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Water Needs

**MINUTES OF THE BOARD OF DIRECTORS
MESA WATER DISTRICT
Thursday, September 10, 2020
1965 Placentia Avenue, Costa Mesa, CA 92627
6:00 p.m. Regular Board Meeting**

CALL TO ORDER

The meeting of the Board of Directors was called to order at 6:05 p.m. by President Dewane.

PLEDGE OF ALLEGIANCE

Director Fisler led the Pledge of Allegiance.

Directors Present

Shawn Dewane, President *(teleconference)*
Marice H. DePasquale, Vice President *(teleconference)*
Jim Atkinson, Director *(teleconference)*
Fred R. Bockmiller, P.E., Director *(teleconference)*
James R. Fisler, Director *(teleconference)*

Directors Absent

None

Staff Present

Paul E. Shoenberger, P.E., General Manager *(teleconference)*
Phil Lauri, P.E., Assistant General Manager *(teleconference)*
Denise Garcia, Administrative Services Manager/
District Secretary
Wendy Duncan, Records Management Specialist/
Assistant District Secretary
Marwan Khalifa, CPA, MBA, Chief Financial Officer/
District Treasurer
Stacie Sheek, Customer Services Manager *(teleconference)*
Tracy Manning, Water Operations Manager *(teleconference)*
Rob Anslow, Partner, Atkinson, Andelson, Loya, Ruud & Romo
(teleconference)

Others Present

Jonathan Aparicio, IT Support Engineer, T2 Technology Group

President Dewane stated that the Board of Directors was attending the meeting via teleconference per Governor Newsom's Executive Order N-29-20 which suspended certain provisions of the Ralph M. Brown Act.

President Dewane stated that for each action, a roll call vote was taken in accordance with California Government Code Section 54953(b)(2), which states, "all votes taken during a teleconferenced meeting shall be by roll call."

President Dewane proceeded with the meeting.

PUBLIC COMMENTS

President Dewane asked for comments on items not on the agenda.

There were no comments on non-agendized topics and President Dewane proceeded with the meeting.

ITEMS TO BE ADDED, REMOVED, OR REORDERED ON THE AGENDA

General Manager Shoenberger offered there were no items to be added, removed, or reordered on the agenda.

CONSENT CALENDAR ITEMS:

Approve all matters under the Consent Calendar by one motion unless a Board member, staff, or a member of the public requests a separate action.

1. Approve minutes of regular Board meeting of August 13, 2020.
2. Approve minutes of adjourned regular Board meeting of August 25, 2020.
3. Approve attendance considerations (additions, changes, deletions).
4. Board Schedule:
 - Conferences, Seminars, and Meetings
 - Board Calendar
 - Upcoming Community Outreach Events

President Dewane asked for comments from the Board. There were no comments.

President Dewane asked for comments from the public. There were no comments.

MOTION

Motion by Director Fisler, second by Director Atkinson, to approve Items 1 – 4 of the Consent Calendar. Motion passed 5-0, by the following roll call vote:

| | | |
|----------|-----------|--|
| AYES: | DIRECTORS | Atkinson, Bockmiller, Fisler, DePasquale, Dewane |
| NOES: | DIRECTORS | None |
| ABSENT: | DIRECTORS | None |
| ABSTAIN: | DIRECTORS | None |

ACTION ITEMS:

None.

PRESENTATION AND DISCUSSION ITEMS:

None.

REPORTS:

5. REPORT OF THE GENERAL MANAGER:

- August Key Indicators Report
- Other (no enclosure)

6. DIRECTORS' REPORTS AND COMMENTS

Director Bockmiller asked about the procedure regarding posting notices for Board meetings.

District Secretary Garcia reported that notices of the Board meetings are posted on Mesa Water's website, and in hard copy at city locations designated for the posting of general notices. In addition, a call-in number for the meetings is provided on the agenda.

Director Bockmiller offered that the candidate running for Mesa Water District's Board of Directors for Division 2 has not attended any Mesa Water Board meetings.

INFORMATION ITEMS:

7. DIRECTORS' REPORTS (AB 1234) PER CA GOVERNMENT CODE SECTION 53232.3 (D)

8. OTHER (NO ENCLOSURE)

RECESS

President Dewane declared a recess at 6:26 p.m.

The Board meeting reconvened at 6:28 p.m.

GM Shoenberger reported that a Closed Session matter arose after the agenda was posted.

MOTION

Motion by Director Bockmiller, second by Director Atkinson, to add to the agenda a Closed Session item pursuant to California Government Code Section 54954.2(d)(1) based upon information provided by the General Manager as the matter arose after the agenda was posted and action is required prior to the next Board meeting. Motion passed 5-0, by the following roll call vote:

| | | |
|----------|-----------|--|
| AYES: | DIRECTORS | Atkinson, Bockmiller, Fidler, DePasquale, Dewane |
| NOES: | DIRECTORS | None |
| ABSENT: | DIRECTORS | None |
| ABSTAIN: | DIRECTORS | None |

President Dewane announced that the Board was going into Closed Session at 6:30 p.m.

CLOSED SESSION:

ITEM 9A - CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:
Government Code Section 54956.9(d)(1)
Reporting Issue – Department of Drinking Water

The Board returned to Open Session at 7:02 p.m.

Attorney Anslow announced that the Board conducted one Closed Session with the General Manager, District Secretary, District Treasurer, and General Legal Counsel, pursuant to California Government Code Section 54956.9(d)(1), and, during the Closed Session, the Board took the following action:

MOTION

Motion by Director Atkinson, second by Vice President DePasquale, with respect to the Department of Drinking Water reporting issue, the Board authorized staff and General Legal Counsel to engage with, and respond to, this issue. Motion was approved by a roll call vote of 5-0.

President Dewane announced that the Board was going into Closed Session at 7:03 p.m.

- 9. CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOVERNMENT CODE 54957.6:
District Negotiator: General Manager
Employee Organization: District Employees

The Board returned to Open Session at 7:33 p.m.

District Secretary Garcia announced that the Board conducted one Closed Session with the General Manager, District Secretary, and District Treasurer pursuant to California Government Code Section 54957.6. The Board received information and there was no further announcement.

President Dewane adjourned the meeting at 7:35 p.m., in memory of Captain Fred R. Bockmiller, a United States Coast Guard licensed Master Mariner and Korean War United States Air Force veteran~~retired United States Air Force and United States Coast Guard Captain Fred R. Bockmiller,~~ to an Adjourned Regular Board Meeting scheduled for Tuesday, September 22, 2020 at 3:30 p.m.

Approved:

Shawn Dewane, President

Denise Garcia, District Secretary