

MINUTES
BOARD OF DIRECTORS MEETING
November 5, 2009
SAN LORENZO VALLEY WATER DISTRICT
BOULDER CREEK, CALIFORNIA

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.

B. Barchi
District Secretary