



**MINUTES OF THE BOARD OF DIRECTORS
MESA WATER DISTRICT**

**Thursday, June 1, 2023
1965 Placentia Avenue, Costa Mesa, CA 92627
8:00 a.m. Special Board Meeting**

*Dedicated to
Satisfying our Community's
Water Needs*

CALL TO ORDER

The meeting of the Board of Directors was called to order at 8:21 a.m. by Acting President Atkinson.

PLEDGE OF ALLEGIANCE

Director Bockmiller led the Pledge of Allegiance.

Directors Present

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

Directors Absent

None

Staff Present

Paul E. Shoenberger, P.E., General Manager
Denise Garcia, Chief Administrative Officer/
District Secretary
Marwan Khalifa, CPA, MBA, Chief Financial Officer/
District Treasurer
Stacy Taylor, Water Policy Manager
Rob Anslow, Partner, Atkinson, Andelson, Loya, Ruud & Romo

Others Present

Bryan C. Bunger, Partner, Holland & Knight LLP *(teleconference)*

District Secretary Garcia stated two Mesa Water Directors were attending the meeting via teleconference.

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."

PUBLIC COMMENTS

Acting President Atkinson asked for public comments on items not on the agenda.

There were no comments and Acting President Atkinson proceeded with the meeting.

ITEMS TO BE REMOVED OR REORDERED ON THE AGENDA

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

Mesa Water Special Board Meeting of June 1, 2023

CLOSED SESSION:

Acting President Atkinson announced the Board was going into Closed Session at 8:23 a.m.

- 1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:
Pursuant to California Government Code Section 54956.9(d)(4)
Initiation of litigation – 1 potential case

The Board returned to Open Session at 8:46 a.m.

Attorney Anslow announced that the Board conducted one Closed Session with the General Manager, District Secretary, Chief Financial Officer, Water Policy Manager, Holland & Knight LLP and General Legal Counsel pursuant to California Government Code 54956.9(d)(4). The Board received information and the following motion was offered:

MOTION

Motion by President Dewane, second by Vice President DePasquale, to:


- a. Authorize the retention of the law firm of Holland & Knight, LLP for an amount not to exceed \$20,000 to provide special legal services for the petition/appeal referenced below;
- b. Authorize Holland & Knight, LLP to join/participate in the petition/appeal proceedings concerning the Environmental Protection Agency’s Grant of Waiver to the California Air Resources Board (CARB) concerning the regulations for heavy truck emissions and related matters, and;
- c. Authorize staff and consultants to take actions in support of the efforts of Holland & Knight, LLP as referenced above.

Motion passed 5 – 0, by the following roll call vote:

AYES:	DIRECTORS	Atkinson, Bockmiller, Fislser, DePasquale, Dewane
NOES:	DIRECTORS	Bockmiller
ABSTAIN:	DIRECTORS	None
ABSENT:	DIRECTORS	None

President Dewane adjourned the meeting at 8:47 a.m. to a Regular Board Meeting scheduled for Wednesday, June 14, 2023 at 4:30 p.m.

Approved:

DocuSigned by:

 27DA17D0F23344E...
 Shawn Dewane, President

DocuSigned by:

 F01DD5290C0E4B5...
 Denise Garcia, District Secretary