

**THE SPECIAL BOARD MEETING
OF THE
BOARD OF DIRECTORS
TRABUCO CANYON WATER DISTRICT
FEBRUARY 1, 2012**

The Special Board Meeting of the Board of Directors of the Trabuco Canyon Water District (TCWD) was called to order by President Mandich at 7:02 a.m. at Trabuco Canyon Water District's office located at 32003 Dove Canyon Drive, Trabuco Canyon, California. Mr. Robert E. Anslow, TCWD Legal Counsel, stated Director Matt Disston is participating in TCWD's Special Board Meeting this morning from Seattle, Washington, and has met teleconferencing meeting requirements, as provided by the Ralph M. Brown Act. Mr. Anslow instructed Director Disston to advise if he cannot hear the proceedings at any time. Mr. Anslow asked Director Disston to confirm the agenda notice of February 1, 2012, Special Board Meeting was posted at the Starbucks Restaurant located at 7100 East Green Lake Drive North in Seattle Washington, prior to 24 hours before the scheduled meeting and that Director Disston is present at that same location at this time. Director Disston confirmed he is currently at that location and the agenda notice was posted on January 30, 2012, at least 24 hours prior to the beginning of the Board meeting.

Mr. Anslow confirmed that Director Disston is using a conference phone device for the purposes of allowing any interested members of the public to hear and participate in the Board meeting from the identified teleconference location. Director Disston stated, "I am." Mr. Anslow instructed Director Disston to alert the Board if there is a member of the public wishing to address the open session item at the teleconference location. Mr. Anslow instructed Director Disston to take the phone off conference call during the upcoming Closed Session. Director Disston responded he would do that. Mr. Anslow further advised Director Disston and the other members of the Board that all items which require a vote will require an oral roll call vote.

1 Director Disston acknowledged this information. Mrs. Teresa Teichman, Secretary to the Board
2 of Directors, recorded and transcribed the minutes thereof.

3 **DIRECTORS PRESENT**

4 Ed Mandich, President
5 Jim Haselton, Vice President
6 Glenn Acosta, Director
7 Mike Safranski, Director

8 **DIRECTORS PARTICIPATING, VIA TELECONFERENCE, FROM A REMOTE
9 LOCATION**

10 Matt Disston, Director

11 **STAFF PRESENT**

12 Don Chadd, General Manager
13 Hector Ruiz, District Engineer
14 Teresa Teichman, Secretary to the Board of Directors
15 Michael Perea, Special Projects Manager
16 Karen Warner, Accounting Supervisor

17 **LEGAL COUNSEL PRESENT**

18 Rob Anslow, General Legal Counsel
19 Melanie Poturica, Special Legal Counsel, Liebert, Cassidy, & Whitmore

20 **PUBLIC PRESENT**

21 There was one member of the public present.

22 **PLEDGE OF ALLEGIANCE**

23 President Mandich led the Board and Staff in the pledge of allegiance.

24 **VISITOR COMMENTS**

25 There were no visitor comments.

26 **ORAL COMMUNICATION**

27 There was no oral communication.

28 **DIRECTOR'S COMMENTS**

1 There were no Director comments

2 **REPORT FROM THE GENERAL MANAGER**

3 There was no report from the General Manager.

4 **OTHER MATTERS**

5 Mr. Chadd stated there were no other matters.

6 **ADDITIONAL DIRECTORS' COMMENTS**

7 There were no additional Director comments.

8 **ADDITIONAL GENERAL MANAGER COMMENTS**

9 There were no additional General Manager comments.

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12 **ITEM NO 1A STATUS UPDATE AND ACTION RELATING TO THE**
13 **ALTERNATE RAW WATER TRANSMISSION LINE (ARWTL)**
14 **(16-inch Raw Water Transmission Line – Serrano Creek Crossing**
15 **Alternate Route – PW79)**

16 President Mandich announced this item and stated he will recuse himself from this item
17 and turned the item over to Vice President Haselton.

18 Mr. Hector Ruiz, District Engineer, advised the Board that he received a call from both
19 the California Emergency Management Agency (CalEMA) and the Federal Emergency
20 Management Agency (FEMA) yesterday requesting a site visit at the Serrano Creek Crossing
21 location. Mr. Ruiz stated both agencies are open to TCWD re-routing options and a site visit has
22 been scheduled for February 9, 2012, to view the site and further evaluate options.

23 Mr. Ruiz advised TCWD had received six highly qualified proposals relating to the
24 ARWTL. Mr. Ruiz stated all proposals had a clear understanding and good approach to the
25 project. Mr. Ruiz advised all proposals addressed the project components and various routes,
26 however; the firm Tetra Tech stood out from the other proposals. Mr. Ruiz advised Tetra Tech
27 tasks included additional components in the proposal which would maximize funding from
28 FEMA.

1 Mr. Ruiz stated the six proposals ranged in labor hours for the project from 764 hours up
2 to 1,924 hours. Mr. Ruiz also relayed the six proposals ranged in costs from \$151,000 to
3 \$329,000. Mr. Ruiz stated Tetra Tech came in at the mid-range on both hours and costs. Mr.
4 Ruiz recommended the Board award the proposal to Tetra Tech. Mr. Don Chadd, General
5 Manager, asked Mr. Ruiz what is the amount of the proposal. Mr. Ruiz stated \$204,124 which
6 will be approved by FEMA.

7 Discussion occurred between the Board and Staff relating to bid comparisons and Tetra
8 Techs experience as it relates to FEMA projects. Mr. Ruiz stated Tetra Tech currently has three
9 similar projects in Southern California which involve FEMA. Mr. Ruiz also advised one
10 particular staff member of Tetra Tech had worked for FEMA for eight years and will be able to
11 provide insight and familiarity relating to FEMA's process on these types of projects.

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13 **MOTION:** A motion was made by Director Safranski and seconded by Director
14 Acosta to authorize Staff to engage Tetra Tech in the amount of \$204,124
for initial costs.

15 Mrs. Teichman took an oral roll call vote. The Motion passed 4-0, with President Mandich
16 abstaining.

17 **END ACTION CALENDAR**

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19 At 7:15 a.m. President Mandich advised closed session will begin. Mr. Rob Anslow,
20 TCWD General Legal Counsel, advised that the TCWD Board of Directors along with General
21 Legal Counsel and Ms. Melanie Poturica, TCWD Special Legal Counsel, will meet in closed
22 session pursuant to Government Code Sections 54957 and 54956.9(b), as provided for in the
23 Agenda.

24 **CLOSED SESSION**

25 The TCWD Board Members present, with General and Special Legal Counsel, and the
26 conference phone for purposes of Director Disston's participation to convene in TCWD's
27 conference room to hold the closed session.
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1 At 7:52 a.m. all parties returned to the Board room and President Mandich stated have
2 closed session has concluded and open session will resume.

3 Mr. Anslow reported that the Board had met in a single closed session pursuant to
4 Government Code Sections 54957 and 54956.9(b) with General Legal Counsel to the District
5 and Special Legal Counsel to the District. Mr. Anslow noted that the Closed Session conducted
6 pursuant to Government Code Section 54956.9(b) was based on a verbal threat of litigation
7 against the District. Mr. Anslow stated that there was no other announcement concerning the
8 Closed Session to be made at that time.
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10 **ADJOURNMENT**

11 At 7:53 p.m. President Mandich adjourned the February 1, 2012, Special Board Meeting.
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15 Respectfully Submitted,
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18 _____
19 Teresa Teichman
20 Secretary to the Board of Directors
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