

NOTICE

MERCY SPRINGS WATER DISTRICT
52027 WEST ALTHEA AVENUE
FIREBAUGH, CA 93622

TO: Board of Directors
FROM: Michael Linneman, President
RE: Special Meeting of the Board of Directors

A special meeting of the Board of Directors of the Mercy Springs Water District is scheduled for 9:00 a.m., June 30, 2021, to address the items listed on the attached agenda. In accordance with Governor Newsom's Executive Order N-09-21, the meeting will be held by web and teleconference, and accessible to the public electronically, through the following means.

**IN ACCORDANCE WITH EXECUTIVE ORDER N-09-21,
DIRECTORS AND THE PUBLIC MAY CHOOSE TO PARTICIPATE FROM ANY LOCATION,
WITHIN OR WITHOUT THE BOUNDARIES OF THE DISTRICT.**

**DIRECTORS AND MEMBERS OF THE PUBLIC 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/741125757>

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

**MERCY SPRINGS WATER DISTRICT
SPECIAL BOARD OF DIRECTORS MEETING
June 30, 2021 – 9:00 a.m.**

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

<https://global.gotomeeting.com/join/741125757>

AND PLEASE DIAL

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- 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.

ACTION ITEMS

- 6. The Board to review and consider approving the DRAFT minutes from the November 17, 2020, special meeting of the Board of Directors (Azhderian – Tab 2);**

7. The Board to review and consider appointment of District Officers to serve during the March 1, 2021, through February 28, 2022, fiscal year (Azhderian – handout Tab 3);
8. The Board to review and consider accepting the Treasurer’s annual review recommendation of the District’s Investment Policy (Azhderian/Otollo – handout Tab 4);
9. The Board to review and consider accepting the Treasurer’s Quarterly Reports for the periods ending September 30, 2020, December 31, 2020, and March 31, 2021 (Otollo – handout Tab 5);
10. The Board to review and consider accepting the monthly financial statement for the period ending May 31, 2021 (Otollo – Tab 6);
11. The Board to review and consider adopting a budget and service fees for the District’s fiscal-year ending February 28, 2022 (Azhderian/Otollo – handout Tab 7);
12. The Board to review and consider authorizing execution of a proposed Bryant L. Jolley engagement letter to conduct an audit of the District’s 2020-2021 fiscal-year ending February 28, 2021 (Azhderian/Otollo – handout Tab 8);
13. The Board to review and consider adopting a Resolution requesting the Fresno County Board of Supervisors approve replacing the District’s annual financial audit with a biennial financial audit (Azhderian/Delgado – Tab 9);
14. The Board to review and consider adopting a Resolution authorizing updates to the District’s WestAmerica Bank signature card and initiation of StarConnect Plus for Business service to provide online account access (Azhderian/Otollo – handout Tab 10);
15. The Board to review and consider approving payment of bills (Otollo – Tab 11).
16. The Board to review and consider adopting a Resolution calling for a general election on November 2, 2021, of representatives to serve on the District’s Board of Directors (Azhderian/Delgado – handout Tab 12);
17. The Board to review and consider adopting a Resolution to implement a District Election Plan to hold all subsequent District elections on even years after November 2021 (Azhderian/Delgado – handout Tab 13);
18. The Board to review and consider adopting a Resolution to authorize execution of the Third Amendment to the Central Delta-Mendota Region Sustainable Groundwater Management Act Services Activity Agreement (Azhderian/Delgado – Tab 14);

19. Gubernatorial Executive Order and Brown Act Update (Delgado);
20. WIIN Act Contract Capital Pre-Payment Funding Sources Analysis (Azhderian);
21. **CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL**
 - A. **EXISTING LITIGATION**

Closed Session pursuant to Government Code section 54956.9(d)(1):

Center for Biological Diversity v. U.S. Bureau of Reclamation (Case No. 1:20-cv-00706-DAD-EPG)
 - B. **ANTICIPATED LITIGATION**

Closed Session pursuant to Government Code section 54956.9(d), paragraph (2) or (3):

Number of Cases: Two
22. **REPORT FROM CLOSED SESSION**
23. **FUTURE MEETING DATES**
 - A. Board to Consider Action to Set Special Meeting Date(s): *No staff request.*
 - B. Next Regular Meeting Date: August 31, 2021
24. **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.