



WATER AND POWER

744 W. 20th Street (95340)
P.O. Box 2288 - Merced, CA 95344-0288
(209) 722-5761

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 McMurray - *General Counsel*

**MERCED IRRIGATION DISTRICT
BOARD OF DIRECTORS MEETING**

Tuesday, August 6, 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 | July 2, 2013 |
| 2. Cash Transaction Report | April, May and June 2013 |
| 3. Treasurers Report | April, May and June 2013 |
| 4. Written Disbursement Request | No. 57 |
| 5. Withdrawal Request | No. 821 and 821 |
| 6. Out of State Travel Request | No. 2013-07, 08, 09 and 10 |

ACTION/DISCUSSION ITEMS

1. **(UNFINISHED BUSINESS) – SETTLEMENT:** The Board of Directors will review and consider participating in proposed settlement of litigation between two (2) District customers: Kevin and David Gonzalves, and Gary and Ken Nunes. – Item tabled from July 2, 2013 meeting

2. **MIDDID#1**: The Board of Directors will review and consider a request for reimbursement for storm drainage fees and irrigation fees by Sohan Sahota. (Wiersma)
3. **CLAIM**: The Board of Directors will review and consider a claim filed by Joseph Keller, DC (DBA Keller Chiropractic) for alleged damages sustained to his digital x-ray machine. (Carter)
4. **CLAIM**: The Board of Directors will review and consider a claim filed by Rodney Freitas for alleged damage to his private groundwater pump. (Carter)
5. **RESOLUTION NO. 2013-23**: The Board of Directors will review and consider adoption of Resolution No. 2013-23 for the Renewable Portfolio Standard ("RPS") Enforcement Program/Procurement Plan. (Ouchley)
6. **RESOLUTION NO. 2013-24**: The Board of Directors will review and consider adoption of Resolution No. 2013-24 entering into Purchase and Sale Agreement, and Operation and Maintenance Agreement with Scholle Packaging, Inc. (Ouchley)

REPORT ITEMS

1. Water Operations Report (Wiersma)
2. MID Ag Water Management Plan (Eltal)
3. Energy Resources Report (Ouchley)
4. Parks and Recreation Report (Mills)
5. Quarterly Financial Review (Stubbert)

CLOSED SESSION

1. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** – Four (4) cases pursuant to Government Code Section 54956.9(a).
 - Gallo Cattle Company v. Merced Irrigation District, et al., Merced Superior Court Case CV001051
 - Gallo Cattle Company v. Merced Irrigation District, Merced Superior Court Case CV003031
 - Merced Irrigation District and PG&E Gas & Electric Co. v. HART High-Voltage Apparatus Repaid and Testing Co., Inc., Merced Superior Court Case CVM013599
 - Merced Irrigation District v. County of Mariposa
Merced Superior Court; Case CV002888

ADJOURNMENT

Posted: Tuesday, July 30, 2013 at 10:30 A.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.