

AGENDA

**PANOCHÉ DRAINAGE DISTRICT
SPECIAL BOARD OF DIRECTORS MEETING**

March 23, 2021 – 9:00 a.m.

52027 West Althea Avenue, Firebaugh, CA 93622

**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/631835029>

AND PLEASE DIAL

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

- 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.

At approximately 9:05 a.m., it is anticipated President Bennett will suspend the Panoche Drainage District meeting and continue the Panoche Water District Board meeting.

At approximately 10:30 a.m., it is anticipated President Bennett will resume the Panoche Drainage District meeting.

6. JOINT CLOSED SESSION: Conference with Legal Counsel.

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

Name 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

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: Ten

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

8. CLOSED SESSION: Conference with Legal Counsel.

A. CONFERENCE WITH REAL PROPERTY NEGOTIATOR(S) pursuant to Government Code Section 54956.8

- i. Property: Assessor's Parcel Numbers 089-290-022, 089-290-023, 089-300-004, and 089-300-005 in Merced County.
- ii. Agency Negotiator(s):
- iii. Negotiating Parties: Panoche Drainage District and Mr. Brian Pereira
- iv. Under Negotiation: Price and Terms of Payment

9. REPORT FROM CLOSED SESSION

ACTION ITEMS

10. The Board to review and consider authorizing execution of a proposed Price, Paige & Company engagement letter to conduct an audit of the District's 2019-2020 fiscal-year ending February 28, 2020 (Azhderian – Tab 2);
11. The Board to review and consider authorizing the assignment of the LH Farm Service and Roundabout Hay Company contracts to the Grassland Basin Authority (Azhderian – Tab 3);
12. The Board to review and consider naming the District's Real Property Negotiator, identifying real property, and identifying the person(s) with whom the District will negotiate (Azhderian – Tab 4);

REPORT ITEMS

13. Fiscal-Year 2021-2022 Budget.

14. **FUTURE MEETING DATES**

- A. Board to Consider Taking Action to Set Special Meeting Date(s): *No staff requests.*
- B. Next Regular Meeting Date: April 13, 2021.

15. **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.