

**MINUTES OF THE
SPECIAL MEETING OF THE BOARD OF DIRECTORS
OTAY WATER DISTRICT
August 11, 2003**

1. The meeting was called to order by President Lopez at 4:08 p.m.

2. ROLL CALL

Directors Present: Bonilla, Breitfelder, Lewis and Lopez

Directors Absent: Croucher

Staff Present: General Manager Robert Griego, Asst. GM Administration and Finance German Alvarez, Asst. GM Engineering and Operations Manny Magana, General Counsel Bonifacio Garcia, Asst. District Secretary Connie Rathbone and others per attached list.

3. PLEDGE OF ALLEGIANCE / MOMENT OF SILENCE

The pledge of allegiance was followed by a moment of silence in honor of the victims and families of the 9/11 tragedy.

4. APPROVAL OF AGENDA

A motion was made by Director Breitfelder, seconded by Director Lewis and carried with the following vote:

Ayes:	Directors Breitfelder, Bonilla, Lewis and Lopez
Noes:	None
Abstain:	None
Absent:	Director Croucher

to approve the agenda.

5. PUBLIC PARTICIPATION – OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO SPEAK TO THE BOARD ON ANY SUBJECT MATTER WITHIN THE BOARD'S JURISDICTION BUT NOT AN ITEM ON TODAY'S AGENDA

No one wished to be heard.

RECESS TO CLOSED SESSION

6. The Board recessed to closed session at 4:12 p.m. to discuss the following items:

a) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
[GOVERNMENT CODE §54956.9(b)(2)]

- i) RUBEN RODRIGUEZ v. OTAY WATER DISTRICT
- b) PUBLIC EMPLOYEE PERFORMANCE EVALUATION (GOVERNMENT CODE §54957.6)

TITLES: ASST. GENERAL MANAGER OF FINANCE AND
ADMINISTRATION
ASST. GENERAL MANAGER OF ENGINEERING AND
OPERATIONS

RETURN TO OPEN SESSION

7. REPORT ON ANY ACTIONS TAKEN IN CLOSED SESSION

The Board reconvened at 5:56 p.m. General Counsel Bonifacio Garcia indicated that the Board met in closed session to discuss existing litigation in the Ruben Rodriguez v. Otay Water District matter.

A motion was made by Director Lewis, seconded by Board President Lopez and carried with the following vote:

Ayes: Directors Breitfelder, Bonilla, Lewis and Lopez
Noes: None
Abstain: None
Absent: Director Croucher

to appoint Chris Carlton of the law firm of Carlton, Disante & Freudenberger as lead counsel for the District on this matter. The Board also gave counsel direction on the conduct of the litigation.

General Counsel Garcia indicated that the Board took no other reportable actions in closed session.

8. CONSIDER AMENDMENT OF CONTRACTS OF ASST. GENERAL MANAGER OF FINANCE AND ADMINISTRATION AND ASST. GENERAL MANAGER OF ENGINEERING AND OPERATIONS.

General Manager Griego recommended that the Board consider awarding a bonus in the amount of \$6,500 each to German Alvarez, Assistant General Manager of Finance and Administration and Manny Magana, Assistant General Manager of Engineering and Operations. He stated they have been outstanding employees and have contributed significantly to the successes of the Otay Water District. General Counsel Garcia clarified that the increase is not compensation for last year. This is compensation for fiscal year 2003-2004 and is a one-time bonus for FY 2003-2004.

Director Bonilla asked if the compensation was not part of their contract. General Counsel Garcia stated that it is an amendment to their contract so that the compensation is a one-time bonus for FY 2003-2004.

A motion was made by Director Breitfelder, seconded by Director Lewis and carried with the following vote:

Ayes:	Directors Breitfelder, Bonilla, Lewis and Lopez
Noes:	None
Abstain:	None
Absent:	Director Croucher

to approve General Manager Griego's recommendation to amend the contracts for a one-time bonus of \$6,500 for fiscal year 2003-2004.

9. ADJOURNMENT

With no further business to come before the Board, President Lopez adjourned the meeting in at 6:05 p.m.

President

ATTEST:

Assistant District Secretary