

**ADJOURNED BOARD MEETING
OF THE
BOARD OF DIRECTORS
TRABUCO CANYON WATER DISTRICT
APRIL 17, 2012**

The Adjourned Board Meeting of the Board of Directors of the Trabuco Canyon Water District (TCWD) was called to order by President Mandich at 6:15 p.m. at Trabuco Canyon Water District's office located at 32003 Dove Canyon Drive, Trabuco Canyon, California. Mrs. Teresa Teichman, Secretary to the Board of Directors, recorded and transcribed the minutes thereof.

DIRECTORS PRESENT

Ed Mandich, President
Jim Haselton, Vice President
Glenn Acosta, Director
Mike Safranski, Director

DIRECTORS ABSENT

Matt Disston, Director

STAFF PRESENT

Don Chadd, General Manager
Hector Ruiz, District Engineer
Teresa Teichman, Secretary to the Board of Directors
Michael Perea, Special Projects Manager

LEGAL COUNSEL PRESENT

Rob Anslow, General Legal Counsel
Melanie Poturica, Special Legal Counsel, Liebert, Cassidy, & Whitmore

PARTIES/COUNSEL FOR APPEAL HEARING PRESENT:

Special Projects Manager/Human Resources Manager, Michael Perea – District Representative
District Special Employment Legal Counsel, Judith Islas (Liebert Cassidy Whitmore – Appearing as Counsel for Respondent Trabuco Canyon Water District)

Appellant – Teresa Teichman
Attorney Margot Nelson (Law Offices of Margot Nelson - Appearing as Counsel for Appellant – Teresa Teichman)

PUBLIC PRESENT

There were several members of the public present.

PLEDGE OF ALLEGIANCE

President Mandich led the Board and Staff in the pledge of allegiance.

VISITOR COMMENTS

There were no visitor comments.

ORAL COMMUNICATION

There was no oral communication

DIRECTOR'S COMMENTS

There were no Director comments

REPORT FROM THE GENERAL MANAGER

There was no report from the General Manager.

OTHER MATTERS

Mr. Chadd stated there were no other matters.

CLOSED SESSION (PUBLIC SESSION)

President Mandich turned the meeting over to Mr. Rob Anslow, District General Legal Counsel at 6:17 p.m.

Appeal Proceedings (Employee Discipline/Dismissal/Release)

Announcements from Legal Counsel:

District General Legal Counsel, Robert Anslow, indicated that the Board would be continuing the open session portion of the appeal proceedings continued from the District Board meetings of March 21, 2012; March 26, 2012; and April 9, 2012. Mr. Anslow indicated that a portion of the meeting would be conducted in open session pursuant to the provisions of Government Code Section 54957(b)(2) and that a portion of the meeting may be conducted in closed session pursuant to Government Code Section 54957 - Employee Discipline/ Dismissal/Release. Mr. Anslow indicated that the open session portion of the meeting would be subject to recordation by a court reporter. Mr. Anslow noted that this phase of the appeal proceedings would be conducted in Building 1 (building housing the Board Meeting Room). Mr. Anslow indicated that if reached by the Board, a closed session would be conducted within Building 2, involving the Board of Directors, District General Legal Counsel and District Special Employment Legal Counsel (Melanie Poturica) which would be conducted in Building 2 and that during the closed session no other persons or parties would be authorized to enter Building 2.

Mr. Anslow indicated that witnesses expected to be called during the appeal proceedings would remain in Building 2 until called. He stated that members of the public are not permitted entry into Building 2 during the appeal proceedings.

Introduction of Parties and Counsel

Following the aforementioned statements, Mr. Anslow introduced himself and requested that the involved members of the Board, staff, and legal counsel introduce themselves for purposes of recognition of the court reporter. Legal Counsel to the District, Board Members, the appearing parties, and legal counsel for the appearing parties all introduced themselves for the court reporting record.

Admonitions to Parties and Counsel

Mr. Anslow stated that all involved parties are advised that the limitations set out in the notice to parties, dated March 12, 2012, would continue to apply to the adjourned regular meeting of the Board and the appeal proceedings. Also, all findings and rulings of the Board, and the previously stated standards for evidence, would continue to apply to this adjourned regular Board Meeting and the appeal proceedings. Involved counsel and parties of the appeal proceedings were expressly reminded that any reference to any District employee not directly involved in the appeal proceedings and not involved as a witness is a violation of the District's personnel policies and may constitute a violation of that person's legal privacy rights.

Mr. Anslow addressed the parties and counsel to parties involved in the appeal proceedings directing, on behalf of the Board, that arguments and evidence to be presented would be limited to the appeal of the suspension at issue.

Admonitions to Members of the Public

Mr. Anslow stated for members of the public that members of the public who may be present during the Board appeal proceedings are advised they are not allowed to interrupt, provide comments, ask questions, or otherwise interfere with witnesses or the proceedings during the appeal proceedings. Members of the public who may be present during the Board appeal proceedings were requested to observe decorum during such proceedings.

Continued Appeal Proceedings

Following the foregoing announcement, the Board recommenced the adjourned appeal proceedings conducted pursuant to the Brown Act, as referenced above. The appeal proceedings recommenced at approximately 6:22 p.m.

The appeal proceedings continued with the presentation of Appellant's witnesses and evidence.

The appeal proceedings consisting of a re-examination and cross-examination of Mr. Michael Perea, District Special Project Manager and District Human Resources Manager. Thereafter, direct examination, cross-examination, and re-direct examination was conducted of District Employee, Melanie Inskeep. Following conclusion of Ms. Inskeep's testimony, direct and cross-examination was undertaken for appellant and District Employee, Teresa Teichman.

The full transcript of the appeal proceedings was recorded through a court reporting service. Such transcript is available from the District upon request, but subject to transcription fees for receipt of a written transcript.

Initial cross-examination of appellant, Teresa Teichman, was concluded at approximately 9:55 p.m.

Adjournment of Hearing and Meeting

Following discussion, and a renewed expression of the Board's desire to continue the appeal proceedings in a diligent manner, the Board directed that the adjourned Regular Board meeting of April 17, 2012, would be adjourned to an adjourned Regular Meeting of the Board of Directors to be conducted on April 23, 2012, commencing at 6:15 p.m. at the District's administrative facility located at 32003 Dove Canyon Dr., Trabuco Canyon, CA. Mr. Anslow

Respectfully Submitted,

Teresa Teichman
Secretary to the Board of Directors

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