



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 R. McMurray - *General Counsel*

**MERCED IRRIGATION DISTRICT
BOARD OF DIRECTORS MEETING**

**Tuesday, December 18, 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 20, 2012 and December 10, 2012 |
| 2. Cash Transaction Report | October 2012 |
| 3. Treasurers Report | October 2012 |

ACTION/DISCUSSION ITEMS

1. **RESOLUTION NO. 2012-37**: The Board of Directors will consider adoption of Resolution No. 2012-37 approving interim spending authorization until the adoption of the 2013/2014 Operating and Capital Budget. (Stubbert)
2. **RESOLUTION NO. 2012-38**: The Board of Directors will consider adoption of Resolution No. 2012-38 updating signatory authority for the District's various banking and investment accounts. (Stubbert)
3. **RESOLUTION NO. 2012-39**: The Board of Directors will review and consider authorizing execution of a First Addendum Agreement, extending the term of the existing Revolving Line of Credit Agreement and Warrant (the "Agreements") with the Twin Lakes Management Company ("TLMC"). (Stubbert)
4. **RESOLUTION NO. 2012-40**: The Board of Directors will review and consider authorizing execution of agreement with Pyro Spectaculars, Inc. for a Fourth of July Firework display at Lake McClure. (Mills)
5. **RESOLUTION NO. 2012-41**: The Board of Directors will consider adoption of Resolution No. 2012-41 approving a temporary variance to the District's adopted Risk Management Policy ("Policy"). (Ouchley)
6. **EXECUTE AGREEMENT**: The Board of Directors will review and consider authorizing execution of a City of Merced/Merced Irrigation District Conditional Project Cost Reimbursement Agreement. (Eltal)

REPORT ITEMS

7. Water Resources Report (Eltal)
8. Water Operations Report (Wiersma)
9. Energy Resources Report (Ouchley)
10. Healthcare Law (Carter)

DIRECTOR REPORTS/UPDATES

CLOSED SESSION

1. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION** – Two (2) cases – pursuant to Government Code section 54956.9(b)
2. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** – Two (2) cases - 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

ADJOURNMENT

Posted: Thursday, December 13 2012 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.