



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*

AMENDED AGENDA
MERCED IRRIGATION DISTRICT
BOARD OF DIRECTORS MEETING

Tuesday, May 7, 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.

- | | |
|---------------------------------|----------------|
| 1. Board Meeting Minutes | April 16, 2013 |
| 2. Written Disbursement Request | No. 54 |
| 3. Out of State Travel Request | 2013-02 |

ACTION/DISCUSSION ITEMS

1. **WATER SERVICE**: The Board of Directors will review and consider the request for reinstatement of water service to APN 067-030-023 made by Darrold Brummell. (Wiersma)
2. **RESOLUTION NO. 2013-14**: The Board of Directors will review and consider adoption of Resolution No. 2013-14 to amend Electric Rate Schedule LSC – Customer Owned and Maintained Street Light Facilities. (Ouchley)
3. **CLAIM**: The Board of Directors will review and consider the subrogation claim from Nationwide Insurance, on behalf of their insured, Roger Soderstrom. (Carter)
4. **CLAIM**: The Board of Directors will review and consider a claim filed by Ken Bolin for damages sustained to his houseboat. (Carter)

REPORT ITEMS

1. Quarterly Financial Report (Stubbert)
2. Water Resources Report (Kelly)
3. Energy Resources Report (Ouchley)

ANNUAL SHAREHOLDERS MEETING OF THE TWIN LAKES MANAGEMENT COMPANY

1. Appointment of TLMC Directors

CLOSED SESSION

1. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** – three (3) 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 v. County of Mariposa
 - i. *Merced Superior Court; Case No. CV002888*
 - ii. *US District Court Eastern District of California; Case No. 1:12-cv-01645-LJO-SKO*
2. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION** – One (1) case – pursuant to Government Code section 54956.9(d)(2)

ADJOURNMENT

Posted: Wednesday, May 1, 2013 at 1:00 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.