

Marina Coast Water District

District Offices  
11 Reservation Road  
Marina, California

Regular Board Meeting  
September 28, 2005  
7:00 p.m.

**Minutes**

1. Call to Order:

President Moore called the meeting to order at 7:00 p.m. on September 28, 2005.

Board Members Present:

Tom Moore – President  
Ken Nishi  
Charles Scholl  
Howard Gustafson

Board Members Absent:

David Brown – Vice President

Staff Members Present:

Mike Armstrong, General Manager  
Marc Lucca, Deputy General Manager/District Engineer  
Lloyd Lowrey, Legal Counsel  
Suresh Prasad, Director of Finance  
Ken Demmons, Project Manager  
Rich Youngblood, Conservation Coordinator  
Paula Riso, Executive Assistant/Clerk to the Board

Audience:

Bob Schaffer, Marina Community Partners	Lester Lee
Dick Goblirsch, Del Rey Oaks	Paul Vierra
Tom Buell, MRWPCA	Mike Owens
Byron Buck, Byron Buck & Associates	Bill Jennings, Cypress Knolls
Pete Ericksen, BT Commercial Real Estate	Martin Lakazos, Cypress Knolls
Bob Enea, Monterey Horse Park	Bill Brasher, Marina Heights
Tom Mancini, City of Seaside	Niraj Dangoria, CSUMB
Eric Robinson, Cypress Knolls	John Saunders, Monterey Bay Estates
Steve Bloomer, City of Seaside	Gordon Nakagawa
Doug Yount, City of Marina	Bob Drake
Bradley Brownlow, Marina Community Partners	Susanne McDowell, The Monterey Herald
Rob Wellington, City of Marina	Paul Reimer, Del Rey Oaks
Tim O'Halloran, City of Seaside	

2. Oral Communications:

None.

3. Presentation:

- A. Consider Adoption of Resolution No. 2005-58 in Recognition of Mr. Paul Vierra, Collection System Operator I, as Employee of the Quarter for July – September 2005:

Mr. Armstrong, General Manager, read the narration.

President Moore made a motion to adopt Resolution No. 2005-58 recognizing Mr. Paul Vierra as Employee of the Quarter for July – September 2005 and awarding him with a check for \$100 and four hours off with pay. Director Gustafson seconded the motion. The motion passed.

Director Gustafson	-	Yes	Vice President Brown	-	Absent
Director Scholl	-	Yes	President Moore	-	Yes
Director Nishi	-	Yes			

4. Planning Workshop:

- A. Workshop and Action on Board Policies for 2005 Urban Water Management Plan (UWMP):

Mr. Armstrong introduced this item. Mr. Byron Buck, Byron Buck & Associates, gave a brief overview of what the Board is being asked to do this evening. He explained there are 5 policies the Board is asked to review and provide direction to staff and the consultant. Mr. Buck stated he would like to give a broad overview of the policy issues first, receive general comments and then go through each policy one-by-one and receive public and Board comment and direction at that time. The five policy issues to be discussed are: 1) What policy does the Board wish to establish regarding use of Central Marina groundwater for Ord Community development; 2) What policy does the Board wish to establish regarding use of MCWD's existing desalination and recycled water entitlement for service in the Ord Community; 3) Water "Availability" Issues – a) What policy does the Board wish to establish regarding when to consider water from the Hybrid Alternative "available" in context of UWMP and SB610; b) What policy does the Board wish to establish regarding when to consider the existing desalination plant and 300 afy of recycled water "available" in the context of the UWMP and SB610; 4) Demand forecasting; and, 5) Salinas Basin Groundwater overdraft and seawater intrusion. President Moore suggested concluding the planning workshop at 9:15 p.m. to allow time for the other agenda items. If more time is needed, the Board could decide to continue the discussion on a later date.

Agenda Item 4 (continued):

Director Scholl asked if Mr. Buck was using a 25-year plan. Mr. Buck stated he was using 25 instead of 20 years to allow the UWMP to be used for water supply assessments that look out 20 years. Director Scholl asked how often the UWMP would be reviewed for update.

Mr. Armstrong stated the UWMP by law must be updated every five years, but the District would look at it in the interim depending on what level of activity is ongoing.

Mr. Doug Yount, City of Marina, distributed a letter dated September 28, 2005, from the City of Marina regarding their comments on the 2005 Draft UWMP. Mr. Yount stated this was a critical issue and it is important that the MCWD recognize its obligation as a contracted purveyor of water to FORA, and the necessity as such, to identify and provide water to the redevelopment of Fort Ord. He also asked that the MCWD use criteria in context similar to demand i.e. if looking at a perceived demand over 25 years, the District should look at a similarly broad range for the availability and supply of water. Mr. Yount concluded and encouraged the Board to recognize and use official water supply allocations given by local Land Use Jurisdictions (LUJ's).

Mr. Eric Robinson, Special Water Counsel for the Cypress Knolls project, stated he will hold his comments until specific discussion is held on each policy discussed.

Mr. Bradley Brownlow, Legal Counsel for the Marina Community Partners, stated he agrees with the comments made by Mr. Yount and Mr. Robinson and their responses will also represent the Marina Community Partners.

Mr. Buck returned to the first policy for discussion and direction from the Board.

1. What policy does the Board wish to establish regarding use of Central Marina groundwater for Ord Community development?

Mr. Buck stated the discussion was to consider using Central Marina's groundwater entitlement on the Ord Community and if so, it would require an amendment to the MCWRA-MCWD annexation agreement. Until the annexation agreement amendment was approved, the water should not be considered available. Mr. Armstrong clarified that until an amendment was approved any groundwater from the Central Marina entitlement would only be available for the Marina portion of the Ord Community, not for the other LUJ's.

Director Scholl clarified that the question could be phrased to say, "What policy does the Board wish to establish regarding the use of Central Marina groundwater for the Marina portion of the Ord Community?" Mr. Buck answered that it could be phrased that way. Director Scholl also clarified that the groundwater being discussed is what is pumped from the deep aquifer wells for the City of Marina. Mr. Buck answered affirmatively.

Agenda Item 4 (continued):

Director Gustafson asked what amount of water was being considered. Mr. Buck answered that while no specific number was being suggested at the time, the number would be between 300 and 500 afy.

Mr. Bob Drake, Marina resident, commented that when Fort Ord was turned over to FORA, the US Army kept a reserve of more water than it needs and asked if that allocation would be reallocated. President Moore answered that it could, but that it was a FORA issue that needed to be resolved between FORA and the US Army.

Mr. Mike Owen, Marina resident, inquired if the Marina Station Project and the proposed Marina Golf Course were part of the Marina area. Director Scholl asked for clarification as well. Mr. Armstrong answered that the Marina Station Project is part of the Armstrong Ranch which has its own water allocation separate from the City of Marina. The proposed golf course by the Marina Airport would be considered part of Marina on the former Fort Ord.

Director Gustafson commented that there are different sources of water and levels of allocation and FORA does have additional water to allocate in the future. He stated that he would like to see the developers help develop both desal and recycled water, and then see if there is need for Central Marina water.

Director Scholl agreed with Director Gustafson that the Board not look at taking Central Marina groundwater to remedy the shortfall until other alternatives are considered first.

President Moore agreed and stated the District has worked hard to have and preserve robust water supplies for Central Marina. He added that he would not support giving Central Marina's potable water, but would support providing recycled water to the Ord Community if the City of Marina does not need it and allowing FORA to allocate the water.

Director Nishi commented that as Directors on the MCWD Board, it is their responsibility to provide water and stay ahead of the LUJ's requirements. He added that by defining Central Marina's groundwater as "our water" it is telling the residents of the Marina Ord Community that they are not first class citizens. Director Nishi stated the water is coming from the same basin and the District has a responsibility to use what it has for everyone. He would like to give the water to the Ord Community because the District wanted to be the purveyor of water to the Ord Community and has a responsibility to them. Director Nishi suggested giving the water to the Ord Community and then having the LUJ's pay the Marina residents back for the water they have already paid for.

Director Gustafson commented that it is how Marina developed and managed their water which is why they have it now. He added that FORA is a key to releasing the extra water.

Agenda Item 4 (continued):

Director Nishi added that when MCWD took over the former Fort Ord as the purveyor, the new ratepayers had to play by our rules and the District has an obligation to treat them as first class ratepayers.

President Moore stated that he understood there were three directors unwilling to sell Central Marina water to the Ord Community and one that was willing. Director Gustafson disagreed stating that he would like to see existing resources developed first. Director Nishi stated he would like to see the District being creative in developing additional water to stay ahead of the curve.

Director Scholl suggested waiting until all the policy issues have been discussed before asking for decisions. Director Nishi suggested taking a vote to see if there was support for Director Scholl's suggestion.

Director Nishi made a motion to use Central Marina's groundwater for Ord Community development with no cost to the Marina portion of the Ord Community and at a reasonable cost to the other LUJ's, but not to exceed an amount of 500 afy of groundwater. Mr. Lloyd Lowrey, Legal Counsel, asked for clarification if everyone outside Central Marina pays for the water or just the areas outside the jurisdictional boundaries of Marina. Director Nishi answered just the areas outside the jurisdictional boundaries of Marina. The motion fails for lack of a second. Mr. Lowrey again clarified that the residents of Central Marina (within the boundaries of MCWD's jurisdiction) paid the annexation fee of \$2.4 million to join Zones 2 and 2A. President Moore also clarified that the residents of Central Marina, the ones that vote for the Board members, are the only ones who have paid for the water and no one on the former Fort Ord has ever paid for Marina's groundwater. President Moore asked to move on to the next item.

2. What policy does the Board wish to establish regarding use of MCWD's existing desalination and recycled water entitlement for service in the Ord Community?

Mr. Buck stated the discussion was to consider the 300 afy of water the desalination plant is capable of producing, and the 300 afy of recycled water the District is entitled to year round, for use on the Ord Community.

Mr. Robinson commented that all of the development projects support putting the desalination plant back in operation and that it be deemed an "available" supply of water, and support reuse projects in accordance with both SB610 and SB 221.

Mr. Niraj Dangoria, CSUMB, stated that CSUMB supports both desalination and recycled water. He added that although CSUMB has been quiet in the past, if things change, they would like to have a place at the table to help with the evolution of the University.

Agenda Item 4 (continued):

Mr. Dick Goblirsch, Del Rey Oaks, commented that the City of Del Rey Oaks supports both programs.

Director Gustafson stated that time is of the essence and if developers want to help with the desal project they should. It could be beneficial to the residents of the City of Marina if they could get the money they originally invested into the desal plant from the developers.

Director Scholl agreed that if the developers were interested in refurbishing and paying for the desal plant that it could be considered. He added that he was not interested in giving away the 300 afy entitlement as there is not the need for recycled water at this time and recycled water was part of the hybrid project that would be discussed later.

President Moore commented he had concerns over selling the desal plant, because it was built as an emergency back-up in case there was a problem with the District's wells.

Director Nishi commented that the desal plant was a pilot plant and there were concerns over the deep aquifer failing. He would like to see the District begin the recycled water project.

Director Nishi made a motion to approve this policy. Director Gustafson seconded the motion. President Moore asked for clarification on the motion. Director Nishi stated his motion was to use MCWD's existing desalination and recycled water entitlement for service in the Ord Community. Mr. Buck stated the question was to decide if the 300 afy of desalinated water and 300 afy of recycled water entitlements should be considered as "available" for the Ord Community and asked if that was Director Nishi's intent. Director Nishi concurred it was. Director Scholl stated he was against including the recycled water entitlements in the "available" water as recycled water is part of the hybrid project. President Moore voiced his concern that he felt this motion commits the District to sell the desalination plant. He would like to know how to cover Central Marina with a back-up desal plant if the current plant were to be sold. President Moore also commented on the allocation of the additional water. Mr. Lowrey stated the FORA-MCWD Water/Wastewater Facilities Agreement commits to FORA the allocation of 6,600 afy and does not include allocation of any alternative water supply. President Moore stated he understands the District has a legal right to allocation of the alternative water supply, but cautions against the possible political ramifications of using that right. Director Gustafson commented that desal and recycled water were covered under both items 2 and 3. Mr. Buck stated the purpose of item 2 was to decide if the Board wants to commit the desal and recycled water that is currently available for use in the Ord Community, as distinct from the hybrid project (item 3) which won't be available until a future time. The motion failed.

Director Gustafson	-	Yes	Vice President Brown	-	Absent
Director Scholl	-	No	President Moore	-	No
Director Nishi	-	Yes			

Agenda Item 4 (continued):

Director Nishi made a second motion to use only MCWD's existing 300 afy of desalination water for service in the Ord Community. Director Gustafson seconded the motion. Director Scholl asked for further clarification. Director Nishi stated this was only a policy and the finite details were not to be decided upon as it is intended in a broad manner.

Mr. Robinson commented the Board was adopting a broad stroke policy and not approving any specific action. He added that the desalination plant counts under SB 610 and SB 221.

Mr. Goblirsch commented the Del Rey Oaks project relies heavily on recycled water for their (proposed) golf course and added that FORA has pledged \$37 million set aside for the water augmentation project. President Moore clarified that the Water Augmentation Hybrid Project was part of the next item and this item only discusses the existing desal plant.

The second motion failed.

Director Gustafson	-	Yes	Vice President Brown	-	Absent
Director Scholl	-	No	President Moore	-	No
Director Nishi	-	Yes			

3. Water "Availability" Issues:

- a) What policy does the Board wish to establish regarding when to consider water from the Hybrid Alternative "available" in context of UWMP and SB610?

Mr. Buck explained that when Water Supply Assessments (WSA) have been completed in the past, the Water Augmentation Project (WAP) was at an earlier stage of development and thus was not included as "available" water for the WSA's. In recent actions by the District, a Hybrid Alternative was selected; EIR certification and the selection of a Program Manager were completed. Mr. Buck stated that it was now up to the Board to decide when it wants to consider water from the Hybrid Alternative "available" from an SB610/UWMP standpoint. The Hybrid Alternative water could not be considered "available" from an SB221 standpoint as it does not meet all the tests, i.e. capital plan or permits. Mr. Lowrey stated that there are a lot of terms in SB221 that are not precisely defined and there has not been any significant legal determination by the courts to give guidance on what they mean. In the absence of such guidance from the courts, Mr. Lowrey concurs that Mr. Buck's conservative position regarding SB221 is appropriate. President Moore clarified that the discussion is regarding the Hybrid Alternative in accordance with SB610 and not SB221. Mr. Buck stated that was correct.

Agenda Item 4 (continued):

Mr. Robinson stated that the Board is not getting the whole picture on how to contemplate whether a particular future water project like the WAP can be factored into the District's determination about whether it has adequate water for a given development project; and, also whether it has adequate water for other planned uses outside of that project. He stated the factors for SB221 do not have to be completely met to consider the supply available and gave an example explaining his position on SB221. Discussion followed. Director Scholl asked if Mr. Lowrey agreed with Mr. Robinson's interpretation. Mr. Lowrey stated he had a slight difference of opinion but concedes that there may be different interpretations of SB221. Mr. Lowrey stated he finds it difficult to follow Mr. Robinson's line of logic under the law although it could be a possible interpretation. Discussion followed. President Moore asked if the District were to do a denial under SB221, could the LUJ override the denial and still issue a final map. Mr. Robinson answered they could make an independent determination supported by substantial evidence that there would be a long-term water supply for the project and correct any flaws that may have been made by the District performing the analysis. Mr. Robinson stated the District has a duty and obligation to serve water for projects approved by the LUJ's and to put water it has access to, to maximum beneficial use. Discussion followed.

Mr. Buck stated that if the District believes there is enough existing supply today, to meet a given development before them, they can find the sufficiency under SB221, even if they have to rely on the future project to meet all the demand they project in the future. It is only in the case that if they have to rely on that future project to meet today's determination can they not meet the test. Mr. Buck added that it is the distinction of which water the District is relying on to make the verification for the map in front of them at a given time. He also stated that under an SB610 assessment, it is acceptable if an LUJ looks at the same facts and come to a different conclusion than the District. However, under an SB221 assessment, the only way any LUJ could come to a different conclusion is if they bring new water to the table that the District didn't consider. They cannot override the District's finding on a SB221 certification if there are no new facts, i.e. water the District didn't know about.

Mr. Paul Reimer, Del Rey Oaks, stated that FORA allocates water and an additional 600 to 820 afy will be available for allocation from the use of reclaimed water on the Ord Community.

Director Scholl stated he supports the Hybrid Project.

Director Gustafson stated he would support the Hybrid Project but it doesn't address the current water need for the developments.

Director Scholl made a motion to consider water from the Hybrid Alternative "available" in context of UWMP and SB610. Director Gustafson asked the developers if, within the City of Marina, the motion would be beneficial at this point. They answered affirmatively. Director Gustafson seconded the motion.



Agenda Item 4 (continued):

President Moore stated he was still uncomfortable with this item. He asked Mr. Buck if the Hybrid water still has yet to be allocated by FORA. Mr. Buck answered that was correct. President Moore asked how this helps any particular LUJ as FORA has not made the allocation and none of the LUJ's can rely on water that has not been allocated to them. Mr. Buck stated that in terms of the UWMP it solves some of the problems but triggers the decision from FORA to the District of how they will allocate the water so the District can use the information in their analyses. President Moore asked Director Scholl if his motion included making the Hybrid water available to FORA or to the LUJ's or a specific LUJ. Director Scholl stated he didn't think it made a difference as only certain people/projects will use recycled water. President Moore questioned if the motion then made the water available to FORA. Director Scholl answered it did. Mr. Buck stated that by the direction given, the District wouldn't take any presumption of how the water is allocated. Mr. Brownlow stated the District could presume that FORA will meet their legal duty to allocate the water equitably and that each LUJ will get their fair share of the water. President Moore stated he could support the motion if the water was available to FORA for allocation. The motion passed.

Director Gustafson	-	Yes	Vice President Brown	-	Absent
Director Scholl	-	Yes	President Moore	-	Yes
Director Nishi	-	Yes			

Mr. Lowrey stated that he was unclear what the Board just did. President Moore asked what Mr. Lowrey needed to be clarified. Mr. Lowrey stated he did not hear anything on allocation in the motion only in the clarification. President Moore stated he did not mean allocation only that the water was available to FORA. Mr. Buck stated he thought the motion made no allocation but that the water was available for the context of UWMP and SB610.

- b) What policy does the Board wish to establish regarding when to consider the following sources "available" under UWMP and SB610? Additionally, should staff be directed to pursue utilization of the 300 AFY of recycled supply to the point of satisfying SB 221 availability criteria? (verbiage from Byron Buck's presentation)

Mr. Buck stated the water to be considered is the existing 300 afy desalination plant water and the 300 afy recycled water entitlement. He added that the desal water met the tests of both SB610 and SB221 while the recycled water only met the test of SB610 and not the test of SB221.

Mr. Robinson clarified that he thought the policy the Board was being asked to consider whether the desal water should be counted as available in the both the UWMP and performing SB610 WSA's. His question for clarification is why the Board is not being asked to consider the desal water available under SB221 water sufficiency verifications.

Agenda Item 4 (continued):

Mr. Buck stated that it would be automatic to assume it was available for both SB610 and SB221. He stated that he understood the desal plant was not operational and was not aware of any plans to begin operating it, although the Board could consider it available as the desal plant could be restarted very quickly if needed.

Mr. Robinson reiterated that as the Board just heard, the desal plant could be considered available for both SB610 and SB221.

Director Scholl questioned if this policy is passed, does the District lose control or ownership of the desal plant. Mr. Armstrong answered that the desal plant doesn't need to be operational to be considered "available" for UWMP SB610 and SB221 purposes. This policy says the desal water, at some time in the future, is possibly going to be put into production and used in the Ord Community. Mr. Buck stated that the decision keeps the desal water on the Marina side, but the Board could decide later to move that water to be available for the Ord side.

President Moore noted that the time was 9:15 p.m. and asked for a consensus to finish discussion on the present item. The Board concurred.

Director Gustafson stated he would support the policy and would like to see the desal plant operational.

President Moore commented that adopting a policy like this is premature and would like to see the nature of any deal regarding the desal plant before supporting this approach, and would like to know how Central Marina's interests would be protected. Director Scholl stated this policy would not put any of Central Marina's interests at risk. Mr. Buck again stated the water would belong to Central Marina and the Board would have to make a separate decision to move the water to the Ord Community where the other issues regarding ownership and purchasing the desal plant would come into play.

Director Scholl made a motion to support the policy. Director Gustafson seconded the motion. Mr. Armstrong clarified that only the desal water was being considered. Mr. Yount clarified that the motion was only for desal water and that it was for the UWMP, SB610, SB221 and only "available" for Central Marina. Director Scholl answered affirmatively. Clarification for which area the water is available for under this motion. Mr. Buck stated currently the desal water is not being considered available to anyone as the plant is not operational. This policy is for the Board to decide whether the water could be "available" as a supply in the larger context. It was clarified that the water was to be "available" for Central Marina and the Board could consider moving it at a later date. Mr. Lowrey stated the previous action taken is what limits the water to Central Marina, but that it is "available" for document purposes i.e. UWMP, SB610 and SB221.

Agenda Item 4 (continued):

Mr. Yount stated the City of Marina would be supportive of a policy where the desal water is consider as “available” for documentation purposes of the UWMP, SB610 and SB221. The City would not be supportive if this policy prohibits the water from ever being transferred to the Ord Community. Mr. Brownlow stated that the water is being considered “available” but not earmarking it to any particular jurisdiction.

The motion passed.

Director Gustafson	-	Yes	Vice President Brown	-	Absent
Director Scholl	-	Yes	President Moore	-	No
Director Nishi	-	Yes			

President Moore stated that this item would be continued to a later date. He then recessed the meeting from 9:25 until 9:36 p.m.

The Board entered into closed session at 9:37 p.m.

9. Closed Session:

- A. Pursuant to Government Code Section 54956.8  
Conference with Real Property Negotiator  
Property: Ord Community  
Negotiating Parties: MCWD, Department of the Army, MRWPCA, and FORA  
Under Negotiation: Wastewater Rights

The Board returned to open session at 10:02 p.m. Director Nishi left the meeting at 10:02 p.m.

10. Possible Action on Closed Session Item:

While in closed session, Director Nishi noted it was 10:02 p.m. and asked for a vote to extend the meeting. Receiving no immediate answer, Director Nishi left the meeting at 10:02 p.m. President Moore asked the remaining Board members if they wished to continue the meeting. The Board decided by acclamation to continue the meeting. Mr. Lowrey stated that no action was taken on agenda item 9-A during closed session and there was consultation with the negotiators. Director Scholl made a motion to adopt Resolution No. 2005-60 approving the Memorandum of Agreement among the Department of the Army, the Monterey Regional Water Pollution Control Agency, the Fort Ord Reuse Authority, and the Marina Coast Water District for prepaid wastewater rights on the Ord Community. Director Gustafson seconded the motion. The motion was passed.

Agenda Item 10 (continued):

Director Gustafson	-	Yes	Vice President Brown	-	Absent
Director Scholl	-	Yes	President Moore	-	Yes
Director Nishi	-	Absent			

President Moore asked if the Board wished to consider any of the other closed session agenda items. Director Scholl asked to consider the consent calendar.

5. Consent Calendar:

Director Scholl made a motion to approve the consent calendar consisting of items A) Consider Adoption of Resolution No. 2005-59 to Approve Amendment No. 2 for Byron Buck & Associates to Complete the 2005 Urban Water Management Plan; B) Consider Approval of the Draft October 2005 Newsletter; C) Receive the Quarterly Financial Statements for April 1, 2005 – June 30, 2005; D) Consider Approving Expenditures for the Month of August 2005; E) Consider Approval of the Draft Minutes of the Regular Board Meeting of July 13, 2005; F) Consider Approval of the Draft Minutes of the Regular Board Meeting of July 27, 2005; G) Consider Approval of the Draft Minutes of the Special Board Meeting of August 1, 2005; H) Consider Approval of the Draft Minutes of the Regular Board Meeting of August 10, 2005; and I) Consider Approval of the Draft Minutes of the Regular Board Meeting of August 24, 2005. Director Gustafson seconded the motion. The motion was passed.

Director Gustafson	-	Yes	Vice President Brown	-	Absent
Director Scholl	-	Yes	President Moore	-	Yes
Director Nishi	-	Absent			

Mr. Lowrey asked if the Board would like to go back to closed session to discuss item 9-C.

The Board entered back into closed session at 10:06 p.m.

9. Closed Session:

- C. Pursuant to Government Code Section 54956.8  
Conference with Real Property Negotiator  
Property: Water Rights  
Negotiating Parties: MCWD, Clark Colony Water Company  
Under Negotiation: Price and Terms of Payment

The Board returned to open session at 10:10 p.m.

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10. Possible Action on Closed Session Item:

Mr. Lowrey stated that no action was taken during closed session.

11. Adjournment:

The meeting was adjourned at 10:10 p.m.

APPROVED:

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Thomas P. Moore, President      Date

ATTEST:

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Michael D. Armstrong, General Manager