



Notice and Agenda

Regular Meeting of the Board of Directors Delano Earlimart Irrigation District September 9, 2021 - 4:00 p.m. - District office

The Delano-Earlimart Irrigation District Board of Directors will discuss and consider the items contained in this agenda and may take action on any item as deemed appropriate by the Board.

1. **PUBLIC COMMENTS**

Members of the public may address the Board at this time on any non-agenda item within the Board's jurisdiction. Comments shall be limited to 5 minutes per speaker. The Board cannot take action on any item not on the agenda and may discuss and take action only on those items listed on the posted agenda. Public comments regarding any agenda item shall be allowed at the time of consideration of the item.

2. **APPROVAL OF AGENDA**

Review and approve agenda as proposed. Any items identified after posting of the agenda and proposed for addition to the agenda shall be allowed only upon the finding that there is a need for immediate action and upon a minimum of a two-thirds vote for approval.

3. **DISTRICT WATER OPERATIONS / MAINTENANCE / CONSTRUCTION**

a. Water Supply and Operations

- Review and potentially take action on 2021 Contract Year supply and operations: Reclamation declarations, FKC operations, and District operations;

b. Maintenance Operations and Capital Projects

- Review in-district maintenance and capital project activities;

4. **ADMINISTRATION / FINANCIAL OPERATIONS**

a. Financial Statements

- Review and accept financial statements and reports;

b. Accounts Receivable

- Review and accept accounts receivable reports;

c. Accounts Payable

- Review and approve for payment;

d. Minutes

- Review and approve minutes of prior Board meeting(s);

5. **LITIGATION / CONTRACTS / PERSONNEL**

The Board will discuss, consider, and take action as deemed appropriate on the items listed below. Discussion and/or action may occur in open session or, per Government Code section 54956.9, the Board may adjourn to closed session. Any reportable action taken in closed session will be announced immediately following the closed session.

LITIGATION:

a. ADJOURN TO CLOSED SESSION - Conference with legal counsel - existing litigation

Pursuant to Paragraph (1) of subdivision (d) of GC Section 54956.9, the Board will meet to discuss:

- i. Natural Resources Defense Council vs. Murillo, U.S. District Court, Eastern District of California (Sacramento Division), Case No. 88-cv-1658-LKK-GGH Review status of various issues related to this litigation and implementation of the San Joaquin River Settlement.
- ii. City of Fresno et al vs. United States. U.S. Court of Federal Claims, Case No. 16-1276L.
- iii. Friant Water Supply Protection Association v. Del Puerto Water District et al. Stanislaus Co. Sup. Court Case No. CV-20-005164.
- b. ADJOURN TO CLOSED SESSION - Conference with legal counsel - anticipated litigation
 - Pursuant to Government Code section paragraph (2) or (3) of subdivision (d) of Section 54956.9, the Board will discuss with legal counsel: four potential cases (significant exposure to litigation).

CONTRACTS:

- c. ADJOURN TO CLOSED SESSION - Real Property Negotiations
 - Pursuant to Government Code section 54956.8: Conference with Real Property Negotiators. APN: 338-120-011. Negotiators: General Manager Eric R. Quinley and Brandon Morris.
- d. ADJOURN TO CLOSED SESSION - Real Property Negotiations
 - Pursuant to Government Code section 54956.8: Conference with Real Property Negotiators. Real Property: Water exchanges, purchases, and sales. Negotiator: General Manager Eric R. Quinley.

6. OTHER AGENCIES / ORGANIZATIONS

- a. Friant Water Authority
 - Board review and potential action on: Friant-Kern Canal capacity constraint remediation activity and investment approach, Water Quality Project activity, FKC/DMC Operation and Maintenance costs, and representation items;
- b. South Valley Water Association
 - Board review and potential action on: activities, recommendations, and representation items;

7. FEDERAL AND STATE LAW / LEGISLATION / RELATED LITIGATION

- a. State law/legislation/litigation
 - Review recent state actions and legislation of interest. Board may take policy positions on specific legislation discussed;
- b. Federal law/legislation/litigation
 - Board review of federal legislative matters. Board may take policy positions on specific legislation discussed.

8. MEETINGS / HEARINGS / NOTICES

The Board will review and take action on requests received to attend any of the presented meetings.

The Board will discuss and consider the items contained in this agenda and may take action on any item as deemed appropriate.

The District will provide appropriate auxiliary aid or services when necessary to ensure effective communications with members of the public who have hearing, sight, or speech impairments, unless to do so would result in a fundamental alteration of its programs or an undue administrative or financial burden. To request an accommodation or an auxiliary aid or service, please contact the District at (661) 725-2526 or contact us through our website at www.deid.org at least 48 hours prior to the meeting.



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