

**MINUTES OF THE
SPECIAL MEETING OF THE BOARD OF DIRECTORS
OTAY WATER DISTRICT
April 4, 2007**

1. The meeting was called to order by President Croucher at 5:08 p.m.

2. ROLL CALL

Directors Present: Breitfelder, Croucher, Lopez and Robak

Directors Absent: Bonilla

Staff Present: General Manager Mark Watton, Asst. GM Administration and Finance German Alvarez, Asst. GM Engineering and Water Operations Manny Magana, General Counsel Yuri Calderon, District Secretary Susan Cruz and others per attached list.

3. APPROVAL OF AGENDA

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

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

to approve the agenda.

4. 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

5. CLOSED SESSION

a) CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION
[GOVERNMENT CODE §54956.9(a)]

(i) DONNA BARTLETT-MAY, et al. v. OTAY WATER DISTRICT

Prior to recessing to closed session, General Counsel Calderon stated that he had requested that this item be posted as both an open session and a closed session item. He indicated that if the Board is comfortable approving the settlement agreement which is consistent with the terms and conditions discussed with the

Board in a previous closed session, then the board can approve the agreement without recessing to closed session. President Croucher inquired if the Board members wished to recess to closed session to discuss the matter further. None requested a closed session discussion.

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

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

to ratify the settlement agreement negotiated with Plaintiffs in the Donna Bartlett-May, et al. v. Otay Water District matter.

6. ADJOURNMENT

With no further business to come before the Board, President Croucher adjourned the meeting in at 5:10 p.m.

President

ATTEST:

District Secretary