

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF TRABUCO CANYON WATER DISTRICT

MEETING DATE: NOVEMBER 21, 2012

The Regular Meeting of the Board of Directors of the Trabuco Canyon Water District (TCWD) was called to order by President Mandich at 7:01 P.M. at TCWD's Main Office located at 32003 Dove Canyon Drive, Trabuco Canyon, California. Michael Perea, District Secretary, recorded and transcribed the minutes thereof.

DIRECTORS PRESENT

Board President Ed Mandich
Vice President Jim Haselton
Director Glenn Acosta
Director Stephen Dopudja
Director Mike Safranski

STAFF PRESENT

Don Chadd, Advisory General Manager
Hector Ruiz, Acting General Manager/District Engineer
Michael Perea, District Secretary
Karen Warner, Accounting Supervisor

DISTRICT CONSULTANTS PRESENT:

District General Legal Counsel - Robert E. Anslow (Bowie, Arneson, Wiles & Giannone)

PUBLIC PRESENT

There were members of the public present

PLEDGE OF ALLEGIANCE

Vice President Jim Haselton led the Board and staff in the pledge of allegiance

VISITOR PARTICIPATION

No comments were received.

ORAL COMMUNICATION

No comments were received.

DIRECTOR'S COMMENTS

Director Acosta had no comments.

Director Safranski commented on the Letter of Commendation the District received from a customer on Shadow Rock Lane concerning Mr. Gary Nicotra, Senior Meter Reader. Director Safranski commended Mr. Nicotra on his hard work and positive representation of the District to TCWD customers.

Director Dopudja had no comments.

Director Haselton had no comments.

Director Mandich had no comments.

REPORT FROM THE GENERAL MANAGER

The Acting General Manager, Hector Ruiz, commented on the following items:

1. The Letter of Commendation received from a customer on Shadow Rock Lane concerning Mr. Gary Nicotra, Senior Meter Reader.
2. The District had received a Public Records Request concerning all line breaks, leaks and repairs on Morningside Drive and surrounding areas in the Trabuco Highlands Community. Mr. Ruiz commented that the matter had been reviewed with Legal Counsel, and a response would be prepared in accordance with the Public Records Act.
3. The District had received the Department of Public Health's (DPH) Annual Water System Survey Report. Mr. Ruiz commented that there was one recommendation made by DPH based on their findings; the addition of sample taps at the District's wells facility.

ITEMS TOO LATE TO BE AGENDIZED

There were no items too late to be agendized.

CONSENT CALENDAR

The Board President indicated that all matters under the Consent Calendar would be approved by one motion unless a Board member requested a separate action on a specific item.

Action: Director Mandich asked to remove Item No. 4 from the Consent Calendar to make a correction to the Directors' Fees and Expenses schedule.

Action: A motion was made by Director Acosta and seconded by Director Safranski to approve the Consent Calendar, Item Nos. 1 through 5, minus Item No. 4. The motion carried 5 - 0.

ITEM NO. 4: RATIFICATION OF DIRECTORS' FEES AND EXPENSES, AND TENTATIVE FUTURE MEETINGS/ATTENDANCE ITEMS

Director Mandich commented that his Attendance Schedule did not include his attendance at the Communities of Rancho (CAR) Candidates Forum and listed two meetings on the same day, and requested that the Schedule be amended as such.

Action: A motion was made by Director Mandich and seconded by Director Acosta to approve the Directors' Fees and Expenses schedule as corrected. The motion carried 5 - 0.

ACTION CALENDAR

ADMINISTRATIVE MATTERS

ITEM NO. 5: DISCUSSION AND POSSIBLE ACTION REGARDING REPLACEMENT OF DISTRICT VEHICLES

The Acting General Manager, Hector Ruiz, commented that this matter had been reviewed with both the Finance/Audit and Engineering/Operations Committees. Mr. Ruiz commented that staff had contacted three vendors for the purpose of obtaining quotes for the replacement of District vehicles which were designated as surplus equipment. Mr. Ruiz commented that staff recommendation was to purchase two 4x4 utility body trucks for the District fleet, as there are emergency situations and rough terrain which warrant this type of vehicle. Director Haselton commended staff on their due diligence in procuring the vendor quotes. Discussion occurred concerning the preliminary results from the third-party auction of the District Surplus Equipment. Discussion occurred concerning the staff recommended Roll-Off Truck for purchase.

Action: A motion was made by Director Haselton and seconded by Director Safranski to approve the purchase of the staff recommended vehicles for purchase, as presented. The motion carried 5 - 0.

ENGINEERING MATTERS

ITEM NO. 6: BAKER REGIONAL WATER TREATMENT FACILITY

The Acting General Manager, Hector Ruiz, provided a status update on the project. Mr. Ruiz commented that a draft agreement is being prepared by Irvine Ranch Water District (IRWD), and that the draft will be brought to the Engineering/Operations Committee in January or February for review, and subsequent submittal to the Board for approval. Discussion occurred concerning available project financing options; Mr. Ruiz commented that there are current options for funding with IRWD, the State Revolving Fund, as well as the possible funding sources on the part of the District. Mr. Ruiz commented that the District Treasurer is researching possible funding options.

Action: None

ITEM NO. 7: ALTERNATE RAW WATER TRANSMISSION LINE – PW79

The Acting General Manager, Hector Ruiz provided a status update on the project. Mr. Ruiz commented that an updated Project Schedule is included in the staff report for review. Mr. Ruiz commented that Tetra Tech has submitted a draft Preliminary Design Technical Memorandum (TM), and that he is currently reviewing the document. Mr. Ruiz commented that he expects to bring a draft version of the TM to the Board for review at the December 2012 Regular Board Meeting. Mr. Ruiz commented that Tetra Tech is currently preparing the Environmental Assessment and updated costs for the project. Discussion occurred concerning the impact of Superstorm Sandy on FEMA and project timelines. Discussion occurred concerning possible scenarios concerning the impact of the so-called “Fiscal Cliff” on this project.

Action: None.

ITEM NO. 8: SHADOW ROCK DETENTION BASIN FACILITY

The Acting General Manager, Hector Ruiz, commented that staff had solicited proposals for professional services to prepare the final design and environmental documents for the project. Mr. Ruiz commented that a total of five firms were invited to submit proposals, but only one of the firms responded: URS. Mr. Ruiz commented that the URS proposal is comprised of five tasks, with optional tasks pending the results of discussions with regulatory agencies.

Action: A motion was made by Director Safranski and seconded by Director Mandich to authorize the Acting General Manager to contract with URS for professional engineering services related to the Shadow Rock Detention Basin Facility Project for a not to exceed amount of \$117,744.00, and tasks as presented in URS’s proposal. The motion passed 5- 0.

LEGISLATIVE MATTERS

ITEM NO. 9: LOCAL GOVERNMENTAL AND LEGISLATIVE INFORMATIONAL MATTER(S)

The Acting General Manager, Hector Ruiz, commented that the District has been requested to submit a letter of support for the continued representation by Senator Mimi Walters in Senate District Thirty-Six. Mr. Ruiz presented a draft support letter for Board review. Discussion occurred concerning Senator Mimi Walters and the level of representation for the area.

Action: A motion was made by Director Mandich and seconded by Director Safranski to approve the draft support letter for the continued representation by Senator Mimi Walters in Senate District Thirty-Six. The motion passed 5 – 0.

Mr. Ruiz commented on the City of Rancho Santa Margarita letter concerning the “Celebrating Family and Friends” event scheduled for December 31, 2012, which requested District support for the City-sponsored event. Discussion occurred concerning the event, as well as future opportunities for potential District involvement.

Action: None

OTHER MATTERS

The Acting General Manager, Hector Ruiz, commented that the Executive Committee Meeting is currently scheduled for December 3, 2012, at 7:00 AM. Discussion occurred concerning possible agenda topics for discussion, including a review of District Ad Hoc Committees.

Mr. Ruiz commented that Board members are required to complete AB1234 Ethics training before December 31, 2012, and that there is free online training available through ACWA/JPIA which satisfies the requirements.

Mr. Ruiz commented that the District Secretary, Michael Perea, will administer Oaths of Office for Directors Haselton and Dopudja at the end of the Board Meeting based on their successful election, and re-election, to the Board of Directors.

ADDITIONAL DIRECTORS’ COMMENTS

None

ADDITIONAL GENERAL MANAGER COMMENTS

No additional General Manager comments were provided.

CLOSED SESSION

The Board, through President Mandich, recessed the Open Session portion of the Meeting at 7:32 P.M. The Board met in Closed Session with District General Legal Counsel, as set forth in the Meeting Agenda.

CLOSED SESSION #1

The Board, through President Mandich reconvened the Open Session of the Meeting at 7:42 P.M.

ACTION ITEM NO. 10: DISCUSSION AND POSSIBLE ACTION CONCERNING TORT CLAIM SUBMITTED TO THE DISTRICT (CLAIM OF TEICHMAN – 2012)

Action: A Motion was made by Director Safranski and seconded by Director Acosta to reject the Claim of Teichman (2012) (Claim) as submitted to the District and to authorize and direct District General Legal Counsel to

provide written notice of rejection of the Claim as provided for under District policies and State law. The motion passed 5 – 0.

END ACTION CALENDAR

ADJOURNMENT

President Mandich adjourned the November 21, 2012, Regular Board meeting at 7:44 P.M.

Respectfully Submitted,

Michael Perea, District Secretary

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