

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 has been called for March 24, 2020, at 9:00 A.M., at the District Office at 52027 West Althea Avenue, Firebaugh, California to address items listed on the attached agenda. Some Directors may elect to participate by conference call; however, and in accordance with the Governor's Executive Orders N-25-20 and N-29-20 issued in response to the COVID-19 Pandemic, a majority of the Board does not need to be within the District's boundaries for a meeting to occur.

**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 THOSE MEMBERS OF THE PUBIC CHOOSING TO PARTICIPATE IN OPEN SESSION VIA
TELEPHONIC CONFERENCE SHOULD CALL:**

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

NOTE: The conference line provided above shall remain open for the duration of the Meeting, though the Board and certain appropriate staff, consultants, agents, and/or legal counsel may participate in Closed Session, as appropriate, via a separate conference number. All reports, as appropriate, shall be made via the conference line provided above for Open Session, and all comments offered by the public shall be welcome through the conference line provided above. In accordance with Executive Orders N-25-20 and N-29-20, the Notice and Agenda may be posted publicly at least 24 hours before the meeting at the District's office and on its website.

AGENDA

PANOCHÉ WATER DISTRICT SPECIAL BOARD OF DIRECTORS MEETING

March 24, 2020 – 9:00 a.m.

52027 West Althea Avenue, Firebaugh, CA 93622

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 and Panoche Drainage District.

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 Directors’ 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.

OPEN JOINT PANOCHÉ WATER & DRAINAGE DISTRICTS MEETING

6. JOINT CLOSED SESSION: Conference with Legal Counsel.

A. Conference with Legal Counsel on Anticipated Litigation Pursuant to Subdivision (a) and paragraph (2), (3), or (4) of Subdivision (d) of Government Code Section 54956.9: eight (8) potential cases;

B. Conference with Legal Counsel on Existing Litigation Pursuant to Subdivision (d)(1) of Government Code Section 54956.9:

- i. Firebaugh Canal Water District & Central California Water District v. United States, et al.
United States District Court, E.D. Cal., Case No. [1:88-cv-00634-LJO-SKO](#)
(Partially Consolidated).
- C. Approval of Invoices & Authorization to Redact Privileged Information for Special Counsel(s) & Consultant(s);

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

RESUME PANOCHÉ WATER DISTRICT ONLY MEETING

- 8. CLOSED SESSION:** Conference with Legal Counsel.
- A. Anticipated Litigation Pursuant to Subdivision (a) and Paragraph (2) or (3) of Subdivision (d) of Government Code Section 54956.9: four (4) potential cases;
 - B. Conference with Legal Counsel on Existing Litigation Pursuant to Subdivision (d)(1) of Government Code Section 54956.9:
 - 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
 - C. Public Employment (Government Code Section 54957(b));
 - i. Legal Counsel.
 - D. Approval of Invoices & Authorization to Redact Privileged Information for Special Counsel(s) & Consultant(s);

9. REPORT FROM CLOSED SESSION (GOVERNMENT CODE SECTION 54957.1)

ACTION ITEMS

10. The Board to review and consider adopting a Resolution authorizing implementation of a Vehicle & Equipment Idling Policy (Azhderian/Williams – handout Tab 2);
11. The Board to review and consider adopting a Resolution authorizing implementation of a COVID-19 Pandemic Response Policy (Azhderian/Williams – handout Tab 3);

12. FUTURE MEETING DATES

- A. Board to Consider Action to Set Special Meeting Date(s): *no staff request*
- B. Next Regular Meeting Date: April 14, 2020

13. 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 to Jessica Saravia at (209) 364-6136. Requests must be received at least 18 hours prior to a scheduled public meeting.