



*Dedicated to
Satisfying our Community's
Water Needs*

**AGENDA
MESA WATER DISTRICT
EXECUTIVE COMMITTEE MEETING
Tuesday, January 7, 2020 at 12:00 PM
Panian Conference Room**

Committee Members: Shawn Dewane, President
Marice H. DePasquale, Vice President
Paul E. Shoenberger, P.E., General Manager
Denise Garcia, Administrative Services 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.

1. Committee Policy & Resolution Review

PRESENTATION AND DISCUSSION ITEMS:

Items recommended for approval at this meeting may be agendized for approval at a future Board meeting.

2. City/Districts Liaison Committee Meeting Topics
3. Commercial Battery Energy Storage Systems

ACTION ITEMS:

4. Special Legal Services

REPORTS:

5. Future Agenda Topics and Conference Schedule
6. Report of the General Manager
7. Directors' Reports and Comments

INFORMATION ITEMS:

8. 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



COMMITTEE POLICY & RESOLUTION REVIEW

EXECUTIVE COMMITTEE

Policy Assignments for 2019

Policy Name	Resolution No.	Date Adopted	Revision Schedule	Last Reviewed
Board Meeting Procedures	1509	02/08/18	Review and update as needed	02/08/18
Compensation and Expense Reimbursement	Ordinance No. 29	02/14/19	Review and update as needed	02/14/19
Conflict of Interest Reporting	1516	12/13/18	Biennial review and as needed to reflect changes in law and current staff positions	12/13/18
Delegation of Authority to General Manager	1507	01/18/18	Review and update as needed	01/18/18
Division Boundaries Revisions	1445	11/14/13	Reviewed every 10 years after census	11/14/13
Health Insurance Benefits for Directors	1342	03/27/07	Review and update as needed	03/27/07
Policy for Public Records	1521	03/14/19	Review and update as needed	03/14/19
Protocols of the Board	1479	07/14/16	Review and update as needed	07/14/16
Records Retention Policy	1515	09/13/18	Review and update as needed	09/13/18
Retirement Events	1400	08/24/10	Review and update as needed	08/24/10
Rules and Regulations for Employees	1473	05/19/16	Review and update as needed	05/19/16



*Dedicated to
Satisfying our Community's
Water Needs*

MEMORANDUM

TO: Executive Committee
FROM: Paul E. Shoenberger, P.E., General Manager
DATE: January 7, 2020
SUBJECT: City/Districts Liaison Committee Meeting Topics

RECOMMENDATION

Provide guidance to staff on topics for the third quarter 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 tentatively scheduled for Friday, January 17, 2020 at 8:00 a.m. and is being hosted by Mesa Water District. Staff is requesting guidance from the Executive Committee on agenda topics.

FINANCIAL IMPACT

None.

ATTACHMENTS

None.



*Dedicated to
Satisfying our Community's
Water Needs*

MEMORANDUM

TO: Executive Committee
FROM: Paul E. Shoenberger, P.E., General Manager
DATE: January 7, 2020
SUBJECT: Commercial Battery Energy Storage Systems

RECOMMENDATION

This item is provided for discussion.

STRATEGIC PLAN

Goal #3: Be financially responsible and transparent.

PRIOR BOARD ACTION/DISCUSSION

None.

DISCUSSION

This item is agendaized at the request of the Executive Committee.

FINANCIAL IMPACT

None.

ATTACHMENTS

None.



*Dedicated to
Satisfying our Community's
Water Needs*

MEMORANDUM

TO: Executive Committee
FROM: Paul E. Shoenberger, P.E., General Manager
DATE: January 7, 2020
SUBJECT: Special Legal Services

RECOMMENDATION

Recommend that the Board of Directors approve an amendment to the special legal services contract with Foley & Mansfield for an amount not to exceed \$100,000.

STRATEGIC PLAN

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

PRIOR BOARD ACTION/DISCUSSION

At its November 14, 2013 meeting, the Board of Directors (Board) authorized the General Manager to employ legal counsel to write an amicus brief in favor of the position held by the Capistrano Taxpayers Association.

At its December 11, 2014 meeting, the Board approved a contract to Foley & Mansfield for special legal services in the amount not to exceed \$50,000. This contract amount comprised the expenditures authorized in November 2013.

At its April 9, 2015 meeting, the Board approved an adjustment to the special legal services contract with Foley & Mansfield in the amount of \$5,100. Funds in the amount of \$5,100 were required to disburse the final Foley & Mansfield invoice for a contract total of \$55,100.

At its June 11, 2015 meeting, the Board approved a contract change order to Foley & Mansfield for special legal services in the amount not to exceed \$50,000.

At its July 14, 2016 meeting, the Board awarded a contract change order to Foley & Mansfield for special legal services for an amount not to exceed \$100,000.

At its October 12, 2017 meeting, the Board approved an amendment to the special legal services contract with Foley & Mansfield for an amount not to exceed \$50,000.

DISCUSSION

Foley & Mansfield has provided special legal services to Mesa Water in connection with the Capistrano Taxpayers Association case and other inquiries related to Article XIII D of the California Constitution (Proposition 218), as well as in connection with the *Irvine Ranch Water District v. Orange County Water District* case.

Staff recommends that the Board consider approving an amendment to the special legal services contract with Foley & Mansfield for an amount not to exceed \$100,000.



FINANCIAL IMPACT

In Fiscal Year 2020, \$236,725 has been spent to date with Foley & Mansfield.

	<u>Project Estimate Amounts</u>	<u>Project Cost Amounts</u>
Initial Services Estimate (FY 2013)	\$ 10,000	
Original Contract		\$ 10,000
Amendments #1-5		\$ 245,100
Requested Funding (Amendment #6)		<u>\$ 100,000</u>
Revised Contract		<u>\$ 355,100</u>
Actual Spent to Date		\$ 236,725
Revised Project Estimate	\$ 355,100	

ATTACHMENTS

None.



*Dedicated to
Satisfying our Community's
Water Needs*

MEMORANDUM

TO: Executive Committee
FROM: Paul E. Shoenberger, P.E., General Manager
DATE: January 7, 2020
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:

6. REPORT OF THE GENERAL MANAGER

REPORTS:

7. DIRECTORS' REPORTS AND COMMENTS

There are no support materials for this item.