



WATER AND POWER

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BOARD OF DIRECTORS

Tim Pellissier - Division 1

Gino Pedretti - Division 2

David Long - Division 3

Suzy Hultgren, *President* - Division 4

Wil Hunter, *Vice President/Secretary* - Division 5

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

**MERCED IRRIGATION DISTRICT
BOARD OF DIRECTORS MEETING**

Tuesday, November 20, 2012

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 | November 6, 2012 |
| 2. Withdrawal Request | No. 814 |
| 3. Written Disbursement Request | No. 49 |

ACTION/DISCUSSION ITEMS

1. **AWARD OF CONTRACT**: The Board will consider awarding a construction contract for “Pipelining a Portion of the Garibaldi Lateral”. This work is part of the larger Garibaldi/McCoy Lateral Water Conservation Project (Wiersma).
2. **RESOLUTION NO. 2012-35**: The Board of Directors will review and consider authorizing the execution of a Direct Payment Agreement with the California Department of Community Services and Development. (Stubbert)

REPORT ITEMS

1. Water Resources Report (Eltal)

DIRECTOR REPORTS/UPDATES

CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – One (1) case – pursuant to Government Code section 54956.9(b)
2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION – Title: General Manager, pursuant to Government Code Section 54957.
3. CONFERENCE WITH LEGAL COUNSEL REGARDING LABOR NEGOTIATORS, pursuant to Government Code Section 54957.6.

ADJOURNMENT

Posted: Wednesday, November 14, 2012 at 4:00 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.

MERCED IRRIGATION DISTRICT

BOARD OF DIRECTORS MEETING

November 20, 2012

CONSENT CALENDAR ITEMS

MERCED IRRIGATION DISTRICT

BOARD OF DIRECTORS MEETING

November 20, 2012

ACTION/DISCUSSION ITEMS

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1. **AWARD OF CONTRACT:** The Board will consider awarding a construction contract for “Pipelining a Portion of the Garibaldi Lateral”. This work is part of the larger Garibaldi/McCoy Lateral Water Conservation Project.

The project is located near the intersection of Vinewood Avenue and River Road, in Sections 28 & 29 of T6S, R11E, M.D.B.& M. of Merced County, CA. MID was awarded a United States Bureau of Reclamation (“USBR”) \$1 million grant for the above mentioned project in 2009. The project is estimated to save approximately 5,500 acre-feet (AF) per year.

Phase 1 (completed) - This phase entailed improvements to two other laterals, the Garibaldi Lateral ‘A’ and the McCoy Lateral. Regarding the Garibaldi Lateral ‘A’, construction included replacing 575 linear feet of existing 30 inch diameter RCP with 48 inch diameter RCP, and extending the lateral in a 42-inch diameter RCP assembly from its current termination to the McCoy Lateral, approximately 3,195 linear feet. This work was completed by MID crews on the 2011-2012 off (winter) season. The McCoy lateral component included demolition of the existing channel and widening/concrete lining approximately 10,500 linear feet of open channel. This work was performed by an outside contractor, Floyd Johnston Construction, in the 2011-2012 off (winter) season.

Phase 2 – This is the subject of this Discussion/Action, and consists of pipelining a portion of the Garibaldi Lateral, including mobilization, demolition, clearing and grubbing, earthwork, providing and installing approximately 4,810 linear feet of 42-inch diameter reinforced concrete pipe (RCP), 2,018 linear feet of 24-inch diameter PVC pipe, 300 linear feet of 18-inch diameter PVC pipe, constructing manholes, concrete box structures, modifications to existing private irrigation facilities, and other items as required by the Contract Documents. The 24-inch PVC pipe portion may be deferred as a result of continued negotiations with the underlying land owner.

The project was advertised for bid in the Merced Sun Star on October 13, October 20 and October 27. Contract Documents were also provided to the Builder’s Exchange. Bids were received on November 13, 2012 and were being evaluated at the time of production of this background report to determine the lowest conforming bidder. Said analysis and recommendation for award will be presented to the Board during the presentation of this action item.

RECOMMENDATION: Approve awarding a construction contract to the lowest conforming bidder for construction of the “Pipelining a Portion of the Garibaldi Lateral” project.

2. **RESOLUTION NO. 2012-35:** The Board of Directors will review and consider authorizing the execution of a Direct Payment Agreement with the California Department of Community Services and Development. (Stubbert)

The Merced Irrigation District accepts payment pledges from the Home Energy Assistance Program (“HEAP”) administered by the California Department of Community Services and Development (“CSD”). The purpose of the program is to make direct credit payments to the accounts of low income energy customers. The agreement for the period July 1, 2012 - September 30, 2014, was executed by the Deputy General Manager, Energy Resources on June 20, 2012. We were informed on October 29, 2012, that CSD requires governing board authorization to execute the Agreement.

RECOMMENDATION: Staff recommends the Board adopt Resolution No. 2012-35 authorizing the Deputy General Manager, Energy Resources' June 20, 2012, execution of the above described Agreement.

**MERCED IRRIGATION DISTRICT
RESOLUTION NO. 2012-35**

**RESOLUTION AUTHORIZING THE EXECUTION OF A DIRECT PAYMENT AGREEMENT
WITH THE CALIFORNIA DEPARTMENT OF COMMUNITY SERVICES AND DEVELOPMENT**

WHEREAS, the California Department of Community Services and Development (“CSD”) administers the Home Energy Assistance Program (“HEAP”).

WHEREAS, the purpose of HEAP is to make direct credit payments to the accounts of low income energy customers.

WHEREAS, it is the District’s desire to participate in this program as a benefit to its customers.

NOW THEREFORE, BE IT RESOLVED THAT the Merced Irrigation District Board of Directors authorizes the Deputy General Manager, Energy Resources’ June 20, 2012, execution of a Direct Payment Agreement with the CSD for the purpose of accepting HEAP payments for its energy customers for the period July 1, 2012 – September 30, 2014.

PASSED AND ADOPTED by the Board of Directors of the Merced Irrigation District this 20th day of November 2012 by the following vote:

Ayes: Directors:
Noes: Directors:
Abstain: Directors:
Absent: Directors:

Suzy Hultgren
President
Merced Irrigation District

William E. Hunter
Vice President/Secretary
Merced Irrigation District