

**SAN LORENZO VALLEY WATER DISTRICT  
BOARD MEETING ACTION SUMMARY  
November 05, 2009  
7:35 p.m.**

**CONVENE MEETING/ROLL CALL**

Vice Pres. Nelson convened the meeting at 7:35 p.m. Roll call showed Dirs. Nelson, Prather and Rapoza were present. Dir. arrived at 7:35 p.m. Dir. McPherson and Vierra were absent. District Manager Mueller, Director of Operations Rogers and Legal Counsel Hynes were also present.

**MINUTES**

MINUTES REGULAR MEETING OF OCTOBER 15, 2009.

Motion made by Dir. Rapoza to approve the minutes for the October 15, 2009 Board of Directors Meeting.

**ROLL CALL:**

Ayes: Nelson, Prather, Rapoza  
Noes: None  
Abstain: None  
Absent: McPherson, Vierra

**ADDITIONS AND DELETIONS TO AGENDA:** None.

**ORAL COMMUNICATIONS:** None.

**WRITTEN COMMUNICATIONS:** None.

**CONSENT AGENDA:** None.

**UNFINISHED BUSINESS:** None.

**NEW BUSINESS:** None.

**GENERAL MANAGER REPORTS:**

Bill List Period Ending October 15, 2009

Motion made by Dir. Prather to approve the Bill List Period Ending October 15, 2009.

**ROLL CALL:**

Ayes: Nelson, Rapoza , Prather  
Noes: None  
Abstain: None  
Absent: McPherson, Vierra

Investment Report Period ending September 30, 2009

The Board received Investment Report Period ending September 30, 2009

Department Status Reports

The Board received the Department Status Reports.

**COMMITTEE/DIRECTOR REPORTS (Oral):** None.

**INFORMATION MATERIAL:** None.

**ADJOURNMENT TO CLOSED SESSION**

Vice Pres. Nelson adjourned the regular meeting to closed session at 7:55 p.m. for the purpose of:

**CONFERENCE WITH LEGAL COUNSEL; EXISTING LITIGATION**

Existing litigation pursuant to subdivision (a) of California Government Code Section 54956.9  
Name of case: San Lorenzo Valley Water District vs. Constance Noel, et al.

**CONFERENCE WITH LEGAL COUNSEL; EXISTING LITIGATION**

Existing litigation pursuant to subdivision (a) of California Government Code Section 54956.9  
Name of case: San Lorenzo Valley Water District vs. David Leu, Ellen Leu, et al.

**LIABILITY CLAIM**

Liability Claim pursuant to subdivision(a) of California Government Code Section 54956.95  
Claimant: State Farm Insurance Company subrogating for Douglas B. Mac Donald  
Agency claimed against: San Lorenzo Valley Water District

**PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Title: District Counsel  
Government Code Section 54957

**RECONVENE TO OPEN SESSION:**

Vice President Nelson reconvened to the regular meeting at 8:20 p.m. to consider the following agenda items:

**CONFERENCE WITH LEGAL COUNSEL; EXISTING LITIGATION**

Name of case: San Lorenzo Valley Water District vs. David Leu, Ellen Leu, et al; and

**LIABILITY CLAIM**

Claimant: State Farm Insurance Company subrogating for Douglas B. Mac Donald

Conference with Legal Counsel; Existing Litigation, San Lorenzo Valley Water District vs. David Leu, Ellen Leu, et al..

Motion made by Dir. Rapoza to adopt Resolution No. 11 (09-10) approving settlement of the subject litigation.

**ROLL CALL:**

Ayes: Nelson, Prather, Rapoza  
Noes: None  
Abstain: None  
Absent: McPherson, Vierra

Liability Claim

Claimant: State Farm Insurance Company subrogating for Douglas B. Mac Donald  
Motion Made by Dir. Prather to reject in full the damage claim of State Farm Insurance subrogating for Douglas B. Mac Donald.

**ROLL CALL:**

Ayes: Nelson, Rapoza, Prather  
Noes: None  
Abstain: None  
Absent: McPherson, Vierra

**REPORT OF ACTIONS TAKEN IN CLOSED SESSION:**

**CONFERENCE WITH LEGAL COUNSEL; EXISTING LITIGATION**

Existing litigation pursuant to subdivision (a) of California Government Code Section 54956.9  
Name of case: San Lorenzo Valley Water District vs. Constance Noel, et al.

No reportable action.

**PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Title: District Counsel  
Government Code Section 54957

No reportable action.

**ADJOURNMENT**

Vice Pres. Nelson adjourned the meeting at 8:25 p.m.

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Brandon Barchi  
District Secretary