



BOARD OF DIRECTORS
Tim Pellissier, *President - Division 1*
Scott Koehn - *Division 2*
David Long, *Vice President/Secretary - Division 3*
Kevin Gonzalves - *Division 4*
Billy Pimentel - *Division 5*

John Sweigard - *General Manager*
Phillip R. McMurray - *General Counsel*

**MERCED IRRIGATION DISTRICT
BOARD OF DIRECTORS MEETING**

Tuesday, February 19, 2013
10:00 A.M.

MERCED CIVIC CENTER
678 W. 18th Street
Merced, CA 95340

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CONSIDER CORRECTIONS OR ADDITIONS TO THE AGENDA

The Board will consider corrections or additions to the agenda of items requiring immediate action that have come to the attention of the Board after posting of the agenda.

OPPORTUNITY FOR PUBLIC COMMENT (5 minutes per speaker)

Interested persons in the audience are welcome to introduce any topic within the District's jurisdiction. Matters presented under this heading may be discussed but no action will be taken by the Board at this meeting.

CONSENT CALENDAR

All matters listed under Consent Calendar are considered routine by the Board of Directors and will be adopted by one action of the Board unless any Board Member has any question or wishes to make a statement or discuss an item. In that event, the President of the Board will remove that item from the Consent Calendar and place it for separate consideration.

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| 1. Board Meeting Minutes | February 5, 2013 |
| 2. Resolutions 2013-02 and 2013-03, amending prior Resolutions 2010-24 and 2013-01 | February 19, 2013 |

CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – One (1) case – pursuant to Government Code section 54956.9(d)(4)
2. CONFERENCE WITH LABOR NEGOTIATORS – pursuant to Government Code Section 54957.6

Agency Negotiators: John Sweigard, General Manager
Phillip McMurray, General Counsel
Jennifer Carter, Director of Administrative Services

Employee Organization : International Brotherhood of Electrical Workers (“IBEW”)

ACTION/DISCUSSION ITEMS

1. **RESOLUTION No. 2013-04:** The Board will consider adoption of Resolution No. 2013-04, District opposition to the State Water Resources Control Board’s Substitute Environmental Documentation regarding potential changes to the Water Quality Control Plan for the San Francisco Bay – Sacramento/San Joaquin Delta Estuary. (McMurray/Kelly)
2. **RESOLUTION No. 2013-05:** The Board will consider adoption of Resolution No. 2013-05 authorizing the General Manager to execute legal documents, deeds and resolutions associated with Merced County Association of Government’s (MCAG) project, known as ATWATER-MERCED EXPRESSWAY/SR-99 INTERCHANGE PROJECT. (Wiersma)
3. **RESOLUTION No. 2013-06:** The Board will consider adoption of Resolution No. 2013-06, increasing the credit limit for the revolving line of credit agreement and warrant with the Twin Lakes Management Company. (Stubbert)
4. **RESOLUTION No. 2013-07:** The Board will consider adoption of Resolution No. 2013-07, establishing the Merced Irrigation District Debt Management Reserve Policy. (Stubbert)
5. **RESOLUTION No. 2013-08:** The Board will consider adoption of Resolution No. 2013-08, establishing the Merced Irrigation District Energy Resources Cash Reserve Policy. (Stubbert)
6. **RESOLUTION No. 2013-09:** The Board will consider adoption of Resolution No. 2013-09, establishing the Merced Irrigation District Water Resources Cash Reserve Policy. (Stubbert)
7. **FY 2014 BUDGET:** The Board of Directors will review and consider recommendations from the Finance and Administration Committee regarding the draft proposed FY 2014 Budget. (Stubbert)
8. **2013 AVAILABLE WATER SUPPLY:** The Board of Directors will receive a presentation on the 2013 Available Water Supply and Implementation Plan. (Kelly)
9. **RESOLUTION No. 2013-10:** The Board will consider adoption of Resolution No. 2013-10, establishing a District Supplemental Water Supply Pool Program. (Kelly)

REPORT ITEMS

None

DIRECTOR REPORTS/UPDATES

CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – pursuant to Government Code Section 54956.9(a)
 - a. Gallo Cattle Company v. Merced Irrigation District, et al., Merced Superior Court Case CV001051
 - b. Gallo Cattle Company v. Merced Irrigation District, Merced Superior Court Case CV003031
 - c. La Cava v MID, United States District Court, Eastern District of California 1:10-CV-00853-LJO-GSA
2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – One (1) case – Federal Energy Regulatory Commission - Relicensing of the Merced River Hydroelectric Project, pursuant to Government Code section 54956.9(b)

ADJOURNMENT

Posted: Thursday, February 14, 2013 at 2:00 P.M.

NOTE: No action may be taken on any items not appearing on this agenda unless:

- : There is a finding of an emergency situation by majority.
- : A two-thirds vote of the legislative body or a unanimous vote if less than two-thirds of the members are present.
- : An item was properly posted, but carried over for five days.

Any materials that are public records that relate to an agenda item, and are distributed to the board of directors less than 72 hours prior to the meeting shall be available for public inspection at the offices of the Merced Irrigation District, 744 W. 20th Street, Merced, CA during normal business hours. Additionally, any materials presented during open session are available for public inspection at the same address.