

# **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., October 15, 2020, to address the items listed on the attached agenda. In accordance with Governor Newsom's Executive Orders N-25-20 and N-29-20 issued in response to the COVID-19 Pandemic, the meeting will be held by web and teleconference, and accessible to the public electronically, through the following means.

**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/150684245>**

**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/or 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  
October 15, 2020 – 9:00 a.m.  
52027 West Althea Avenue, Firebaugh, CA 93622**

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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 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.

## ACTION ITEMS

**6. CONTRACT BETWEEN THE UNITED STATES AND MERCY SPRINGS WATER DISTRICT PROVIDING FOR PROJECT WATER SERVICE FROM DELTA DIVISION AND FACILITIES REPAYMENT – Contract No. 14-06-200-3365A-LTR1-P**

**A. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) – Notice of Exemption (NOE)**

Board to review and consider taking action to find that the conversion of the District's Central Valley Project Contract with the U.S. Bureau of Reclamation, pursuant to the Water Infrastructure Improvements for the Nation Act (Pub. L. 114-322, 130 Stat. 1628) (the "WIIN Act"), is exempt from CEQA under Categorical Exemptions and Statutory Exemptions. See attached draft NOE. (Azhderian/Delgado – Tab 1)

**B. RESOLUTION TO AUTHORIZE THE APPROVAL, EXECUTION AND DELIVERY OF THE CONTRACT BETWEEN THE UNITED STATES AND MERCY SPRINGS WATER DISTRICT PROVIDING FOR PROJECT WATER SERVICE FROM DELTA DIVISION AND FACILITIES REPAYMENT AND FILING OF A NOTICE OF STATUTORY EXEMPTION AND CATEGORICAL EXEMPTIONS FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR SAID CONTRACT**

Board to review and consider taking action to adopt a Resolution to authorize entering into the above-referenced contract and filing of an NOE. See attached resolution and final contract. (Azhderian/Delgado – Tab 2)

**7. CLOSED SESSION: Conference with Legal Counsel.**

- A. Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9: one (1) case
- B. Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9: one (1) case

**8. REPORT FROM CLOSED SESSION (GOVERNMENT CODE SECTION 54957.1)**

**9. FUTURE MEETING DATES**

- A. Board to Consider Taking Action to Set Special Meeting Date(s): *No staff requests.*
- B. Next Regular Meeting Date: November 24, 2020.

**10. 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.