

**PANOCHÉ DRAINAGE DISTRICT MEETING MINUTES
REGULAR MEETING OF THE BOARD OF DIRECTORS
October 12, 2021, at 9:00 A.M.**

A regular meeting of the Board of Directors was held in accordance with Resolution 786-21 proclaiming a local emergency and authorizing remote teleconference Board meetings through October 28, 2021, pursuant to Assembly Bill 361, and to make the meetings accessible to the public electronically. Those present at the meeting were:

Directors Present: John Bennett, President
 Michael Linneman, Vice-President
 Mike Stearns, Secretary
 Ross Koda, Director
 Steve Fausone, Director

Directors Absent: None

District Staff Present: Ara Azhderian, General Manager
 Juan Cadena, Water Resources Manager
 John Paul Otollo, Treasurer & Controller

Others Present: Philip Williams, General Counsel
 Diane Rathmann, Of Counsel
 Palmer McCoy, Grassland Basin Authority
 Will Gleason, West Hills Farms
 Aaron Barcellos, A-Bar Ag Enterprises

ANNOUNCEMENT PURSUANT TO GOVERNMENT CODE SECTION 54952.3

Pursuant to the Brown Act, President Bennett announced that Directors do not receive compensation or a stipend for simultaneous or serial order meetings of Panoche Water District, Panoche Drainage District, Panoche Financing Authority, and/or the Panoche Resource Conservation District.

CALL TO ORDER

President Bennett called the regular meeting to order at 9:02 a.m.

REVIEW OF AGENDA

There were no changes to the Agenda.

ROLL CALL

A quorum of the Board and presence of the District’s Officers were confirmed.

POTENTIAL CONFLICTS OF INTEREST

There were no conflicts reported.

PUBLIC COMMENT

There was no public comment.

DIVISION REPORTS

At approximately 9:20 a.m., President Bennett suspended the Drainage District meeting and continued the Water District-ONLY meeting.

At approximately 10:35 a.m., President Bennett suspended the Water District meeting and resumed the Drainage District-ONLY meeting.

CONSENT CALENDAR

General Manager Azhderian presented the Board with the Consent Calendar, which included the draft minutes from the December 08, 2021, regular meeting of the Board; and the monthly financial statements for the period ending September 30, 2021. After consideration, on a motion by Director Stearns, seconded by Director Linneman, the Board accepted the Consent Calendar as presented.

The vote on the matter was as follows:

Ayes:	Bennett, Linneman, Stearns, Koda, Fausone
Nays:	None
Abstain:	None
Absent:	None

THE BOARD TO REVIEW AND CONSIDER A RESOLUTION DETERMINING THAT DURING THE PROCLAIMED STATE OF EMERGENCY DUE TO THE COVID-19 PANDEMIC, MEETING IN PERSON WOULD PRESENT IMMEDIATE RISK TO THE HEALTH OR SAFETY OF ATTENDEES

General Manager Azhderian explained the proposed resolution was identical to the one adopted by the Board at the last meeting except that it extended the proclaimed state of emergency and ability to for the Board and public to meet virtually until November 11, 2021. After consideration, on a motion by Director Linneman, seconded by Director Fausone, the Board unanimously adopted the resolution as presented.

The vote on the matter was as follows:

Ayes:	Bennett, Linneman, Stearns, Koda, Fausone
Nays:	None
Abstain:	None
Absent:	None

THE BOARD TO REVIEW AND CONSIDER AWARDED A CONTRACT TO F.S. ROD, INC., FOR THE DELIVERY OF 4,500 TONS OF ROAD BASE FOR THE PROPOSITION 84 GRASSLAND BYPASS CHANNEL OPERABLE GATES PROJECT

General Manager Azhderian explained the Grassland Bypass Channel Operable Gates Project had been originally approved and budgeted for by the San Luis & Delta-Mendota Water Authority's Grassland Basin Drainers Steering Committee but that subsequently District staff were able to get the Department of Water Resources to approved funding of the project under the District's Proposition 84 grant. Azhderian noted the DWR approval saved the Steering Committee members \$130,000, of which the District would have paid more than half. He said the recommended award of contract to F.S. Rod was based upon the District's receipt of bids to which F.S. Rod was the lowest cost responsible bidder. After consideration, on a motion by Director Stearns, seconded by Director Linneman, the Board unanimously accepted the recommendation to award the contract.

The vote on the matter was as follows:

Ayes:	Bennett, Linneman, Stearns, Koda, Fausone
Nays:	None
Abstain:	None
Absent:	None

THE BOARD TO REVIEW AND CONSIDER AUTHORIZING EXECUTION OF A LOAN AGREEMENT WITH SYLVIA CARBAJAL TO STRUCTURE PAYMENT OF DELINQUENT DRAINAGE SERVICE FEES

General Manager Azhderian reported the Sylvia Carbajal account had been in arrears for a number of years and staff had been working with the landowner to resolve the matter. Recently, he explained, Ms. Carbajal had proposed to enter into a payment plan to bring the account current within two-years. Azhderian recommended presenting Ms. Carbajal the same form of agreement used by the Water District to resolve similar matters and to apply a current interest to calculate the amortization schedule. After consideration, on a motion by Director Stearns, seconded by Director Fausone, the Board unanimously accepted the recommendation to enter into the repayment agreement.

The vote on the matter was as follows:

Ayes:	Bennett, Linneman, Stearns, Koda, Fausone
Nays:	None
Abstain:	None
Absent:	None

THE BOARD TO REVIEW AND CONSIDER APPROVING PAYMENT OF BILLS

Controller Otollo presented the Board with the District’s accounts payable. After consideration, on a motion by Director Linneman, seconded by Director Fausone, the Board approved payment of the bills.

The vote on the matter was as follows:

Ayes:	Bennett, Linneman, Stearns, Koda, Fausone
Nays:	None
Abstain:	None
Absent:	None

CONTROLLER’S REPORT

Controller Otollo reviewed the District’s Budget-to-Actual report with the Board. General Manager Azhderian noted the District had issued the second Drainage Service Fee early to help ease cash flow restrictions, but maintained the original December due date as discussed at the last Board meeting.

JOINT CLOSED SESSION

General Counsel Williams announced that the Panoche Water and Drainage Districts Boards would meet jointly in closed session for a conference with legal counsel on anticipated litigation pursuant to Government Code Section 54956.9, Subdivision (d), Paragraphs (2), or (3).

At approximately 10:55 a.m., President Bennett called the joint closed session to order.

At approximately 11:24 a.m., President Bennett adjourned the joint closed session.

JOINT CLOSED SESSION REPORT

General Counsel Williams reported the Boards met jointly with legal counsel in closed session and took no reportable action.

REPORTS ON OTHER ITEMS PURSUANT TO GOVERNMENT CODE SECTION 54954.2(a)(3)

No reports were given.

FUTURE MEETING DATES

The next regular meeting of the Board was scheduled for November 9, 2021, at 9:00 a.m.

ADJOURNMENT

With no further business on the agenda, President Bennett adjourned the meeting at 11:25 a.m.



John Bennett, President



Mike Stearns, Secretary