second by Director Atkinson, to adopt Resolution No. 1479 Adopting Protocols of the Board of Directors Superseding Resolution No. 1457. Motion passed 5-0 by the following roll call vote:

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

## 20. CLOSED SESSION:

President Dewane announced that the Board was going into Closed Session at 6:27 p.m.

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:  
Potential Initiation of Litigation Pursuant to Government Code Section 54956.9(c),  
(1 or more potential cases).

RETURN TO OPEN SESSION.

The Board returned to Open Session at 6:46 p.m.

Assistant General Manager Monteleone announced the Board conducted one Closed Session with the General Manager, Assistant General Managers, External Affairs Manager and Legal Counsel pursuant to California Government Code Section 54956.9(c). The Board provided direction to the General Manager and there is no other announcement.

**REPORTS:**

21. REPORT OF THE GENERAL MANAGER

- June 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)

President Dewane adjourned the meeting at 6:58 p.m. to a special Board meeting scheduled for Thursday, July 21, 2016, at 6:00 p.m.

Approved: 

Shawn Dewane, President



Coleen L. Monteleone, District Secretary

Recording Secretary: Sharon D. Brimer