

**BOARD OF DIRECTORS  
GROVELAND COMMUNITY SERVICES DISTRICT  
GROVELAND, CALIFORNIA  
March 7, 2013  
10:00 a.m.**

The Board of Directors of Groveland Community Services District met in regular session on the above mentioned date with Directors Steve Perreira, President, Virgil McVicker Vice President, Joe Riley, John Armstrong, and Scott Wemmer being present. Also present were General Manager/District Engineer Gary Mello and Board Secretary Jennifer Flores.

Director Perreira called the meeting to order at 10:00am.

**Public Comment**

Member of the public Lois Riggs provided the Board with correspondences between Director Riley and herself that were to be included in January 3, 2013 minutes.

Member of the public Carol Simpson stated that the Fire Department web page needed to be put back up on the GCSD Website.

Board Secretary Jennifer Flores read a letter to the Board on behalf of member of the public Kay Crow who was not able to attend the meeting.

**Agenda Approval**

Motion

*Director Perreira moved, seconded by Director McVicker, and the motion passed to approve the agenda as written.*

*Ayes: Directors Riley, McVicker, Wemmer, and Perreira*

*Noe: Director Armstrong*

**Information Items**

**Sections 6 & 7 of the Policy Manual of the Board of Directors provides authority to the Board President (Chairperson) to maintain order at Board Meetings and to conduct Parliamentary Determinations (Director Perreira; 5 minutes)**

Director Perreira presented his item to the Board. A discussion ensued between the Board, staff, and members of the public.

**Update from Cal Fire About Firefighter Transition from GCSD to Cal Fire Employment (20 minutes)**

Cal Fire Tuolumne/Calaveras Unit Assistant Chief Steve Lawshe provided the Board with an update with regard to the Cal Fire transition. He stated that the transition would occur April 1, 2013. He further stated that the firefighters' physicals were completed and that Division Chief Jeff Sanders would be the contact for the District.

**Presentation by a Potential District Counsel Candidate (30 minutes)**

Attorney Tom Hallinan made a presentation to the Board with regard to his experience and qualifications.

## **Action Items**

### **Proposed revisions to the Board Manual regarding the Agenda, Section 5 (Director Perreira; 20 minutes)**

Director Perreira presented his item to the Board with regard to his proposed revisions to the Board of Directors Policy Manual. A discussion ensued between the Board, staff, and members of the public.

#### **Motion**

*Director Perreira moved, seconded by Director Armstrong, and the motion passed to approve Recommended Action A: revisions to the Board Manual, Section 5 per item A) All agenda items shall be in writing, available to the Board to study before meetings as amended.*

*Ayes: Directors Armstrong, Riley, McVicker, and Perreira*

*Noe: Director Wemmer*

#### **Motion**

*Director McVicker moved, seconded by Director Armstrong, and the motion passed to approve Recommended Action B: revisions to the Board Manual, sections 5.2, 5.2.2, 5.3.2, 5.3.3, 5.4, 5.4.1, 5.4.2, per item B) “Agenda items are approved solely by elected representatives of the people”, and Recommended Action C: revisions to the Board Manual, Section 5, per item C” “Staff shall cooperate with the Board to produce the Agenda.”*

*Ayes: Directors Armstrong, McVicker, and Perreira*

*Noe: Directors Riley and Wemmer*

### **Consider Entering into Contract with Attorney Kevin Dale (10 minutes)**

Attorney Kevin Dale’s proposed contract was presented to the Board. A discussion ensued between the Board, staff, and members of the public.

#### **Motion**

*Director Wemmer moved, seconded by Director Armstrong, and the motion passed unanimously to approve Attorney Representation Agreement between Groveland Community Services District and the law firm of Atkinson, Andelson, Loya, Ruud & Romo and authorize President Perreira to execute said Agreement with a \$10,000 cap.*

### **Appoint Kevin Dale as Designated District Negotiator (2 minutes)**

#### **Motion**

*Director Riley moved, seconded by Director Armstrong, and the motion passed unanimously to appoint Kevin Dale as the District’s Labor Negotiator.*

The Board took a lunch break at 12:40pm.

The Board reconvened at 1:12pm.

### **General Community Service District Counsel (Attorney) to represent the District in legal matters not requiring the Expertise of a Legal Specializations Such as Labor Law, Injury Claims, etc. (Director McVicker; 20 minutes)**

Director McVicker stated he was removing his item from the agenda.

The Board convened into closed session at 1:13pm.

**Closed Session (3 hrs.)**

- A. Conference with Labor Negotiator (Pursuant to Govt. Code Sec. 54957.6)  
 Agency Negotiator: Attorney Kevin Dale  
 Employee Organization: Operating Engineers Local No. 3
  
- B. Public Employee Discipline/Dismissal/Release  
 Pursuant to Section 54957  
 Number of matters to be discussed: 3
  
- C. Conference with Legal Counsel – Significant Exposure to Litigation  
 Pursuant to subdivision (b) of Section 54956.9  
 Number of matters to be discussed: 3
  
- D. Public Employee Performance Evaluation  
 Pursuant to Govt. Code Sec. 54957  
 Title: General Manager/District Engineer

Director Armstrong left closed session at 2:40pm.

The Board reconvened into open session at 6:00pm.

**Report out of Closed Session**

None

Director Perreira stated he was asked to withdraw his action item from the agenda listed as Item 7 of the agenda. He removed the item with no objection from the Board. He further announced that the remaining items on the agenda would be continued at a special meeting that was preliminarily scheduled for Thursday, March 14, 2013 at 10:00am.

**Adjournment**

*Director Riley moved, seconded by Virgil McVicker, and the motion passed to adjourn the meeting at 6:07pm.*

*Ayes: Directors Perreira, McVicker, Riley, and Wemmer*

*Absent: Director Armstrong*

APPROVED:

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Steve Perreira, President

ATTEST:

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Jennifer L. Flores, Board Secretary