

AGENDA

PANOCHÉ DRAINAGE DISTRICT SPECIAL BOARD OF DIRECTORS MEETING

March 29, 2022 – 9:30 a.m.

CONSISTENT WITH RESOLUTION NO. 806-22 PROCLAIMING A LOCAL EMERGENCY AND AUTHORIZING REMOTE TELECONFERENCE BOARD MEETINGS THROUGH APRIL 7, 2022, PURSUANT TO AB 361, THE OPEN SESSION OF THIS MEETING MAY BE JOINED FROM YOUR COMPUTER, TABLET OR SMARTPHONE THROUGH THE FOLLOWING MEANS:

<https://meet.goto.com/410896869>

AND PLEASE DIAL

Conference call in number: (844) 783-6236 Passcode: 209 364 6136

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 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 a Resolution determining that during the Governor’s proclaimed state of emergency due to the COVID-19 pandemic, meeting in person would present imminent risk to the health or safety of attendees (Azhderian – Tab 2);
7. **JOINT PANOCHÉ DRAINAGE & WATER DISTRICTS WORKSHOP:**
 - A. Overview of Drainage Management Activities
 - B. Review Panoche Drainage District Activities
 - C. Review Panoche Drainage District 2022 Priorities
 - D. Review Panoche Drainage District Revenues and Expenses
8. **FUTURE MEETING DATES**
 - A. The Board to Set Special Meeting Date(s): *None requested.*
 - B. Next Regular Meeting Date: April 12, 2022
9. **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.

PANOCHÉ DRAINAGE DISTRICT RESOLUTION NO. 807-22

A RESOLUTION OF THE BOARD OF DIRECTORS PROCLAIMING A LOCAL EMERGENCY, RATIFYING GOVERNOR NEWSOM'S MARCH 4, 2020, PROCLAMATION OF A STATE OF EMERGENCY, AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF PANOCHÉ DRAINAGE DISTRICT THROUGH APRIL 28, 2022 PURSUANT TO BROWN ACT PROVISIONS

WHEREAS, the Panoche Drainage District is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of Panoche Drainage District's legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the District's legislative bodies conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the District's boundaries, caused by natural, technological, or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, such conditions now exist in the District, specifically, on March 4th, 2020, Governor Newsom proclaimed a State of Emergency due to the COVID-19 pandemic and such proclamation has not as of the date of this Resolution been lifted; and

WHEREAS, due to what may be the sensitivity of some members of the public as well as to members of the Board and District staff, the contagious nature of COVID-19, including variants of the virus, and current guidance from federal, state, and local agencies that social distancing reduces the transmission of the virus, meeting in person would present imminent risks to the health or safety of attendees; and

WHEREAS, the Board of Directors does hereby find that the current status of the COVID-19 pandemic has caused, and will continue to cause, conditions of peril to the safety of persons within the District that are likely to be beyond the control of services, personnel, equipment, and facilities of the District, and desires to proclaim a local emergency and ratify the Proclamation of a State of Emergency by the Governor of the State of California; and

WHEREAS, as a consequence of the local emergency, the Board of Directors does hereby find that the legislative bodies of Panoche Drainage District shall conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such legislative bodies shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

WHEREAS, District notices and agendas shall provide a reasonable means for members of the public to meaningful participate in public meetings of the District; and

NOW, THEREFORE, BE IT HEREBY RESOLVED AS FOLLOWS:

1. The Board of Directors of the Panoche Drainage District hereby finds and determines the above Recitals are true and correct and are incorporated herein by this reference.

2. The Board hereby proclaims that a local emergency now exists throughout the District, and meeting in person would present a significant risk to the health and safety of those participating in person.

3. The Board hereby ratifies the Governor of the State of California's Proclamation of State of Emergency, effective as of its issuance on March 4, 2020.

4. The General Manager, or his designee, and legislative bodies of the District are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

5. This Resolution shall take effect on March 29, 2022, and shall be effective until the earlier of (i) April 28, 2022, or (ii) such time as the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of the District may continue to teleconference without strictly complying with certain provisions of the Brown Act due to the ongoing COVID-19 pandemic and resulting State of Emergency.

PASSED AND ADOPTED this 29th day of March 2022, in a duly noticed and open meeting of the Board of Directors by the following vote, to wit:

Ayes:

Nays:

Abstain:

Absent:

BACK

John Bennett, President

Attest: _____
Steve Fausone, Secretary

**CERTIFICATE OF SECRETARY
OF
PANOCHÉ DRAINAGE DISTRICT,
A California Drainage District**

I, Steve Fausone, do hereby certify that I am the duly authorized and appointed Secretary of the Panoche Drainage District, a California Drainage District (the "District"); that the foregoing is a true and correct copy of that certain resolution duly and unanimously adopted and approved by the Board of Directors of the District on the 29th day of March 2022; and that said resolution has not been modified or rescinded and remains in full force and effect as the date hereof:

IN WITNESS WHEREOF, I have executed this Certificate on this _____ day of March 2022.

Steve Fausone, Secretary

PANOCHÉ DRAINAGE & WATER DISTRICTS
MARCH 22, 2022 JOINT BOARDS WORKSHOP
SUMMARY OF DRAINAGE MANAGEMENT & 2022 PRIORITIES

Background:

Panoche Drainage District (PDD) is a key provider of drainage services within the approximately 97,000 acre Grassland Drainage Area (GDA). PDD works with our GDA drainage partners at Camp 13 Drainage District, Charleston Drainage District, Firebaugh Canal Water District, Pacheco Water District; the San Luis & Delta-Mendota Water Authority (SLDMWA); the Grassland Basin Authority (GBA); state and federal stakeholders, including the Regional Water Quality Control Board (RWQCB) and Reclamation (USBR); and a myriad of interested parties, including the Bay Institute, Environmental Defense Fund, and the Contra Costa Water District.

- Regional drainage management essentially occurs at four levels:
 - On-Farm: Individual landowners are responsible for the operation and maintenance of their tile lines and drainage collecting sumps;
 - PDD: The PDD is responsible for the operation and maintenance of drainage conveyance channels that generally carry drainage to the San Joaquin River Improvement Project (SJRIP). PDD labor for administration, operations, and maintenance is provided by the Panoche Water District (PWD).
 - SJRIP: The SJRIP constantly manages regional sub-surface drainage. The project is administered by the GBA. Agriculturally induced drainage must be entirely managed within the GDA. This is achieved primarily on the SJRIP. No discharge of agricultural drainage is allowed from the GDA. Stormwater management also occurs regionally and at the SJRIP but when intra-regional systems' capacity is met, discharge of stormwater is allowed under the RWQCB's Water Discharge Requirements (WDR) Order R5-2015-0094 through the Grassland Bypass Project (GBP).
 - GBP: The GBP manages stormwater discharges when necessary. The project is administered by the SLDMWA. The SLDMWA holds agreement with the USBR for the use of the San Luis Drain and the permit with the RWQCB for the discharge of stormwater into the San Joaquin River. The PDD provides for the operation and maintenance of the GBP.
- The PDD spans nearly 47,000 acres and encompasses four water districts (PWD, Eagle Field, Oro Loma, and Mercy Springs), a portion of the Central California Irrigation District, and "white areas" in western Fresno and Merced counties.
- The PDD provides administrative and field services to Charleston Drainage District and the San Luis & Delta-Mendota Water Authority and administers grants for the implementation of the Westside Regional Drainage Management Plan.
- Almost the entirety of the SJRIP lies within the PDD boundaries, relieving the program of property taxes that would be otherwise due and partially defining the service area of the GBA.
- The PDD maintains about 32 miles of drains serving 65 tile sumps within its boundary.

2022 Priorities:

- Adoption of the Fiscal-Year Ending 2023 Budget and Drainage Service Fee;
- Selection of a financial auditor;
- Grant Administration:
 - Complete Tile-Sump SCADA Project;
 - Award Stormwater Management Basins Construction Contract and commence construction;
 - Secure DWR approval for Grassland Bypass Channel – San Luis Drain Operable Gates;
 - Extend Grant Agreement;
 - Work with GBA to develop new lands within the SJRIP;
 - Work with SLDMWA/GBA to identify future projects and priorities, e.g. conveyance.
- Annexation:
 - A&H Investors
 - Sran Family Orchards
 - New SJRIP Expansion Lands

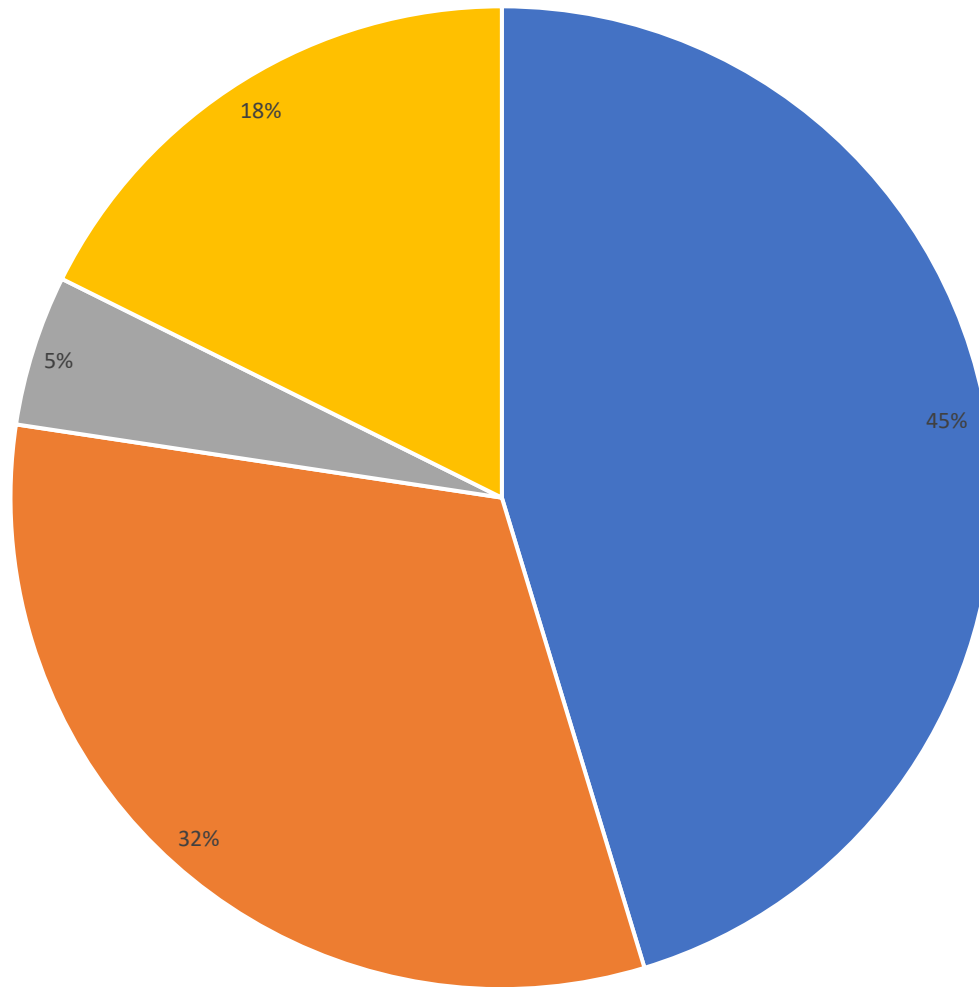
PDD has accepted two private landowner requests for annexation. PDD will also seek to annex lands recently acquired to expand the SJRIP and relieve the project of the current property tax burden.

Annexation will add approximately 3,000 acres of land, approximately 350 of which are owned by PDD. Annexation will ensure effected landowners comply with the GDA WDR Order R5-2015-0094-03; expand the drainage cost allocation base; recover costs from drainers previously not paying for service and provide future revenue to the PDD, SLDMWA, and GBA; and reduce SJRIP operational cost by about \$29,000 annually by relieving the current property tax property burden.

BACK

Panoche Drainage District Summary of Budgeted Activities						
	Fiscal-Year Ending					
	2017	2018	2019	2020	2021	2022
OPERATION REVENUES						
Drainage Service Fee	\$ 1,323,693	\$ 1,519,641	\$ 2,309,329	\$ 2,754,093	\$ 3,405,293	\$ 3,212,338
Fresno County Property Tax	\$ 155,165	\$ 169,685	\$ 97,864	\$ 204,825	\$ 247,242	\$ 242,444
SLDMWA Reimbursement	\$ 16,004	\$ 19,522	\$ 101,881	\$ 189,927	\$ 116,216	\$ 183,163
Other Revenues	\$ 311,942	\$ 636,066	\$ 10,573	\$ 9,960	\$ 22,597	\$ 8,457
TOTAL REVENUES	\$ 1,806,804	\$ 2,344,914	\$ 2,519,647	\$ 3,158,805	\$ 3,791,348	\$ 3,646,402
OPERATING EXPENSES						
San Joaquin River Improvement Proj	\$ 180,172	\$ 916,897	\$ 803,026	\$ 830,240	\$ 1,907,137	\$ 1,614,842
Grassland Bypass Project	\$ 1,262,449	\$ 1,158,425	\$ 1,119,103	\$ 1,229,948	\$ 677,779	\$ 1,142,978
San Luis Drain Maintenance					\$ 38,434	\$ 237,481
Irrigated Lands Program	\$ 146,561	\$ 159,143	\$ 72,717	\$ 139,396	\$ 177,892	\$ 176,821
Professional Fees	\$ 58,942	\$ 190,040	\$ 99,517	\$ 163,475	\$ 200,136	\$ 121,870
Labor - Field	\$ 57,731	\$ 23,393		\$ 331,978	\$ 130,088	\$ 87,269
Mercy Springs WD/SGMA					\$ 74,077	\$ 61,632
Labor - Admin	\$ 311,269	\$ 205,533	\$ 581,501	\$ 413,615	\$ 71,187	\$ 50,453
General Overhead	\$ 18,573	\$ 58,635	\$ 130,020	\$ 51,643	\$ 32,818	\$ 28,952
Interest	\$ 39,540	\$ 26,021	\$ 19,696	\$ 8,012	\$ 18,254	\$ 15,123
Energy	\$ 22,517	\$ 20,859	\$ 15,001	\$ 33,362	\$ 19,113	\$ 11,728
Herbicides	\$ 35,413	\$ 30,348	\$ 18,008	\$ 65,921	\$ 38,025	\$ 9,730
Water Quality Monitoring		\$ 1,610	\$ 3,717	\$ 6,310	\$ 3,741	\$ 3,525
Repairs & Maintenance	\$ 28,593	\$ 15,837	\$ 10,280	\$ 51,686	\$ 53,270	\$ 1,416
TOTAL EXPENSES	\$ 2,161,760	\$ 2,806,741	\$ 2,872,586	\$ 3,325,586	\$ 3,441,951	\$ 3,563,820
INCOME/(LOSS)	\$ (354,956)	\$ (461,827)	\$ (352,939)	\$ (166,781)	\$ 349,397	\$ 82,582
San Joaquin River Improvement Proj	\$ 180,172	\$ 916,897	\$ 803,026	\$ 830,240	\$ 1,907,137	\$ 1,614,842
Grassland Bypass Project	\$ 1,262,449	\$ 1,158,425	\$ 1,119,103	\$ 1,229,948	\$ 677,779	\$ 1,142,978
Irrigated Lands Program	\$ 146,561	\$ 159,143	\$ 72,717	\$ 139,396	\$ 177,892	\$ 176,821
Sub-Total	\$ 1,589,182	\$ 2,234,465	\$ 1,994,846	\$ 2,199,584	\$ 2,762,808	\$ 2,934,641
Panoche Drainage District	\$ 572,578	\$ 572,276	\$ 877,740	\$ 1,126,002	\$ 679,143	\$ 629,179
	26%	20%	31%	34%	20%	18%

FYE 2022 Drainage Management Program



■ San Joaquin River Improvement Proj ■ Grassland Bypass Project ■ Irrigated Lands Program ■ Panoche Drainage District

