

Notice and Agenda

Regular Meeting of the Board of Directors Delano Earlimart Irrigation District April 12, 2018 – 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 2018 contract year supply and operations: Reclamation declarations, FKC operations, and options for disposition; Board may take action to implement a specific disposition option;
- Review Friant Water Authority’s: Friant-Kern Canal capacity constraint remediation activity, Reverse Flow Pumping Project activity, and Water Quality Project activity.

b. Maintenance Operations

- Review in-district maintenance 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 the February 8, 2018 regular Board meeting;
- Review and approve minutes of the February 26, 2018 special Board meeting;
- Review and approve minutes of the March 12, 2018 special Board meeting;

e. Other Administrative / Financial Items

- Board Review and approve repayment agreement for recapture of Restoration Flows with Friant Water Authority;

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: 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.
- b. 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 City of Fresno et al vs. United States.
- c. 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 Lower Tule River Irrigation District vs. Angiola Water District, California Superior Court, Fresno County Case No. 17 CECG 04134.
- d. 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.) Angiola Water District vs. South Valley Water Banking Authority, Tulare County Superior Court, Case # VCU272428. ii.) Arvin-Edison Water Storage District vs. South Valley Water Banking Authority, Kern County Superior Court, Case # BCV18100106. iii.) Los Alisos Ranch Company LLC et al vs. South Valley Water Banking Authority, Tulare County Superior Court, Case # VCU272527.
- e. 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: two potential cases (significant exposure to litigation).

CONTRACTS:

- f. ADJOURN TO CLOSED SESSION - Real Property Negotiations
- Pursuant to Government Code section 54956.8: Conference with Real Property Negotiators. APNs: 338-090-010, 338-090-011. Negotiator: General Manager Eric R. Quinley.

6. OTHER AGENCIES / ORGANIZATIONS

- a. Friant Water Authority
- Review recent Temperance Flat Memorandum of Understanding activity;
- Review potential title transfer of Friant-Kern Canal.
- b. South Valley Water Association
- Board review of recent activities and recommendations from the SVWA group;
- c. Friant Power Authority
- Review status of new river outlet power plant project and recent FPA meeting;

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.