

**PANOCHÉ DRAINAGE DISTRICT MEETING MINUTES  
REGULAR MEETING OF THE BOARD OF DIRECTORS  
September 13, 2022, at 9:00 A.M.**

A meeting of the Board of Directors was held pursuant to Assembly Bill 361 authorizing remote teleconference Board meetings and making the meetings accessible to the public electronically. Those present at the meeting were:

Directors Present:     John Bennett, President  
                              Michael Linneman, Vice-President  
                              Steve Fausone, Secretary  
                              Aaron Barcellos, Director  
                              Beau Correia, Director

Directors Absent:     None

District Staff Present: Ara Azhderian, General Manager  
                              Juan Cadena, Water Resources Manager  
                              Lorena Chagoya, Ethics & Compliance Officer  
                              Josh Marquez, Contracts Administrator

Others Present:     Philip Williams, General Counsel  
                              Palmer McCoy, Grassland Basin Authority  
                              Will Gleason, West Hills Farm Services

**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 9:03 a.m.

**DETERMINATION: 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**

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 for the Board and public to meet virtually until October 13, 2022. After consideration, on a motion by Director Barcellos, seconded by Director Correia, the Board unanimously adopted the Resolution as presented.

The vote on the matter was as follows:

Ayes:                 Bennett, Linneman, Fausone, Barcellos, Correia  
Nays:                 None  
Abstain:             None

Absent: None

**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.

**CONSENT CALENDAR**

General Manager Azhderian presented the Board with the Consent Calendar, which included draft minutes from the January 12, 2021, regular meeting, the March 23, 2021, special meeting, the June 08, 2021, regular meeting, the September 14, 2021, regular meeting, the September 28, 2021, special meeting, the October 12, 2021, regular meeting, the November 09, 2021, regular meeting, the November 16, 2021, special meeting, the November 23, 2021, special meeting, the December 14, 2021, regular meeting, and the December 21, 2021, special meeting of the Board; the Treasurer's Quarterly Investments Report for the period ending June 30, 2022; and the monthly financial statements for the period ending August 31, 2022. General Manager Azhderian explained that significant staff turnover and COVID disruptions had contributed to the backlog of meetings minutes and said staff was continuing to audit the District's records for completeness. Directors Bennett and Linneman affirmed the older meetings minutes. After consideration, on a motion by Director Barcellos, seconded by Director Correia, the Board accepted the Consent Calendar as presented.

The vote on the matter was as follows:

Ayes:	Bennett, Linneman, Fausone, Barcellos, Correia
Nays:	None
Abstain:	None
Absent:	None

**THE BOARD TO REVIEW AND CONSIDER ACCEPTING AS FINAL THE PRICE, PAIGE, AND COMPANY DRAFT FINANCIAL AUDIT FOR THE FISCAL-YEAR ENDING FEBRUARY 28, 2021, SUBJECT TO ANY FURTHER BOARD DIRECTION**

General Manager Azhderian introduced Fausto Hinojosa, Audit Principal with Price, Paige & Company, to present the audit findings. He reviewed its key conclusions and reported that the audited financial statements presented fairly the respective financial position of the District and, as such, they were providing an unmodified, clean opinion. Hinojosa praised staff for the good, corrective work done over the past several years to achieve an audit absent of any findings. Hinojosa responded to questions from the Board. After consideration, on a motion by Director Barcellos, seconded by Director Fausone, the Board accepted the accepted as final the Audited Financial Statements as presented.

The vote on the matter was as follows:

Ayes:	Bennett, Linneman, Fausone, Barcellos, Correia
Nays:	None

Abstain: None  
Absent: None

*At approximately 9:35 a.m., President Bennett suspended the Drainage District meeting and proceeded with the Water District 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 10:48 a.m., President Bennett called the joint closed session to order.*

*At approximately 11:33 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.

**THE BOARD TO REVIEW AND CONSIDER APPROVING REQUEST BY FADAK ORCHARDS, LLC., TO INSTALL A PIPELINE UNDER THE DISTRICT’S RUSSELL DRAIN**

General Manager Azhderian reported the District had received a request from Landmark Irrigation Company, the contractor performing the work requested by Fadak Orchards, to bore a 14” pipeline under the Russell Drain. He explained Fadak Orchards was wanting to connect their irrigation system to serve properties situated on both the west and east sides of Russell Ave.. Azhderian recommended the Board approve the request subject to review by the District’s Engineer, Chris Linneman, and preparation and execution of a license agreement outlining the terms and conditions of the approval by General Counsel Williams. After consideration, on a motion by Director Correia, seconded by Director Linneman, the Board accepted the recommendation and approved the requested work.

The vote on the matter was as follows:

Ayes: Bennett, Linneman, Fausone, Barcellos, Correia  
Nays: None  
Abstain: None  
Absent: None

**THE BOARD TO REVIEW AND CONSIDER ADOPTING A RESOLUTION APPOINTING A REPRESENTATIVE TO SERVE ON THE ASSOCIATION OF CALIFORNIA WATER AGENCIES JOINT POWERS INSURANCE AUTHORITY’S BOARD OF DIRECTORS**

General Manager Azhderian presented the draft Resolution and explained that following the departure of Director Stearns from the Board, it was necessary for the Board to name a replacement to

serve on the JPIA Board of Directors as required by Article 7 of the JPIA Agreement. After consideration, on a motion by Director Barcellos, seconded by Director Linneman, the Board elected to appoint Director Correia to serve as Director on the JPIA Board and Ethics & Compliance Officer Chagoya to serve as Alternate.

The vote on the matter was as follows:

Ayes:	Bennett, Linneman, Fausone, Barcellos, Correia
Nays:	None
Abstain:	None
Absent:	None

#### **THE BOARD TO REVIEW AND CONSIDER APPROVING PAYMENT OF BILLS**

General Manager Azhderian presented the Board with the District's accounts payable. After consideration, on a motion by Director Barcellos, seconded by Director Fausone, the Board approved payment of the bills.

The vote on the matter was as follows:

Ayes:	Bennett, Linneman, Fausone, Barcellos, Correia
Nays:	None
Abstain:	None
Absent:	None

#### **FINANCIAL REPORT**

General Manager Azhderian presented the Board the monthly FY2021-22 Budget-to-Actual Report.

#### **DRAINAGE MANAGEMENT REPORT**

Grassland Basin Authority General Manager Palmer McCoy reported on activities at the San Joaquin River Improvement Project. General Manager Azhderian reported on Grassland Bypass Project related activities.

#### **GENERAL MANAGER'S REPORT**

Azhderian updated the Board on Proposition 84 funded activities to implement the Westside Regional Drainage Management Plan.

#### **DIVISION REPORTS**

- A. Water Resources Manager Juan Cadena reported the Water District's August deliveries were about 3,743 acre-feet and that last week's deliveries averaged 55 cubic-feet per second. He reported thieves stole copper wire from Russell Lift #1 and that work to replace it had been completed. He said crews were applying aquatic herbicides throughout the District and that routine maintenance was ongoing. Lastly, Cadena reported crews had cleaned about 2.5 miles of the Charleston Drainage District's Outside Drain.
  
- B. General Manager Azhderian reported financial accounting staff were working on the Water District financial audit and water accounting staff were preparing to send the August usage billings.

- C. Ethics & Compliance Officer Lorena Chagoya reported on risk management activities for the month of August. She informed the Board that there were no worker's compensation claims nor activities on the SpeakUp Hotline. However, there were four new positive COVID-19 cases reported and that those individuals have since recovered and returned to work. She also summarized completed safety trainings including upcoming trainings such as Diversity, Equity, and Inclusion; Electrical safety; and Slip, Trips, and Falls Safety. Chagoya also welcomed Mr. Wayne Western to the Board and provided an update on efforts to amend the current Conflict of Interest Code. Lastly, she announced that the District received three declarations of candidacy for the upcoming Panoche Water District election and one form each for the Panoche Drainage District Divisions 1 and 5. General Manager Azhderian reported that since no other candidates declared for the Drainage District's Divisions, an election would not be necessary and that Chagoya would inform Fresno County of the results.

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


No reports were given.

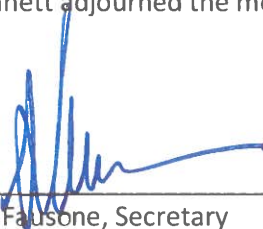
#### **FUTURE MEETING DATES**

The next regular meeting of the Board was scheduled for 9:00 a.m., October 11, 2022.

#### **ADJOURNMENT**

With no further business on the agenda, President Bennett adjourned the meeting at 12:19 p.m..

  
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John Bennett, President

  
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Steve Fausone, Secretary