

PANOCHÉ DRAINAGE DISTRICT

BOARD OF DIRECTORS MEETING
September 18, 2023 at 9:00 a.m.

MEETING LOCATION

Panoche Water District Boardroom
52027 West Althea Ave.
Firebaugh, CA 93622

AGENDA

PRESIDENT’S ANNOUNCEMENT: Pursuant to Government Code Section 54952.3, let it be known that Board Members receive no compensation or stipend for simultaneous or serial order meetings of the Panoche Water District, Panoche Drainage District, Panoche Financing Authority, and/or the Panoche Resource Conservation District.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

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. BOARD TO REVIEW AND CONSIDER APPROVAL OF THE AUGUST 8, 2023, BOARD MEETING MINUTES (Chagoya)

7. FINANCIAL REPORTS (Brazil)

- A. Accounts Payable
- B. Monthly Financials

- C. FYE 2024 Budget-to-Actual Report
- D. Other financial matters affecting the District

- 8. **BOARD TO REVIEW AND CONSIDER APPROVAL OF A REIMBURSEMENT TO PANOCHÉ WATER DISTRICT, THROUGH THE GRASSLAND BASIN DRAINERS, FOR EXPENSES FROM 2017-2020 IN THE AMOUNT OF \$931,012.39 (McGowan)**
- 9. **THE BOARD TO REVIEW AND CONSIDER ADOPTING RESOLUTION # 827-23, REVISING THE DISTRICT'S AUTHORIZED BANK SIGNED (Brazil)**
- 10. **THE BOARD TO REVIEW AND CONSIDER AUTHORIZING EXECUTION OF A PERMANENT EASEMENT TO PACIFIC GAS & ELECTRIC FOR JOSE CARRILLO, TO CROSS ALTHEA DRAIN (Cadena)**

REPORT ITEMS

- 11. **OPERATIONS & MAINTENANCE (Carlucci)**
- 12. **DRAINAGE MANAGEMENT (Cadena)**
- 13. **GRASSLAND BASIN AUTHORITY (McCoy)**
- 14. **GENERAL MANAGER'S UPDATE (McGowan)**
 - A. Prop 84 Grant for Westside Regional Drainage Plan:
 - i. Tile Sump SCADA Project;
 - ii. Land Acquisition;
 - iii. Stormwater Regulating Basins Expansion;
 - iv. Land Development;
 - v. Conveyance Optimization.
 - B. Annexation
 - C. San Joaquin Valley Drainage Authority
 - D. Sunset Exploration Proposed Project
 - E. Other Matters
- 15. **REPORTS ON OTHER ITEMS PURSUANT TO GOVERNMENT CODE SECTION 54954.2(a)(3)**
- 16. **FUTURE MEETING DATES**
 - A. Board to Consider Action to Set Special Meeting Date(s): *None requested.*
 - B. Next Regular Meeting Date: October 10, 2023.
- 17. **PANOCHÉ DRAINAGE CLOSED SESSION**
 - A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
 - Property: Fresno County Assessor's Parcel Number 004-070-06
 - Agency Negotiator: To Be Named
 - Negotiating Parties: Koda Farms and Randy Miles
 - Under Negotiation: Price and terms.
- 18. **REPORT FROM CLOSED SESSION**

- 19. PANOCHÉ WATER & DRAINAGE DISTRICTS JOINT CLOSED SESSION:** Conference with Legal Counsel.
- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant Exposure to Litigation pursuant to Section 54956.9(d), paragraph (2) or (3):
Number of Cases: Three
- B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Section 54956.9(d)(1):
Names of Cases: One
- i. PCFFA v. Glaser, et. al.
US District Court, E.D. Cal, Case No. 2:11-cv-02980
- 20. REPORT FROM JOINT CLOSED SESSION (GOVERNMENT CODE SECTION 54957.1)**
- 21. BOARD TO REVIEW AND CONSIDER THE FOLLOWING ITEMS RELATED TO THE GRASSLAND BASIN AUTHORITY**
- A. Drainage Assessments for Fields 15-1 and 15-2
- B. GBA use of equipment currently held by Panoche Drainage District
- C. Prop 84 Grant Reimbursement for funds owed in the amount of \$185,532.
- D. Outstanding line-item invoices for work performed on land within the Grassland Basin Authority
- 22. 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 by calling (209) 364-6136. Requests must be received at least 18 hours prior to a scheduled public meeting.