

AGENDA
PANOCHÉ DRAINAGE DISTRICT
ADJOURNED REGULAR BOARD OF DIRECTORS MEETING
April 18, 2023 – 9:00 a.m.

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

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. REVIEW OF AGENDA: The Board will consider corrections and/or additions to the Agenda of items requiring immediate action that came to the attention of the Board after the Agenda was posted.

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.

6. CONSENT CALENDAR

All matters listed on the Consent Calendar are considered to be routine and non-controversial and will be acted upon by a single action of the Board of Directors, unless a Board Member requests

separate consideration of the item. If such a request is made, the item may be heard as an Action Item at this meeting. The Board will review and consider (Tab 2):

- Approving DRAFT minutes from the June 22, 2021, special meeting of the Board;
- Approving DRAFT minutes from the January 11, 2022, regular meeting of the Board;
- Approving DRAFT minutes from the January 25, 2022, special meeting of the Board;
- Approving DRAFT minutes from the February 8, 2022, regular meeting of the Board;
- Approving DRAFT minutes from the September 13, 2022, regular meeting of the Board;
- Approving DRAFT minutes from the October 11, 2022, regular meeting of the Board;
- Approving DRAFT minutes from the March 14, 2023, regular meeting of the Board;
- Accepting the Quarterly Investment Report for the period ending March 31, 2023;
- Accepting the monthly financial statements for the period ending March 31, 2023.

ACTION ITEMS

7. The Board to review and consider accepting as FINAL the Price, Paige, & Company DRAFT audit of the Financial Statements for the fiscal-year ending February 28, 2022, subject to any further Board direction (Azhderian/Giosa – Tab 3);
8. The Board to review and consider adopting a budget for the fiscal-year ending February 29, 2024 and setting the Drainage Service Fee (Azhderian/Cadena/Brazil – Tab 4);
9. The Board to review and consider adopting a Resolution updating District representatives authorized to execute Local Agency Investment Fund (LAIF) transactions (Azhderian – Tab 5);
10. The Board to review and consider approving the accounts payable (Azhderian – Tab 6).

REPORT ITEMS

11. **FINANCIAL REPORTS** (Tab 7)
 - A. FYE 2023 Budget-to-Actual Report;
 - B. Other financial matters affecting the District.
12. **DRAINAGE MANAGEMENT REPORT** (Tab 8)
 - A. San Joaquin River Improvement Project;
 - B. Grassland Bypass Project Long-Term Stormwater Management;
 - C. Storm Water Management Water Quality Report;
 - D. Other Drainage Related Matters Affecting the District.
13. **GENERAL MANAGER'S REPORT** (Tab 9)
 - 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. CVRWQCB Nitrate Control/Drinking Water Substitution Program
- D. Other Matters Affecting the District.

14. DIVISION REPORTS:

- A. Water Operations & Maintenance – Juan Cadena
- B. Administration – Ara Azhderian
- C. Ethics, Compliance, & Human Resources – Lorena Chagoya

15. 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.

16. REPORT FROM CLOSED SESSION

17. PANOCHÉ WATER & DRAINAGE DISTRICTS JOINT CLOSED SESSION: Conference with Legal Counsel.

- B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant Exposure to Litigation pursuant to Section 54956.9(d), paragraph (2) or (3):

Number of Cases: Three

- C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Section 54956.9(d)(1):

Names of Cases:

- i. PCFFA v. Glaser, et. al.
US District Court, E.D. Cal, Case No. 2:11-cv-02980

18. REPORT FROM JOINT CLOSED SESSION (GOVERNMENT CODE SECTION 54957.1)

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

20. FUTURE MEETING DATES

- A. Board to Consider Action to Set Special Meeting Date(s): *None requested.*
- B. Next Regular Meeting Date: May 9, 2023.

21. 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.