

Marina Coast Water District

District Office
11 Reservation Road
Marina, California

Regular Board Meeting
February 12, 2013
6:00 p.m.

Minutes

1. Call to Order:

President Moore called the meeting to order at 6:02 p.m. on February 12, 2013.

2. Roll Call:

Board Members Present:

Tom Moore – President
Jan Shriner – Vice President
Howard Gustafson
Peter Le

Board Members Absent:

Bill Lee - excused

Staff Members Present:

Brian Lee, Deputy General Manager/District Engineer
Roger Masuda, Legal Counsel
Kelly Cadiente, Director of Administrative Services
James Derbin, Operations and Maintenance Superintendent
Andy Sterbenz, Interim District Engineer
Jean Premutati, Management Services Administrator
Patrick Breen, Project Manager
Jeanine DeBacker, Legal Counsel
Paula Riso, Executive Assistant/Board Clerk

Audience Members:

Ed Mitchell, Prunedale Resident
Suresh Prasad, Marina Resident
Sara Rubin, Monterey County Weekly
Ruth Krotzer, Marina Resident
Mike Owen, Marina Resident
Betty Nebb, MRWPCA
Brian McCarthy, Marina Resident
Andy Leif, South County Housing Corporation
Wally Kasner, Big Sur Marathon

Mr. Ed Mitchell, Prunedale resident, asked if he could comment on closed session items before the Board entered closed session. President Moore asked Mr. Roger Masuda, Legal Counsel, if they could receive public comment on closed session items even though Oral Communications was on the agenda after closed session. Mr. Masuda said that it was a Board decision.

Vice President Shriner made a motion to receive comments on closed session items prior to closed session. President Moore seconded the motion. Director Le commented that people probably expected to be able to make public comment at 7:00 pm, but he did not have a major concern with receiving public comment prior to closed session. The motion was passed.

Director Lee	-	Absent	Vice President Shriner	-	Yes
Director Gustafson	-	No	President Moore	-	Yes
Director Le	-	Yes			

Public Comment on Closed Session Items:

Mr. Mitchell commented on his reflection of the General Manager's actions over the last several years and advocated for placing the General Manager on a leave of absence.

The Board entered into closed session at 6:08 p.m.

3. Closed Session:

A. Pursuant to Government Code 54956.9

Conference with Legal Counsel – Existing Litigation
(Subdivision (a) of Section 54956.9)

1) Ag Land Trust v. Marina Coast Water District and Does 1-100, Monterey County Superior Court Case No. M105019 Sixth Appellate District Court of Appeals Case No. H038550

2) California-American Water Company vs Marina Coast Water District; Monterey County Water Resources Agency; and Does 1 through 10, Monterey County Superior Court Case No. M120053 (Complaint for Declaratory Relief)

3) State Water Resources Control Board's Proposed Revocation of Monterey County Water Resources Agency Water Right Permit 11043 authorizing the diversion of up to 168,538 acre-feet per year from the Salinas River

B. Pursuant to Government Code Section 54956.9 (c)

Conference with Legal Counsel – Anticipated Litigation
Potential Initiation of Litigation

One Case – MCWD Claims against Monterey County and MCWRA

- C. Pursuant to Government Code Section 54956.9(b)(1) and 54956.9(b)(3)(C)
Conference with Legal Counsel – Anticipated Litigation
Potential Litigation
Two Cases
 - 1) Claims of MCWRA and Monterey County against MCWD
 - 2) Claims of California–American Water Company against MCWD
- D. Pursuant to Government Code Section 54957
Conference with Legal Counsel
Public Employee Performance Evaluation
Title: General Manager

The Board ended closed session at 7:10 p.m.

President Moore reconvened the meeting to open session at 7:16 p.m.

4. Possible Action on Closed Session Items:

President Moore stated that no reportable actions were taken in closed session and commented that the Board would return to closed session following the open session items.

5. Pledge of Allegiance:

President Moore asked Director Gustafson to lead everyone present in the pledge of allegiance.

6. Oral Communications:

Mr. Wally Kasner, Big Sur Marathon, commented that on March 23rd, they would be conducting the Mud Run at CSUMB and asked for a waiver of the deposit and hook up and removal of the hydrant meter. Mr. Brian Lee, Deputy General Manager/District Engineer, asked Mr. Kasner to contact staff and they would talk about it.

Mr. Mike Owen, Marina Resident, commented that he supported the commissioners he and his wife voted for and the actions they are doing. He voiced his approval of moving the meetings to the Council Chambers.

Mr. Brian McCarthy, Marina Resident, commented that for over two years, he had been before the Board to discuss the 1” meter issue for fire flow and he wanted to remind the Board that he was still waiting for some action to be taken on it.

7. Presentation:

- A. Consider Adoption of Resolution No. 2013-07 in Recognition of Ms. Paula Riso, Executive Assistant/Clerk to the Board, for 15 Years of Service to the Marina Coast Water District:

Agenda Item 7-A (continued):

President Moore made a motion to adopt Resolution No. 2013-07 in recognition of Ms. Paula Riso, Executive Assistant/Clerk to the Board, for over 15 years of service to the Marina Coast Water District. Director Le seconded the motion. Vice President Shriner expressed her amazement at the Executive Assistant and said that while out in the public doing work for the District, many people have expressed their appreciation of Ms. Riso's hard work and professionalism. President Moore agreed with Vice President Shriner's remarks and said that he has known Ms. Riso for fifteen years and she has always been professional and helpful even in trying times. The motion was passed.

Director Lee	-	Absent	Vice President Shriner	-	Yes
Director Gustafson	-	Yes	President Moore	-	Yes
Director Le	-	Yes			

President Moore read the narration and presented Ms. Riso with a plaque and gift certificate.

8. Consent Calendar:

Director Le requested to pull agenda items 8-A, 8-F, and 8-G from the Consent Calendar.

Vice President Shriner requested to pull agenda items 8-B, 8-C, 8-D, and 8-E from the Consent Calendar.

Vice President Shriner made a motion to approve the Consent Calendar consisting of:

- H) Approve the Draft Minutes of the Adjourned Regular Board Meeting of January 12, 2013.

Director Le seconded the motion. The motion was passed.

Director Lee	-	Absent	Vice President Shriner	-	Yes
Director Gustafson	-	Yes	President Moore	-	Yes
Director Le	-	Yes			

- A. Consider Adoption of Resolution No. 2013-08 to Authorize a Contract for Paving at the Well No. 11 Site and to Amend the FY 2012-2013 Capital Improvement Budget:

Director Le voiced his concerns over the run-off at the site and possible damage to neighboring properties.

Vice President Shriner made a motion to adopt Resolution No. 2013-08 authorizing a contract for paving at the Well No. 11 site and to amend the FY 2012-2013 Capital Improvement Budget. Director Le seconded the motion.

Agenda Item 8-A (continued):

The motion was passed.

Director Lee	-	Absent	Vice President Shriner	-	Yes
Director Gustafson	-	Yes	President Moore	-	Yes
Director Le	-	Yes			

- B. Adopt Resolution No. 2013-09 to Revise Policy Nos. 3.1, 3.2, 3.10, 5.4, 5.10, 10.14, 11.3, 11.7, and 17.0 of the Employee Handbook:

Vice President Shriner asked for clarification on sections 3.10, and 3.13.

Director Le made a motion to adopt Resolution No. 2013-09 to revise Policy Nos. 3.1, 3.2, 3.10, 5.4, 5.10, 10.14, 11.3, 11.7, and 17.0 of the Employee Handbook. Vice President Shriner seconded the motion. The motion was passed.

Director Lee	-	Absent	Vice President Shriner	-	Yes
Director Gustafson	-	Yes	President Moore	-	Yes
Director Le	-	Yes			

- C. Approve the Expenditures for the Month of December 2012:

Vice President Shriner questioned some bills that were partially paid in 2011 and the remainder was paid in 2012. Ms. Kelly Cadiente, Director of Administrative Services, explained why the invoices were paid over two years.

Director Le questioned the charge for DDA. Mr. Lee said that the invoice was turned in prior to the suspension of work on the project.

Director Le made a motion to approve the expenditures for the month of December 2012. Vice President Shriner seconded the motion. The motion was passed.

Director Lee	-	Absent	Vice President Shriner	-	Yes
Director Gustafson	-	Yes	President Moore	-	Yes
Director Le	-	Yes			

- D. Approve the Revised Draft Minutes of the Regular Board Meeting of November 13, 2012:

President Moore commented that they would have to accept the minutes since there wasn't a quorum of Directors present to approve them.

Agenda Item 8-D (continued):

Vice President Shriner commented that she would like to make a motion to accept both 8-D (the Revised Draft Minutes of the Regular Board Meeting of November 13, 2012) as provided on the dais, and 8-E (the Revised Draft Minutes of the Special Board Meeting of December 6, 2012). President Moore seconded the motion. The motion was passed.

Director Lee	-	Absent	Vice President Shriner	-	Yes
Director Gustafson	-	Yes	President Moore	-	Yes
Director Le	-	Yes			

E. Approve the Revised Draft Minutes of the Special Board Meeting of December 6, 2012:

Accepted under the previous action.

F. Approve the Draft Minutes of the Regular Board Meeting of December 11, 2012:

Director Le commented that he wanted more detailed information in the minutes of December 11, 2012 and January 8, 2013. He said that important details were missing so he couldn't vote in favor of the minutes.

Vice President Shriner made a motion to approve both 8-F (the Draft Minutes of the Regular Board Meeting of December 13, 2012), and 8-G (the Draft Minutes of the Regular Board Meeting of January 8, 2013). President Moore seconded the motion. The motion was passed.

Director Lee	-	Absent	Vice President Shriner	-	Yes
Director Gustafson	-	Yes	President Moore	-	Yes
Director Le	-	No			

G. Approve the Draft Minutes of the Regular Board Meeting of January 8, 2013:

Approved under the previous action.

9. Action Items:

Mr. Roger Masuda, Legal Counsel, commented that after the agenda was posted, the General Manager, who is the Secretary of the Board, went on leave and the Board had never appointed any other Deputy Secretaries, so staff is requesting that the Board vote to consider adding an item to the agenda to appoint two Deputy Secretaries who can sign certain documents in the General Manager's absence. Mr. Masuda stated that it would have to be a 4-0 vote to add it to the agenda, then the Board can either act on it right now or place it somewhere else on the agenda.

Vice President Shriner made a motion to add an item to the agenda to appoint two Deputy Secretaries. Director Le seconded the motion. Director Le commented that at a previous meeting he had wanted to add something to the agenda and was told he couldn't. He said he thought that if there were 4 or 5 votes in favor, it could be added. Mr. Masuda explained that emergency items can be added to agendas, or items that arise after the agenda is posted. He said that they must meet very strict guidelines. The motion failed for not getting a 4-0 vote.

Director Lee	-	Absent	Vice President Shriner	-	Yes
Director Gustafson	-	No	President Moore	-	Yes
Director Le	-	Yes			

President Moore stated that this item would be agendized at the next meeting.

A. Consider Adoption of Resolution No. 2013-10 to Amend the Water Conservation Commission Procedures Manual to Clarify Commissioner "Vacancies" and Re-Set the Public Member Positions:

Mr. Lee introduced this item. Vice President Shriner stated that the Water Conservation Commission recommended Alternative 3.

Ms. Ruth Krotzer, Marina resident, commented that she has served on the commission for the last two years and shared how she spreads the word on water conservation. She said she was in favor of having the commission terms be re-set to August on alternating years.

Vice President Shriner made a motion to adopt Resolution No. 2013-10 approving Alternative 3 and re-set the commissioner terms to August. President Moore seconded the motion. Director Le commented that he thought it would be better to re-set the commission terms to January. Vice President Shriner clarified that the beginning of the year is pretty hectic with Board assignments and budget talk. She said that it was discussed at the commission meetings and it came down to a matter of timing. Mr. Lee suggested the Board look into unexpired terms. Director Le said that he didn't want unexpired terms. The motion was passed.

Director Lee	-	Absent	Vice President Shriner	-	Yes
Director Gustafson	-	Yes	President Moore	-	Yes
Director Le	-	Yes			

B. Consider the Appointment of Ruth Krotzer as a Public Member of the Water Conservation Commission:

Mr. Brian True, Capital Projects Manager, stated that staff would like to pull this item. Following the outcome of the previous item, the terms have been shifted to August so this item is not needed at this time. Vice President Shriner commented that staff has done a great job with this commission and the high turnover has stabilized over the last year.

C. Consider Adoption of Resolution No. 2013-11 to Approve a Variance Request Regarding an Extended Payment Schedule for Connection Costs for the University Village Apartments Development:

Mr. Lee introduced this item and explained that the District was looking into putting a lien on the property for protection of non-payment. Mr. Masuda added that the lien would be a judgment lien and any prior lien would take precedence.

Mr. Andy Leif, Director of Housing Development for South County Housing Corporation, reported that the project is underway and they are looking for ways to recoup some of their deficit. He stated that they were looking to reduce fees with FORA as well as the District and that the City of Marina has already allowed them to defer some payments until a later date which will save on interest charges.

Director Le questioned if payment deferment would save them \$48,000 in interest charges. Mr. Leif answered that was an approximate number. Director Le suggested that they purchase a payment bond and even with the cost of the bond, they would still be saving money in interest charges. Mr. Leif asked that the District would still put the lien on the property if a payment bond was requested. President Moore said they wouldn't since the payment bond was sufficient.

Director Gustafson commented that this low income project will be offset by viable homes and will help the ratepayers.

Mr. Suresh Prasad, Marina resident, cautioned against granting a variance to someone who doesn't show a financial hardship claiming that it could start a precedence.

Director Le made a motion to adopt Resolution No. 2013-11 approving a Variance Request Regarding an Extended Payment Schedule for Connection Costs for the University Village Apartments Development with the condition that a payment bond is purchased and that this is to promote affordable housing. Vice President Shriner seconded the motion. The motion was passed.

Director Lee	-	Absent	Vice President Shriner	-	Yes
Director Gustafson	-	No	President Moore	-	Yes
Director Le	-	Yes			

D. Consider Adoption of Resolution No. 2013-12 (Ord Community Compensation Plan), and 2013-13 (Capital Elements of Ord Community Plan), to Adopt the Ord Community Portion of the FY 2012-2013 District Budget:

Ms. Cadiente introduced this item asking that the Board approve the budget with the same exception as FORA approved it in September 2012. She stated that the budget needs to be approved so that the District can continue to do business, to move forward with the Rate Study, and to start the next budget process.

Agenda Item 9-D (continued):

Vice President Shriner thanked Ms. Cadiente for the time she spent answering all her questions.

Director Le commented that there is inconsistency with project names, such as the Regional Project, Recycle Project, Water Project, and New Water Project. He suggested that there only be a Recycle Project and Water Project. Director Le said if the prior Board gave direction to use reserve funds for the projects, then the funds should be transferred to show revenue. He said he cannot support the budget without showing revenue for the projects.

Director Gustafson commented that they did spend money on the different projects but there is money due the District from other agencies.

Ms. Cadiente explained that the Recycled Water and Regional Project cost centers were set up to track the cost of these two projects. She explained how the costs were accounted for in the budget.

President Moore clarified that this action would only approve the Ord Community portion of the budget as the Central Marina portion was already approved by the previous Board. He also clarified that this budget was the one FORA approved with the changes they requested. Ms. Cadiente answered that it did.

Director Gustafson commented on the \$40 million bond the Board approved in 2006 under President Moore's presidency.

Vice President Shriner called for a point of order to stick with the agenda item.

Director Le commented that the funds should be transferred from reserves to the revenue of the project.

Director Le made a motion to adopt Resolution No. 2013-12 (Ord Community Compensation Plan), and 2013-13 (Capital Elements of Ord Community Plan), to Adopt the Ord Community Portion of the FY 2012-2013 District Budget excluding the Recycled Water and Regional Projects and direct staff to transfer funds from reserves into the two projects to track the expenses. Vice President Shriner seconded the motion. Mr. Masuda asked for clarification on the motion. Discussion followed. Director Le withdrew his motion. Vice President Shriner withdrew her second.

Director Le made a substitute motion to adopt Resolution No. 2013-12 (Ord Community Compensation Plan), and 2013-13 (Capital Elements of Ord Community Plan), to Adopt the Ord Community Portion of the FY 2012-2013 District Budget as written and asked that staff bring an update on the expenditures for the Recycled Project and Regional Project to the next meeting. Vice President Shriner seconded the substitute motion.

Agenda Item 9-D (continued):

The motion was passed.

Director Lee	-	Absent	Vice President Shriner	-	Yes
Director Gustafson	-	Yes	President Moore	-	Yes
Director Le	-	Yes			

- E. Consider Adoption of Resolution No. 2013-14 to Approve a Professional Services Agreement with GHD for Engineering Services related to FY 2012/13 CIP Projects “Replace Lift Station No. 5” & “Clark Lift Station Improvements”:

Mr. Lee introduced this item. Vice President Shriner thanked staff for making a clear report.

Director Le made a motion to adopt Resolution No. 2013-14 approving a Professional Services Agreement with GHD for engineering services related to FY 2012/13 CIP Projects “Replace Lift Station No. 5” & “Clark Lift Station Improvements”. Vice President Shriner seconded the motion. The motion was passed.

Director Lee	-	Absent	Vice President Shriner	-	Yes
Director Gustafson	-	Yes	President Moore	-	Yes
Director Le	-	Yes			

- F. Consider Adoption of Resolution No. 2013-15 to Revise District Records Retention Schedules:

Ms. Cadiente introduced this item.

Director Le said that he wasn’t happy about how the minutes for the last two meetings were written. He said he wanted more detailed information in the minutes in case of future litigation. Director Le stated that he wanted the audio to be kept longer than 30 days.

Director Le made a motion to adopt Resolution No. 2013-15 to revise District Records Retention Schedules so that meeting audio/and or video is kept for 5 years before they are erased. Vice President Shriner seconded the motion. The motion was passed.

Director Lee	-	Absent	Vice President Shriner	-	Yes
Director Gustafson	-	No	President Moore	-	Yes
Director Le	-	Yes			

- G. Consider Adoption of Resolution No. 2013-16 to Amend the Professional Services Agreement with BHI Management Consulting to Facilitate a Board Workshop and Develop a Five-Year Strategic Plan for the Marina Coast Water District:

Ms. Jean Premutati, Management Services Administrator, introduced this item.

Agenda Item 9-G (continued):

Vice President Shriner asked what cost center would cover these funds. Ms. Premutati answered that this was not a budgeted item so it would come from reserves unless it is done in the next fiscal year, then it can be put in the next budget.

Director Le suggested switching Task Set Schedule 1a and 2a so that the consultant interviews the Board before he interviews senior staff.

President Moore commented that he would be agreeable to going with Option B and starting sometime in the spring. Director Le concurred but suggested getting started as soon as possible.

Vice President Shriner made a motion to adopt Resolution No. 2013-16 to amend the Professional Services Agreement with BHI Management Consulting to facilitate a Board Workshop and develop a Five-Year Strategic Plan for the Marina Coast Water District using Option B and beginning as soon as the consultant is available. Director Le seconded the motion. The motion was passed.

Director Lee	-	Absent	Vice President Shriner	-	Yes
Director Gustafson	-	Yes	President Moore	-	Yes
Director Le	-	Yes			

H. Consider Approving the Board Meeting Schedule and Venue for 2013:

Ms. Paula Riso, Executive Assistant/Clerk to the Board, gave an update on the status of use of the City of Marina's Council Chambers. She explained that the City Council would discuss the District's use of the Council Chambers on February 20th and the only cost involved would be for the videography. Ms. Riso added that the dates the City is looking at are the first and third Monday of the month.

Director Le made a motion to proceed with meeting at the City Council Chambers on the first and third Monday of the month and for the District to pay for videography of the meetings. Director Shriner seconded the motion with the clarification that the schedule would start the third Monday in March pending City Council approval. The motion was passed.

Director Lee	-	Absent	Vice President Shriner	-	Yes
Director Gustafson	-	No	President Moore	-	Yes
Director Le	-	Yes			

I. Consider Hiring a Temporary Videographer to Film the MCWD Board Meetings:

President Moore commented that he would use the funds collected through the More Transparency donations to pay for the videographer until the meetings move over to Council Chambers.

10. Staff Report:

A. Receive the 4th Quarter 2012 Ord Community Water Consumption and Sewer Flow Report:

Mr. Andy Sterbenz, Interim District Engineer, introduced this item explaining that CHOMP was split out from University Villages on the report. He added that the Bayonet golf course is using less water. President Moore asked that changes be noted in a footnote and marked with an asterisk.

Director Le asked if the software could draw a graph because it is easier to read. Mr. Sterbenz stated that the software doesn't create graphs, but staff could manually enter the numbers into a spreadsheet.

11. Informational Items:

A. General Manager's Report:

Mr. Lee reported that the District now has a Deputy General Manager/District Engineer and thanked the Board and staff for the warm welcome he received.

B. Counsel's Report:

No report.

C. Committee and Board Liaison Reports:

1. Water Conservation Commission:

Vice President Shriner commented that staff gave a presentation on Violence in the Workplace. She noted that she has a conflict for the March meeting and asked if Ms. Riso would contact Director Lee as the alternate to attend.

2. Joint City-District Committee:

No meeting was held in January. The next meeting is February 27, 2013.

3. Executive Committee:

No meeting was held.

4. Community Outreach:

Director Le commented that he and Vice President Shriner would attend some local service clubs, e.g. Rotary, Chamber of Commerce, and Lions Club, to speak about the District. He asked that they get business cards made to hand out at these events.

Agenda Item 11-C4 (continued):

Director Le asked that ordering District business cards be placed on the next agenda. Vice President Shriner agreed that business cards would be helpful. She added that she had been speaking at City Council to update everyone the happenings at the District.

5. MRWPCA Board Member:

President Moore stated that he attended two meetings, the first was boiler-plate and the second meeting discussed a request for \$800,000 to look at a variety of urban reclamation projects.

6. LAFCO Liaison:

Director Le stated the January meeting was canceled.

7. FORA:

President Moore stated that FORA is currently going through a Base Reassessment. He added that FORA's Administrative Committee was recently found to have violated the Brown Act when they met privately.

8. WWOC:

The next meeting is scheduled for February 20, 2013.

9. JPIA Liaison:

Vice President Shriner said that there was training available through JPIA.

10. Special Districts Association Liaison

President Moore commented that the SDA had a speaker on CEQA.

11. CalDesal:

No report.

12. Board Member Requests for Future Agenda Items:

- A. Reminder of Project Workshop for RUWAP and Desalination Discussion – Saturday, February 23, 2013:

Ms. Riso stated that the City of Marina has tentatively approved use of Council Chambers for the workshop.

Agenda Item 12 (continued):

Vice President Shriner said that she had several requests for agenda items:

- Revisit the Ordinance for capacity charge credit
- An article on World Water Day
- Fraud Policy and possibly having Fraud Committee in place
- Fire Sprinkler Issue
- Mud Run fee waiver
- Business Cards for Directors

Director Le asked President Moore to review the list of agenda items he provided in December.

B. Set Date for Strategic Planning Workshop:

President Moore asked staff to look at Saturday's in March and see when the consultant is available then email the Directors with possible dates.

13. Director's Comments:

Director Gustafson commented that it looks like Directors are divulging closed session information to the newspaper.

Director Gustafson left the meeting at 9:22 p.m.

Vice President Shriner thanked the Acting General Manager for coming on board and jumping in with both feet.

President Moore thanked Mr. Lee for his time, especially over the weekend, getting caught up with staff and the Board. He thanked staff for their hard work.

Director Le asked if Mr. Lee received a list of projects for discussion. Mr. Lee answered that he did receive the list and staff was looking through the list and preparing for the workshop.

The board returned to closed session at 9:24 p.m.

3. Closed Session:

- A. Pursuant to Government Code 54956.9
Conference with Legal Counsel – Existing Litigation
(Subdivision (a) of Section 54956.9)

1) Ag Land Trust v. Marina Coast Water District and Does 1-100, Monterey County Superior Court Case No. M105019 Sixth Appellate District Court of Appeals Case No. H038550

2) California-American Water Company vs Marina Coast Water District; Monterey County Water Resources Agency; and Does 1 through 10, Monterey County Superior Court Case No. M120053 (Complaint for Declaratory Relief)

3) State Water Resources Control Board's Proposed Revocation of Monterey County Water Resources Agency Water Right Permit 11043 authorizing the diversion of up to 168,538 acre-feet per year from the Salinas River

- B. Pursuant to Government Code Section 54956.9 (c)
Conference with Legal Counsel – Anticipated Litigation
Potential Initiation of Litigation
One Case – MCWD Claims against Monterey County and MCWRA
- C. Pursuant to Government Code Section 54956.9(b)(1) and 54956.9(b)(3)(C)
Conference with Legal Counsel – Anticipated Litigation
Potential Litigation
Two Cases
1) Claims of MCWRA and Monterey County against MCWD
2) Claims of California–American Water Company against MCWD

The Board returned to open session at 10:56 p.m.

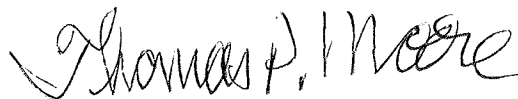
4. Possible Action on Closed Session Items:

President Moore stated that no reportable action was taken.

14. Adjournment:

The meeting was adjourned at 10:56 p.m.

APPROVED:



Thomas P. Moore, President

ATTEST:



Brian Lee, Acting General Manager