

NOTICE

PANOCHÉ WATER DISTRICT
52027 WEST ALTHEA AVENUE
FIREBAUGH, CA 93622

TO: Board of Directors
FROM: John Bennett, President
RE: Special Meeting of the Board of Directors

A special meeting of the Board of Directors of the Panoche Water District is scheduled for 9:00 a.m., November 24, 2020, to address the items listed on the attached agenda. In accordance with Governor Newsom's Executive Orders N-25-20 and N-29-20 issued in response to the COVID-19 Pandemic, the meeting will be held by web and teleconference, and accessible to the public electronically, through the following means.

**IN ACCORDANCE WITH EXECUTIVE ORDERS N-25-20 AND N-29-20,
DIRECTORS AND THE PUBLIC MAY CHOOSE TO PARTICIPATE FROM ANY LOCATION,
WITHIN OR WITHOUT THE BOUNDARIES OF THE DISTRICT.**

**DIRECTORS AND MEMBERS OF THE PUBIC MAY CHOOSE TO PARTICIPATE
IN THE OPEN SESSION PORTION OF THE MEETING
FROM YOUR COMPUTER, TABLET OR SMARTPHONE
THROUGH THE FOLLOWING MEANS:**

<https://global.gotomeeting.com/join/328239965>

AND PLEASE DIAL

Conference call in number: 844 783-6236 Passcode: 209 364 6136

NOTE: Any member of the public may address the Board of Directors concerning any item on the Agenda before or during its consideration of that matter, as appropriate, by calling into the meeting and joining electronically via the GoToMeeting link above. The President may limit the total amount of time allocated for public comment on particular issues to 3 minutes for each individual speaker.

AGENDA

**PANOCHÉ WATER DISTRICT
SPECIAL BOARD OF DIRECTORS MEETING
November 24, 2020 – 9:00 a.m.**

**JOIN THE OPEN SESSION MEETING FROM YOUR COMPUTER, TABLET OR SMARTPHONE
THROUGH THE FOLLOWING MEANS:**

<https://global.gotomeeting.com/join/328239965>

AND PLEASE DIAL

Conference call in number: 844 783-6236 Passcode: 209 364 6136

PRESIDENT’S ANNOUNCEMENT: Pursuant to Government Code Section 54952.3, let it be known that Board Members receive no compensation or stipend for simultaneous or serial order meetings of Panoche Water District, Panoche Drainage District and Panoche Financing Authority.

- 1. CALL TO ORDER**
- 2. REVIEW OF AGENDA:** The Board will consider corrections to the Agenda.
- 3. ROLL CALL:** A quorum will be confirmed and the Board will consider appointment of an acting Officer(s) in the event the President, Vice-President, and/or Secretary is absent from the meeting.
- 4. POTENTIAL CONFLICTS OF INTEREST:** Any Board member who has a potential conflict of interest may now identify the Agenda Item and recuse themselves from discussing and voting on the matter. [Government Code Section 87105]
- 5. PUBLIC COMMENT:** The Board of Directors welcomes participation in Board meetings. The public may address matters under the jurisdiction of the Board that have not been posted in the Agenda. The public will be given the opportunity to address the Board on any item in the Agenda at this time or before the Board’s consideration of that item. If members of the public desire to address the Board relative to a particular Agenda item at the time it is to be considered, they should so notify the President of the Board at this time. Please note, California Law prohibits the Board from taking action on any matter during a regular meeting that is not on the posted Agenda unless the Board determines that it is an emergency or one of the other situations specified in Government Code Section 54954.2. During a special meeting, the Board may not take action on any matter that is not on the posted Agenda. The President may limit the total amount of time allocated for public comment on particular issues to 3 minutes for each individual speaker.

6. JOINT CLOSED SESSION: Conference with Legal Counsel.

**A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)**

Names of Cases:

- i. Stephen W. Sloan vs. Panoche Water District
Fresno County Superior Court Case No. 18CECG00511;
- ii. Imani Percoats & Chris Bettencourt vs. Panoche Water District
Fresno County Superior Court Case No. 18CECG01651;
- iii. Jeffrey Moore vs. Panoche Water District
U.S. Eastern District Court Case No. 1:20-cv-00143-DAD-EPG
- iv. North Coast Rivers Alliance, et al. v. Kenneth Salazar, et al
US District Court, E.D.Cal, Case No. 1:16-cv-00307-DAD-SKO

B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant Exposure to Litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9:

Number of Cases: Eight

7. REPORT FROM JOINT CLOSED SESSION (GOVERNMENT CODE SECTION 54957.1)

8. PANOCHÉ WATER DISTRICT-ONLY CLOSED SESSION

A. CONFERENCE WITH LABOR NEGOTIATORS

Agency Designated Representative: Ara Azhderian, General Manager
Employee Organization: International Brotherhood of Electrical Workers Local 1245

B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant Exposure to Litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9:

Number of Cases: Three

9. REPORT FROM PANOCHÉ WATER DISTRICT-ONLY CLOSED SESSION

At approximately 10:45 a.m., it is anticipated President Bennett will call a 15-minute break, then continue a Panoche Water District-ONLY meeting.

ACTION ITEMS

- 10.** The Board to review and consider adopting a Debt Policy (Azhderian – Tab 2);

11. The Board to review and consider authorizing execution of a Purchase Agreement for the transfer of water from the East Side Canal & Irrigation Company to Panoche Water District (Azhderian – Tab 3);
12. The Board to review and consider authorizing execution of a service agreement for maintenance of the Herndon and Oxford Main Canal siphons (Azhderian – Tab 4);
13. The Board to review and consider authorizing use of certain District vehicles and equipment by the Grassland Basin Authority (Azhderian – Tab 5);
14. The Board to review and consider authorizing sale of surplus equipment (Azhderian – Tab 6).

REPORT ITEMS

15. GENERAL MANAGER’S REPORT

- A. Future Rates Structure Review;
- B. WIIN Act CVP Contract Conversion & Pre-Payment;
- C. Mercy Springs WD Consolidation Process Status.

16. FUTURE MEETING DATES

- A. Board to Consider Action to Set Special Meeting Date(s): *No staff request.*
- B. Next Regular Meeting Date: December 8, 2020

17. ADJOURNMENT

- ❖ Items on the Agenda may be taken in any order.
- ❖ Action may be taken on any item listed on the Agenda.
- ❖ Writings relating to open session: Agenda items that are distributed to members of the Board of Directors will be available for inspection at the District office, excluding writings that are not public records or are exempt from disclosure under the California Public Records Acts.

Americans with Disabilities Act of 1990: Under this Act, a qualifying person may request that the District provide a disability-related modification or accommodation in order to participate in any public meeting of the District. Such assistance includes alternative formats for the agendas and agenda packets used for any public meetings of the District. Requests for assistance shall be made in person, in written form, or via telephone at (209) 364-6136. Requests must be received at least 18 hours prior to a scheduled public meeting.