

PANOCHÉ DRAINAGE DISTRICT

REGULAR BOARD OF DIRECTORS MEETING

September 10, 2024 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. THE BOARD TO REVIEW AND CONSIDER APPROVING THE AUGUST 13, 2024, REGULAR BOARD MEETING MINUTES (Reyes)

7. THE BOARD TO REVIEW AND GIVE DIRECTION TO STAFF CONCERNING THE DEVELOPMENT OF A DRAFT TILE LINE POLICY (McGowan)

8. **THE BOARD TO CONSIDER THE ADOPTION OF RESOLUTION # 838-24 AWARDED A CONTRACT TO ANTHONY’S LASER LEVELING TO CONSTRUCT PROPOSITION 84 GRANT-FUNDED SAN JOAQUIN RIVER IMPROVEMENT PROJECT FIELD CONSOLIDATION & RE-BORDERING PROJECT; AND AUTHORIZING RELATED ACTIONS** (McGowan)
9. **THE BOARD TO CONSIDER THE ADOPTION OF RESOLUTION # 839-24 CERTIFYING THE NO-CONTEST ELECTION AND REQUESTING THE COUNTY BOARD OF SUPERVISORS TO APPOINT THOSE CANDIDATES WHO FILED DECLARATION OF CANDIDACY**
10. **FINANCIAL REPORTS** (Brazil)
 - A. Accounts Payable
 - B. Monthly Financials
 - C. FYE 2025 Budget-to-Actual Report
 - D. Other financial matters affecting the District

REPORT ITEMS

11. **OPERATIONS & MAINTENANCE** (Carlucci)
12. **DRAINAGE MANAGEMENT** (Cadena)
13. **GRASSLAND BASIN AUTHORITY** (McCoy)
14. **THE BOARD TO RECEIVE UPDATES FROM STAFF ON VARIOUS MATTERS AFFECTING THE DISTRICT** (McGowan)
15. **GENERAL MANAGER’S UPDATE** (McGowan)
 - A. Prop 84 Grant
 - B. Annexation, Landowner Authorization Forms
 - C. San Joaquin Valley Drainage Authority
 - D. Other
16. **REPORTS ON OTHER ITEMS PURSUANT TO GOVERNMENT CODE SECTION 54954.2(a)(3)**
17. **PANOCHÉ DRAINAGE CLOSED SESSION**
 - 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

REPORT FROM CLOSED SESSION

18. **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

REPORT FROM JOINT CLOSED SESSION (GOVERNMENT CODE SECTION 54957.

19. FUTURE MEETING DATES

- A. Board to Consider Action to Set Special Meeting Date(s):
- B. Next Regular Meeting Date: October 8th, 2024.

20. 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
BOARD OF DIRECTORS
REGULAR MEETING MINUTES
July 15, 2024**

A regular meeting of the Board of Directors was held on August 13, 2024, at 9:00 am. Those present at the meeting were:

Directors: Aaron Barcellos, President
 Steve Fausone, Secretary
 Beau Correia, Director
 Wayne Western, Director

Staff: Patrick McGowan, General Manager
 Marlene Brazil, Accounting Supervisor
 Juan Cadena, Water Resources Manager
 Chris Carlucci, Maintenance Manager
 Josh Marquez, Contracts Administrator
 Sandra Reyes, Water Master

Others: Neill Callis, Turlock Fruit Company
 Palmer McCoy, GBA
 Phil Williams, Legal Counselor

CALL TO ORDER

President Barcellos called the meeting to order at 9:02 am.

PLEDGE OF ALLEGIANCE

President Barcellos led those in attendance in the Pledge of Allegiance.

ROLL CALL

A quorum of the Board of Directors was present.

POTENTIAL CONFLICTS OF INTEREST

There were no conflicts of interest.

PUBLIC COMMENT

There was no public comment.

ACTION ITEMS

BOARD TO REVIEW AND CONSIDER APPROVING THE JULY 15, 2024, REGULAR BOARD MEETING MINUTES

Upon a motion by Secretary Fausone and seconded by Director Western, the Board approved the July 15, 2024, regular board meeting minutes as presented. The vote on the motion was as follows:

Ayes: Barcellos, Correia, Fausone, Western

Nays: None

Absent: Linneman
Abstain: None

BOARD TO REVIEW AND GIVE DIRECTION TO STAFF CONCERNING THE PANOCHE DRAINAGE DISTRICT DRAFT SOLAR POLICY

General Manager Patrick McGowan reported on a red-line version of the Solar Policy that annotated changes that had been made since the last board meeting. After discussion by the Board, it was noted that the policy is meant to protect the privacy of the growers, as well as any existing solar policies. Also that the policy not interfere with anyone’s ability to install solar and allow participants in good standing to transfer water out of the District if so wanting as long as we are following the Board’s policy for transferring water out. The Board directed the General Manager to utilize his fair discretion to implement the solar policy and suggested revising the wording under 1.a. to read “to reflect direction by the Board, but not limited to.”

Upon a motion by Director Correia, and seconded by Secretary Fausone, the Board approved the Solar Policy with the revised wording being added. The vote on the motion was as follows:

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

BOARD TO CONSIDER DESIGNATING AS ITS CANDIDATE REPRESENTATIVE FOR MERCY SPRINGS WATER DISTRICT, GRASSLAND BASIN AUTHORITY GENERAL MANAGER PALMER MCCOY

General Manager Patrick McGowan presented the Board with a notice appointing Palmer McCoy as the Designation of Agent for Sole Purpose of Serving as Director and Agent of Landowner Panoche Drainage District (PDD). Mr. McGowan explained that Mr. McCoy’s appointment to the Mercy Springs Water District (MSWD) Board of Directors had already been approved by Fresno County and that the notice was an instrument to formalize the process for PDD.

Upon a motion by Director Western and seconded by Secretary Fausone, the notice to have Palmer McCoy represent PDD as a landowner to the MSWD Board of Directors was approved as presented. The vote on the motion was as follows:

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

FINANCIAL REPORTS

- A. Accounts Payable**
- B. Monthly Financials**
- C. FYE 2024 Budget to Actual**
- D. Other financial matters**

Upon a motion by Director Correia and seconded by Secretary Fausone, the board approved the financial reports as presented by Accounting Supervisor Mrs. Brazil. The vote on the motion was as follows:

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

REPORT ITEMS

OPERATIONS & MAINTENANCE

Maintenance Manager Mr. Carlucci reported on the following operations and maintenance activities for the month of July:

- General Maintenance
- Weed Control – Staff sprayed the Courtney drain, Russell drain, Althea drain, Sabbatti drain, and Hammond Drain.
- Charleston Drainage District – Checking oilers on CH-2 pumps.
- Staff worked on flash board riser on the Davidson drain.

DRAINAGE MANAGEMENT

Water Resources Manager Juan Cadena reported on the following drainage management activities for the month of July:

- We are meeting our thresholds and there was hardly any activity happening due to no rainfall.

GRASSLAND BASIN AUTHORITY

The General Manager of the Grassland Basin Authority (GBA) Mr. Pamer McCoy reported on the following:

- The GBA held their board meeting last week and at the meeting the Board approved purchasing a backhoe.
- The GBA finished their 1st cutting and the price of Jose Tall Wheat Grass is in the \$60 range, noting that everything had been sold for the next 30 days.
- The GBA is also working on getting some surveying work done on the ponds.
- The GBA also had a walk-through of the Prop 84 work being done.

THE BOARD TO RECEIVE UPDATES FROM STAFF ON VARIOUS MATTERS AFFECTING THE DISTRICT

Staff reported on various items that had been completed, or were ongoing, on the Action Items List presented - dated July 15, 2024. General Manager Patrick McGowan reported that some productive conversations had been held with delinquent landowners/lessees that were resulting in remittances being made. Mr. McGowan also explained the Tile Line Policy is currently being worked on.

GENERAL MANAGER'S REPORT

General Manager Mr. McGowan reported on the following:

A. Prop 84 Grant for Westside Regional Drainage Plan

Mr. McGowan participated in the pre-bid construction walk-through of the proposed re-bordering project on the west side of Russell Avenue. There were 3 contractors present for the site visit and the engineering estimate was approximately 2.5 million. Our current objective is to ensure we position ourselves to have cash in hand to fund the Prop 84 projects.

B. Annexation

We will be reaching out to the various landowners to have the Landowner Authorization Agreements signed.

C. San Joaquin Valley Drainage Authority (SJVDA)

Nothing to report at this time.

D. Grand Jury Report No. 5 "Fresno County Special District Website Transparency: Seeing Your Dollars at Work"

Mr. McGowan reported that the Fresno County Grand Jury had audited over fifty District's websites for transparency and that the Panoche Water District was one of the Districts that received a perfect transparency score on the "District Transparency Certificate of Excellence"

checklist with a week's notice. Panoche Drainage District has work to do and is following the checklist as needed. The District has 60 days to reply to the Grand Jury on actions they will be taking moving forward. Our plan is to have the Transparency Certificate of Excellence checklist completed at the date of submission.

E. Election Candidacy

Mr. McGowan reported that there were no other growers/landowners that had submitted their candidacy forms, so the three current board members that were up for re-election ran unopposed. Mr. McGowan also noted that if Mr. Linneman submits his resignation, then the Panoche Drainage District Board will have to appoint a Director that will serve until 2026. Mr. Linneman has suggested that Mr. Neil Callis be appointed as his replacement.

At approximately 9:50 am, President Barcellos announced that the Drainage District meeting would be taking a five-minute break.

At approximately 9:55 am, President Barcellos announced that the Drainage District meeting would resume.

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

There were no other items.

PANOCHÉ DRAINAGE DISTRICT CLOSED SESSION: Conference with Legal Counsel

At 11:37 am, the Boards met in Closed Session to meet with legal counsel on related anticipated litigation. At 11:58 am, Mr. Williams stated that no reportable actions were taken in Closed Session.

PANOCHÉ WATER AND DRAINAGE DISTRICTS CLOSED SESSION: Conference with Legal Counsel

At 12:06 pm, the Boards met in Closed Session to meet with legal counsel on related anticipated litigation. At 12:38 pm Mr. Williams stated that no reportable actions were taken in Closed Session.

FUTURE MEETING DATES

The next regular meeting of the Board was scheduled for September 10, 2024, at 9:00 am.

ADJOURNMENT

With no further business, President Barcellos adjourned the meeting at 9:56 am.

Aaron Barcellos, President

Steve Fausone, Secretary

SUMMERS ENGINEERING, INC.

CONSULTING ENGINEERS

887 N. IRWIN ST. - P. O. BOX 1122
HANFORD, CALIFORNIA 93232-1122

TELEPHONE
(559) 582-9237
FAX
(559) 582-7632

JOSEPH C. MCGAHAN
ROGER L. REYNOLDS
BRIAN J. SKAGGS
SCOTT L. JACOBSON
JAMES C. LINNEMAN

September 5, 2024

Board of Directors
Panoche Drainage District
52027 W. Althea Ave.
Firebaugh, CA 93622

SUBJECT: San Joaquin River Improvement Project Field Consolidation & Rebordering Project - Recommendation of Award

Dear Board Members:

On September 4th, 2024, we accepted bids for the San Joaquin River Improvement Project Field Consolidation & Rebordering project. Attached is a copy of the bid tabulation. Two bids were received from qualified bidders and the low bidder was Anthony's Laser Leveling, located in Kerman, California, with a bid amount of \$1,777,750.00.

Panoche Drainage District has contracted with Anthony's Laser Leveling in the past and they are qualified to complete the work.

Anthony's Laser Leveling operates under contractor's license no. 1052512, held by the Anthony Avila, who is the company owner. The license is current and active and they are maintaining appropriate workers compensation insurance.

Based on our review we recommend awarding the contract to Anthony's Laser Leveling in the amount of \$1,777,750.00. The next step is to issue them a Notice of Award and Contract for signature. Attached are drafts for your use.

Very truly yours,



Chris Linneman

Enclosures

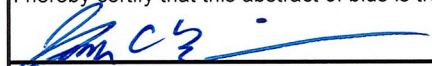
JCL/cl

Panoche Drainage District
San Joaquin River Improvement Project
 Field Consolidation & Re-bordering Project

				Engineer's Estimate		Anthony's Laser Leveling 13833 W California Ave. Kerman CA 93630		Wood Brothers, Inc. 13343 Johnson Rd. Los Banos CA 93635	
Item No.	Work or Material	Quantity	Unit	Unit Cost	Amount	Unit Cost	Amount	Unit Cost	Amount
1	Furnish and Install (F&I) 30 ft Wide Field Roads	36,370	Linear Feet	\$7.00	\$254,590	\$4.03	\$146,571.10	\$1.60	\$58,192.00
2	Reborder and Level the Phase 1 Fields*	462	Acres	\$1,400.00	\$646,800	\$919.42	\$424,772.04	\$1,094.00	\$505,428.00
3	Reborder and Level the Phase 2 Fields*	645	Acres	\$1,400.00	\$903,000	\$878.60	\$566,697.00	\$1,237.00	\$797,865.00
4	Reborder and Level the Phase 3 Fields*	568	Acres	\$1,400.00	\$795,200	\$891.45	\$506,343.60	\$1,337.00	\$759,416.00
5	F&I Erosion Control Measures		Lump Sum		\$80,000		\$133,366.26		\$101,876.00
TOTAL					\$2,679,590.00		\$1,777,750.00		\$2,222,777.00

* The unit cost for this line item shall include all costs associated with the labor and materials necessary to consolidate and level fields, fill in drains, and prepare irrigation borders as indicated on the drawings with the data provided in the electronic data set.

I hereby certify that this abstract of bids is true and correct



 James C. Linneman, R.C.E. 59067

Prepared By: Summers Engineering, Inc.
 Consulting Engineers
 Hanford, California
 September 5, 2024

PANOCHÉ DRAINAGE DISTRICT

RESOLUTION NO. 838-24

**A RESOLUTION AUTHORIZING THE AWARD A CONTRACT TO ANTHONY'S LASER LEVELING.,
TO CONSTRUCT PROPOSITION 84 GRANT-FUNDED SAN JOAQUIN RIVER IMPROVEMENT
PROJECT FIELD CONSOLIDATION & RE-BORDERING PROJECT;
AND AUTHORIZING RELATED ACTIONS.**

WHEREAS, since 1996, the Panoche Drainage District (the "District") has managed water in its conveyance system in coordination with other Districts (referred to as the "Grassland Basin Drainers") organized under the San Luis & Delta-Mendota Water Authority (the "SLDMWA") in approximately 97,000 acres termed the "Grassland Drainage Area," in order to reduce the quantity and improve the quality of agricultural subsurface drainage water that has been discharged outside the District boundaries into the San Joaquin River, under permits issued by the California Regional Water Quality Control Board, Central Valley Region ("Regional Board"); and

WHEREAS, until December 31, 2019, such drainage program was commonly referred to as the "Grassland Bypass Project" and currently is referred to as the Grassland Basin Drainers' Long-Term Storm Water Management Plan; and

WHEREAS, the Proposition 84 San Joaquin River Water Quality Grant Program, Agreement Number 4600012787 was executed on March 28, 2019 to implement projects to manage and reduce the discharge of agricultural subsurface drainage through the Grassland Bypass Project; and

WHEREAS, the San Joaquin River Improvement Project was implemented to manage agricultural subsurface drain water through the irrigation of salt tolerant crops; and

WHEREAS, the San Joaquin River Improvement Project Field Consolidation & Rebordering Project will improve the operational efficiency and flexibility of the San Joaquin River Improvement Project; and

WHEREAS, the land leveling and field consolidation activities authorized through the award of contract will help facilitate irrigation conveyance and stormwater management within the Grassland Drainage Area as described, analyzed, and mitigated for in the 2019 Addendum; and

WHEREAS, the Board has reviewed the attached Contract Documents for San Joaquin River Improvement Project Field Consolidation & Rebordering Project Contract (the "Contract"), attached hereto as Exhibit B; and

WHEREAS, the work to be performed under the Contract is to facilitate irrigation conveyance and stormwater management within the Grassland Drainage Area as described, analyzed, and mitigated for in the 2019 Addendum; and

WHEREAS, the Board believes awarding the Contract to be in the best interests of the District and the Grassland Basin Drainers' Long-Term Storm Water Management Plan.

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 directs the General Manager to execute the San Joaquin River Improvement Project Field Consolidation & Re-bordering Project Contract, whose terms are hereby incorporated. The General Manager is further directed to take any and all steps necessary to effectuate the execution of the Field Consolidation & Re-bordering, including the execution and delivery of any and all additional documents which he may deem necessary or advisable in order to give effect to and comply with the terms and intent of this Resolution and the Field consolidation & Re-bordering Project.

PASSED AND ADOPTED this 10th day of September 2024, in a duly noticed and open meeting of the Board of Directors by the following vote, to wit:

- Ayes:
- Nays:
- Abstain:
- Absent:

DRAFT

Aaron Barcellos, 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 10th day of September 2024; 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 September 2024.

Steve Fausone, Secretary

DRAFT



County of Fresno

BOARD OF SUPERVISORS

Chairman
Nathan Magsig
District Five

Vice Chairman
Buddy Mendes
District Four

Brian Pacheco
District One

Steve Brandau
District Two

Sal Quintero
District Three

Bernice E. Seidel
Clerk

June 21, 2024

Patrick McGowan, General Manager
Panoche Drainage District
52027 W Althea Ave
Firebaugh, CA 93622
pmcgowan@panochewd.org

Dear Mr. McGowan:

We anticipate that your Landowner district is preparing to conduct their election for board directors in November 2024. Under California Elections Code section 10515, the officer conducting your Landowner district's election will need to file with the Board of Supervisors a certification and any district board resolution(s) listing either the qualified individual(s) who filed a Declaration of Candidacy with your district and their division (if applicable), or that no one has filed a Declaration of Candidacy for a director office to be filled at the election. Please submit such documentation to the Clerk of the Board's office by no later than Monday, September 2, 2024. Attached is a certification form for your convenience.

Later this year, the Clerk of the Board's office will prepare an agenda item for the Board of Supervisors notifying them of the appointment(s) that need to be made in lieu of your district's election and any remaining vacancies in your district. Once the Board has taken action on this item, my office will send letters of appointment to the appointees (if any), with a copy to the district.

If you have any questions regarding the appointment in lieu of election process under Elections Code section 10515, please contact your district's legal counsel.

Sincerely,

Bernice E. Seidel
Clerk of the Board

Enclosure

**CERTIFICATION PURSUANT TO
CALIFORNIA ELECTIONS CODE SECTION 10515
FILE WITH THE FRESNO COUNTY BOARD OF SUPERVISORS
BY SEPTEMBER 2, 2024**

District: Panoche Drainage District

Date of Election (as Called by the District): November 5, 2024

Office(s) Scheduled for Election: Board of Directors

As the officer conducting the election for the above district, I, Steve Fausone
hereby certify that, by 5:00 P.M. on the 83rd day prior to the day fixed for the general district election:

Mark and complete applicable paragraph(s)

Only one person filed a declaration of candidacy for any elective office(s) to be filled at that election, as follows:

Division: 2 Name of Candidate: Aaron Barcellos Address: 16981 Philips Rd Los Banos CA 93635

Continued on Next Page

No one filed a declaration of candidacy for the following office(s):

Office: _____ Name of Incumbent or Last Held by: _____

Continued on Next Page

In the case of directors to be elected from the district at large, the number of persons who filed a declaration of candidacy for director at large does not exceed the number of offices of director at large to be filled at that election, as follows:

Name of Candidate: _____ Address: _____

Continued on Next Page

In the case of directors who must reside in a division but be elected at large, the number of candidates for director at large from a division does not exceed the number required to be elected director at large while residing in that division, as follows:

Division: _____ Name of Candidate: _____ Address: _____

Continued on Next Page

I further certify that no petition signed by 10 percent of the voters or 50 voters, whichever is the smaller number, in the district, or division if elected by division, requesting that the general district election be held, has been presented to me.

I therefore request that the Board of Supervisors, as the supervising authority for the district, at a regular or special meeting held prior to the Monday before the first Friday in December in which the election is held, appoint to the office or offices the person or persons, if any, who have filed declarations of candidacy.

For any office for which no person has filed a declaration of candidacy, I request that the Board of Supervisors appoint any person to the office who is qualified on the date when the election would have been held.



Signature of Officer Conducting Election

8/30/24

Date

**CERTIFICATION PURSUANT TO
EC 10515**

Continued from the previous page:

Only one person filed a declaration of candidacy for any elective office(s) to be filled at that election, as follows:

Division: <u>3</u>	Name of Candidate: <u>Steve Fausone</u>	Address: <u>2553 W Spruce Ave Fresno CA 93711</u>
Division: <u>4</u>	Name of Candidate: <u>Beau Correia</u>	Address: <u>7461 N Millux Rd Firebaugh CA 93622</u>
Division: _____	Name of Candidate: _____	Address: _____
Division: _____	Name of Candidate: _____	Address: _____

No one filed a declaration of candidacy for the following office(s):

Office: _____	Name of Incumbent or Last Held by: _____
Office: _____	Name of Incumbent or Last Held by: _____
Office: _____	Name of Incumbent or Last Held by: _____
Office: _____	Name of Incumbent or Last Held by: _____

In the case of directors to be elected from the district at large, the number of persons who filed a declaration of candidacy for director at large does not exceed the number of offices of director at large to be filled at that election, as follows:

Name of Candidate: _____	Address: _____
Name of Candidate: _____	Address: _____
Name of Candidate: _____	Address: _____
Name of Candidate: _____	Address: _____

In the case of directors who must reside in a division but be elected at large, the number of candidates for director at large from a division does not exceed the number required to be elected director at large while residing in that division, as follows:

Division: _____	Name of Candidate: _____	Address: _____
Division: _____	Name of Candidate: _____	Address: _____
Division: _____	Name of Candidate: _____	Address: _____
Division: _____	Name of Candidate: _____	Address: _____

PANOCHÉ DRAINAGE DISTRICT

RESOLUTION NO. 839-24

**A RESOLUTION OF THE BOARD OF DIRECTORS
CERTIFYING A NO-CONTEST IN THE 2024 GENERAL ELECTION AND
REQUESTING THE FRESNO COUNTY BOARD OF SUPERVISORS TO APPOINT
THOSE CANDIDATES WHO FILED DECLARATIONS OF CANDIDACY**

WHEREAS, Panoche Drainage District (the “District”) is a California Drainage District duly organized and existing under and pursuant to the California Constitution and the laws of the State of California, including the County Drainage District Act of 1903 (Water Code §§ 56000, *et seq.*) and the Uniform District Election Law (Elections Code §§ 10500, *et seq.*)

WHEREAS, the District is governed by a Board of Directors consisting of five members who are elected for a term of four years; and

WHEREAS, the District elections by division on even-numbered years in accordance with the California Election Law; and

WHEREAS, the terms of office for three positions on the Board of Directors expire in 2024; and

WHEREAS, through Resolution No. 837-24, the Board of Directors called for a General Election to be held on November 5th, 2024, and that declarations of candidacy forms must be filed at the District no later than 5:00 p.m. on the 88th day prior to the election; and

WHEREAS, only three candidates filed declarations of candidacy forms by the 88th day prior to the election, all three of those candidates being incumbent members of the Board of Directors; and

WHEREAS, in accordance with Elections Code section 10515, the District extended the date for non-incumbents to file declarations of candidacy and no other person filed a declaration of candidacy by the 83rd day prior to the election; and

WHEREAS, Elections Code section 10515 requires in such a case that the Secretary submit a certification of the above facts to the Board of Supervisors and requests the Board of Supervisors to appoint those who filed declarations of candidacy.

NOW, THEREFORE, it is hereby resolved by the Board of Directors of the Panoche Drainage District that:

1. The Board finds that the above Recitals are true and correct.

2. This Resolution serves as the certification required by Elections Code section 10515 and the Board's request that the Board of Supervisors appoint the three candidates who filed declarations of candidacy, those candidates being:

Mr. Aaron Barcellos
Mr. Beau Correia
Mr. Steven Fausone

3. The Secretary of the District and District staff are authorized and directed to take any all actions necessary in order to carry out the purposes of this Resolution and in accordance with the California County Drainage District Act, California Elections law, and the District's Bylaws.

PASSED AND ADOPTED this 10th day of September, 2024, by the following vote, to wit:

AYES:

NOES:

ABSENT:

Aaron Barcellos, President
Panoche Drainage District

Attest

Steven Fausone, Secretary

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

I, Steven 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 following is a true and correct copy of that certain resolution duly adopted and approved by the Board of Directors of the District on the 10th day of September, 2024; and that said resolution has not been modified or rescinded and remains in full force and effect as of the date hereof:

IN WITNESS WHEREOF, I have executed this Certificate on this 10th day of September, 2024.

STEVEN FAUSONE
Secretary of Panoche Drainage District

DRAFT

PANOCHÉ DRAINAGE DISTRICT				
ACCOUNTS PAYABLE LIST				
PAYMENTS RUN FROM 8/14/2024 thru 9/10/2024				
DATE	CHECK NUMBER	VENDOR	AMOUNT	MEMO
8/14/2024	7229	BAKER MANOCK & JENSEN	\$ 421.55	LEGAL SERVICES FOR JANUARY THRU JUNE 2024
8/23/2024	7230	GRASSLAND BASIN AUTHORITY	\$ 662,663.00	24/25 PARTICIPATION DUES - 2ND INSTALLMENT
8/23/2024	7231	PACIFIC GAS & ELECTRIC	\$ 1,400.33	AUGUST 2024 ELECTRICAL POWER
8/23/2024	7232	SAN JOAQUIN VALLEY DRAINAGE AUTHORITY	\$ 3,707.00	FY25 GENERAL MEMBERSHIP - 2ND INSTALLMENT
9/10/2024	7233	PANOCHÉ WATER DISTRICT	\$ 6,151.93	SLDMWA BYPASS JULY 2024
9/10/2024	7234	PANOCHÉ WATER DISTRICT	\$ 13,235.46	JULY 2024 LABOR \$ 4,595.03, EQUIPMENT \$ 6,046.16, CHEMICALS \$ 1,631.67, BANK FEES \$67.33, ADMIN ALLOCATION \$ 295.27 & ANNUAL SAM REGISTRATION \$ 600.00
8/5/2024	JE-165, JE-134	PANOCHÉ WATER DISTRICT	\$ 12,810.00	AUGUST 2024 LOAN INSTALLMENT PAYMENT
8/5/2024	JE-166, JE-140/141	PANOCHÉ WATER DISTRICT	\$ 12,874.95	AUGUST 2024 LOAN INSTALLMENT PAYMENT
8/15/2024	W000000615	SLDM WATER AUTHORITY	\$ 80,204.08	FY25 1ST INSTALLMENT MEMBERSHIP DUES (5TH OF 6 PAYMENTS)
8/20/2024	W000000616	ACWA/JPIA	\$ 1,962.27	24/25 PROPERTY INSURANCE
TOTAL			\$ 795,430.57	
PANOCHÉ DRAINAGE DISTRICT/PROP 84				
ACCOUNTS PAYABLE LIST				
PAYMENTS RUN FROM 8/14/2024 thru 9/10/2024				
DATE	CHECK NUMBER	VENDOR	AMOUNT	MEMO
8/23/2024	10236	MCELVANY INC.	\$ 106,827.50	PROGRESS PAYMENT # 13
9/10/2024	10237	BEDROCK ENGINEERING	\$ 3,626.00	ACQUIRE TOPO DATA FOR RESERVOIR PUMP STATION AND PIPELINE DESIGN
9/10/2024	10238	SUMMERS ENGINEERING INC.	\$ 21,421.00	TASK 3 DEVELOPMENT/RESERVOIR/CONVEYANCE
TOTAL			\$ 131,874.50	

**PANOCHÉ DRAINAGE DISTRICT
TREASURER'S MONTHLY FINANCIAL REPORT
BALANCE SHEET-CURRENT ASSETS & LIABILITIES**

DATE AS OF	JUNE INTEREST RATE	JULY INTEREST RATE	AUGUST INTEREST RATE	<u>August 31, 2024</u>	<u>July 31, 2024</u>
<u>CURRENT LIABILITIES</u>					
ACCOUNTS PAYABLE				\$561,429	\$160,885
NOTE PAYABLE - PWD				\$140,827	\$153,698
TOTAL CURRENT LIABILITIES				\$702,256	\$314,583
<u>CASH AND INVESTMENT ACCOUNTS</u>					
MECHANICS BANK CHECKING ACCOUNT				\$29,681	\$40,636
MECHANICS BANK PDD MONEY MARKET	4.700%	4.700%	4.800%	\$394,349	\$1,035,894
FRESNO COUNTY FUNDS	2.935%	2.935%	2.935%	\$31,876	\$30,699
MECHANICS BANK PROP 84 CHECKING				\$9,985	\$6,025
LAIF ACCOUNT	4.480%	4.516%	4.550%	\$1,535	\$1,535
TOTAL CASH AND INVESTMENTS				\$467,426	\$1,114,789
<u>ACCOUNTS RECEIVABLES</u>					
DRAINAGE SERVICE CHARGES				\$43,836	\$118,738
OTHER RECEIVABLES				-	-
DELINQUENT ACCOUNT CHARGES				\$189,138	\$247,119
TOTAL ACCOUNTS RECEIVABLES				\$232,974	\$365,857
TOTAL CURRENT UNAUDITED ASSETS				\$700,400	\$1,480,646
NET CURRENT UNAUDITED ASSETS (NET CASH POSITION)				(\$1,856)	\$1,166,063

General Ledger Detail Report
Summary Report for Period 01 Thru 06 Ending 8/31/2024

PANOCHÉ DRAINAGE DISTRICT (PDD)

<u>Account Number/Description</u>	<u>Beginning Balance</u>	<u>Debit</u>	<u>Credit</u>	<u>Net Change</u>	<u>Ending Balance</u>
1311-000					
FRESNO COUNTY CASH ACCOUNT	233,996.43	164,909.88	367,030.00	202,120.12-	31,876.31
1311-600					
MECHANIC CKNG#*****0066	803,368.49	3,239,967.58	4,013,655.37	773,687.79-	29,680.70
1312-010					
MECHANIC-PROP 84 CK ACCT#*****6000	79,329.43	3,970,477.17	4,039,821.90	69,344.73-	9,984.70
1312-400					
MECHANICS MM #*****0980	0.00	2,111,349.23	1,717,000.00	394,349.23	394,349.23
1313-000					
L. A. I. F.	115,435.04	1,099.98	115,000.00	113,900.02-	1,535.02
Report Total:	<u>1,232,129.39</u>	<u>9,487,803.84</u>	<u>10,252,507.27</u>	<u>764,703.43-</u>	<u>467,425.96</u>

ANNEXATION BUY-IN PAYMENTS CURRENTLY DUE (5 YEARS STARTED ON 10.1.2022)				
ENTITIES	ANNUAL PAYMENT	BILL DATE	DUE DATE	FISCAL YEAR
S3 GROUP, LLC BUY-IN	\$33,532.41	9.1.2023	10.1.2023	FY24
A & H INVESTMENTS BUY-IN	\$71,913.42	9.1.2024	10.1.2024	FY25
S3 GROUP, LLC BUY-IN	\$33,532.41	9.1.2024	10.1.2024	FY25
	\$105,445.83			

ANNEXATION EXPENSES BILLED (ENGINEERING & LEGAL EXPENSES)				
	BILL DATE	DUE DATE	AMT BILLED	AMT OUTSTANDING
A & H INVESTMENTS	4/30/2024	6/15/2024	\$18,548.37	\$ -
GRASSLAND BASIN AUTHORITY(PEREIRA)	4/30/2024	6/15/2024	\$2,454.93	\$ -
S3 GROUP, LLC	4/30/2024	6/15/2024	\$6,273.71	\$ 6,273.71
A & H INVESTMENTS	6/30/2024	9/30/2024	\$3,580.65	\$ 3,580.65
GRASSLAND BASIN AUTHORITY(PEREIRA)	6/30/2024	9/30/2024	\$488.27	\$ 488.27
S3 GROUP, LLC	6/30/2024	9/30/2024	\$1,193.55	\$ 1,193.55
TOTAL BILLED TO DATE			\$32,539.48	

ENTITY BREAKDOWNS		
ENTITIES	TOTAL ACRES	% OWNERSHIP
A & H INVESTMENTS, LLC	1980.9	66%
S3 GROUP, LLC	668.6	22%
GRASSLAND BASIN AUTHORITY - PEREIRA	253.78	9%
SHANE NELSON	79.36	3%
TOTAL ACRES	2982.64	100%

OVERDUE

PAID

PANOCHÉ DRAINAGE DISTRICT
FY 2024 - 2025

BUDGET TO ACTUAL

MARCH 1, 2024 - FEBRUARY 28, 2025

DRAINAGE REVENUE	BUDGET	ACTUAL THRU 8/31/2024	% OF BUDGET TO DATE	ESTIMATE TO COMPLETE	ESTIMATED YEAR END 2/28/2025	\$ DIFFERENCE (OVER) UNDER	ESTIMATED % OF BUDGET REMAINING
DRAINAGE SERVICE FEE	\$ 2,600,566	\$ 1,304,775	50%	\$ 1,295,791	\$ 1,295,791	\$ 1,295,791	50%
FRESNO COUNTY PROPERTY TAX	\$ 260,000	\$ 164,880	63%	\$ 95,120	\$ 95,120	\$ 95,120	37%
SLDMWA REIMBURSEMENT	\$ 158,400	\$ 71,627	45%	\$ 86,773	\$ 86,773	\$ 86,773	55%
ANNEXATION REIMBURSEMENT	\$ 65,000	\$ 3,073	5%	\$ 61,927	\$ 61,927	\$ 61,927	95%
ANNEXATION BUY IN	\$ 105,446	\$ -	0%	\$ 105,446	\$ 105,446	\$ 105,446	100%
OTHER REVENUE	\$ 8,500	\$ 24,169	284%	\$ (15,669)	\$ (15,669)	\$ (15,669)	184%
MSWD/GBA REIMBURSEMENT	\$ 40,296	\$ 78,014	194%	\$ (37,718)	\$ (37,718)	\$ (37,718)	94%
TOTAL REVENUES	\$ 3,238,208	\$ 1,646,538	51%	\$ 1,591,670	\$ 1,591,670	\$ 1,591,670	49%

OPERATING EXPENSES	BUDGET	ACTUAL THRU 8/31/2024	% OF BUDGET TO DATE	ESTIMATE TO COMPLETE	ESTIMATED YEAR END 2/28/2025	\$ DIFFERENCE (OVER) UNDER	ESTIMATED % OF BUDGET REMAINING
GRASSLAND BASIN AUTHORITY	\$ 1,325,325	\$ 1,325,326	100%	-	-	-	0%
GRASSLAND BYPASS PROJECT	\$ 547,150	\$ 705,550	129%	-	-	\$ (158,400)	-29%
IRRIGATED LANDS PROGRAM	\$ 256,899	\$ 256,900	100%	-	-	\$ -	0%
SAN LUIS DRAIN MAINTENANCE	\$ 158,400	\$ 71,674	45%	\$ 86,726	\$ 86,726	\$ 86,726	55%
ANNEXATION EXPENSES	\$ 65,000	\$ 2,758	4%	\$ 62,242	\$ 62,242	\$ 62,242	96%
ANNEXATION BUY IN	\$ 105,446	\$ -	0%	\$ 105,446	\$ 105,446	\$ 105,446	100%
REPAIRS & MAINTENANCE	\$ 130,000	\$ 30,588	24%	\$ 99,412	\$ 99,412	\$ 99,412	76%
LABOR - FIELD	\$ 95,000	\$ 5,448	6%	\$ 89,552	\$ 89,552	\$ 89,552	94%
PROFESSIONAL FEES	\$ 50,000	\$ 7,719	15%	\$ 42,281	\$ 42,281	\$ 42,281	85%
LEGAL COSTS	\$ 46,746	\$ 18,339	39%	\$ 28,407	\$ 28,407	\$ 28,407	61%
LABOR - ADMIN	\$ 35,000	\$ 22,990	66%	\$ 12,010	\$ 12,010	\$ 12,010	34%
MSWD/ACREAGE BUDGET	\$ 40,296	\$ 78,014	194%	\$ (37,718)	\$ (37,718)	\$ (37,718)	-94%
GENERAL OVERHEAD	\$ 25,000	\$ 3,387	14%	\$ 21,613	\$ 21,613	\$ 21,613	86%
DUES & SUBSCRIPTIONS	\$ 19,640	\$ 16,367	83%	\$ 3,273	\$ 3,273	\$ 3,273	17%
ENERGY	\$ 17,000	\$ 5,269	31%	\$ 11,731	\$ 11,731	\$ 11,731	69%
HERBICIDES	\$ 13,000	\$ 13,239	102%	\$ (1,739)	\$ (1,739)	\$ (239)	-2%
SAN JOAQUIN VALLEY DRAINAGE AUTHORITY	\$ 7,414	\$ 7,414	100%	\$ -	\$ -	\$ -	0%
INSURANCE	\$ 12,600	\$ 6,442	51%	\$ 6,158	\$ 6,158	\$ 6,158	49%
INTEREST	\$ 18,749	\$ 11,942	64%	\$ 6,807	\$ 6,807	\$ 6,807	36%
WATER QUALITY MONITORING	\$ 2,000	\$ 2,064	103%	\$ (64)	\$ (64)	\$ (64.00)	-3%
PWD LOAN PYMT: \$712,930 DATED 2/1/20)	\$ 138,792	\$ 75,249	54%	\$ 63,543	\$ 63,543	\$ 63,543	46%
PWD LOAN PYMT: \$716,521 DATED 2/29/24)	\$ 128,750	\$ 66,919	52%	\$ 61,831	\$ 61,831	\$ 61,831	48%
TOTAL EXPENSES	\$ 3,238,207	\$ 2,733,598	84%	\$661,511	\$661,511	\$504,611	16%

NET REVENUE(DEFICIT)	\$ -	\$ (1,087,060)		\$ 930,159	\$ 930,159	\$ 1,087,059	
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BOD ADOPTED 4.16.2024

2ND INSTALLMENT OF THE DRAINAGE SERVICE FEE WILL BE BILLED IN OCTOBER.

PANOCHÉ DRAINAGE DISTRICT
AGED ACCOUNTS RECEIVABLE, BY DUE DATE
 As of 8/31/2024

Delinquency Notification Steps

Name	L Day + 1 Month 31-60 Days		L Day + 2 Months 61-90 Days		L Day + 75 Days	L Day + 3 Months Over 90 Days	Total A/R
B & C Farms, c/o Francisco & Romelia Nunez	-		-		-	31,260.76	31,260.76
Carbajal, Sylvia	43.55	√	40.52	√		6,420.44	6,504.51
Correia 2015 Living Trust			287.38	√			287.38
Grassland Basin Authority	43,285.34	√					43,285.34
Helena Agri Enterprises, LLC	5.45	√				653.92	659.37
Imperial Merchants	162.96		162.96			23,844.26	24,170.18
Kenneth Bethel 2015 Trust	125.47	√					125.47
Nyman, Brad & Kristi	302.58	√	141.58	√		19,611.77	20,055.93
Nyman, Ms. Rebecca	387.22	√	181.17	√		24,916.32	25,484.71
Olam West Coast, Inc.	76.80	√				9,421.62	9,498.42
Panoche Drainage District (230.80 Acres/GBA)			6,337.12				6,337.12
Ram, Charles Rene	3.04	√				365.14	368.18
S3 Group, LLC						21,101.02	21,101.02
Total:	44,392.41		7,150.73			137,595.25	\$ 189,138.39
	Re-Issue Invoice		Re-Issue Invoice		Re-Issue Invoice	Re-Issue Invoice	
	Send Copy of Policy		Send Copy of Policy		Send Copy of Policy	Send Copy of Policy	
			Notify Owner & Wtr User		Notify Owner & Wtr User	Notify Owner & Wtr User	
			Deny New Wtr Orders		Deny New Wtr Orders	Deny New Wtr Orders	
			GM to call		GM to call	GM to call	
					15 Day Notice to Service	15 Day Notice to Service	
					Assign 1.5% Interest	Assign 1.5% Interest	
						Discontinue Wtr Service	
						May Discontinue Drainage	
						May Lien Property	

NOTES:

Nyman (All Entities) has made the 1st & 2nd Installment of the their Payment Plan. Next Due 9/17

Denae/Helena called me and had me forward her invoicing to pay

Patrick has talked to S3 and let them know we will be following the Delinquency Policy

E-mailed Olam about past due balance / Sent Delinquency Policy as well

I still need to address Ram's account



PANOCHÉ DRAINAGE DISTRICT

52027 WEST ALTHEA AVE, FIREBAUGH, CA 93622
TELEPHONE (209) 364-6136 • FAX (209) 364-6122

BOARD MEETING MEMORANDUM

TO: BOARD OF DIRECTORS

FROM: CHRIS CARLUCCI, OPERATIONS & MAINTENANCE MANAGER

SUBJECT: DIVISION REPORT – OPERATIONS & MAINTENANCE

DATE: SEPTEMBER 10TH, 2024

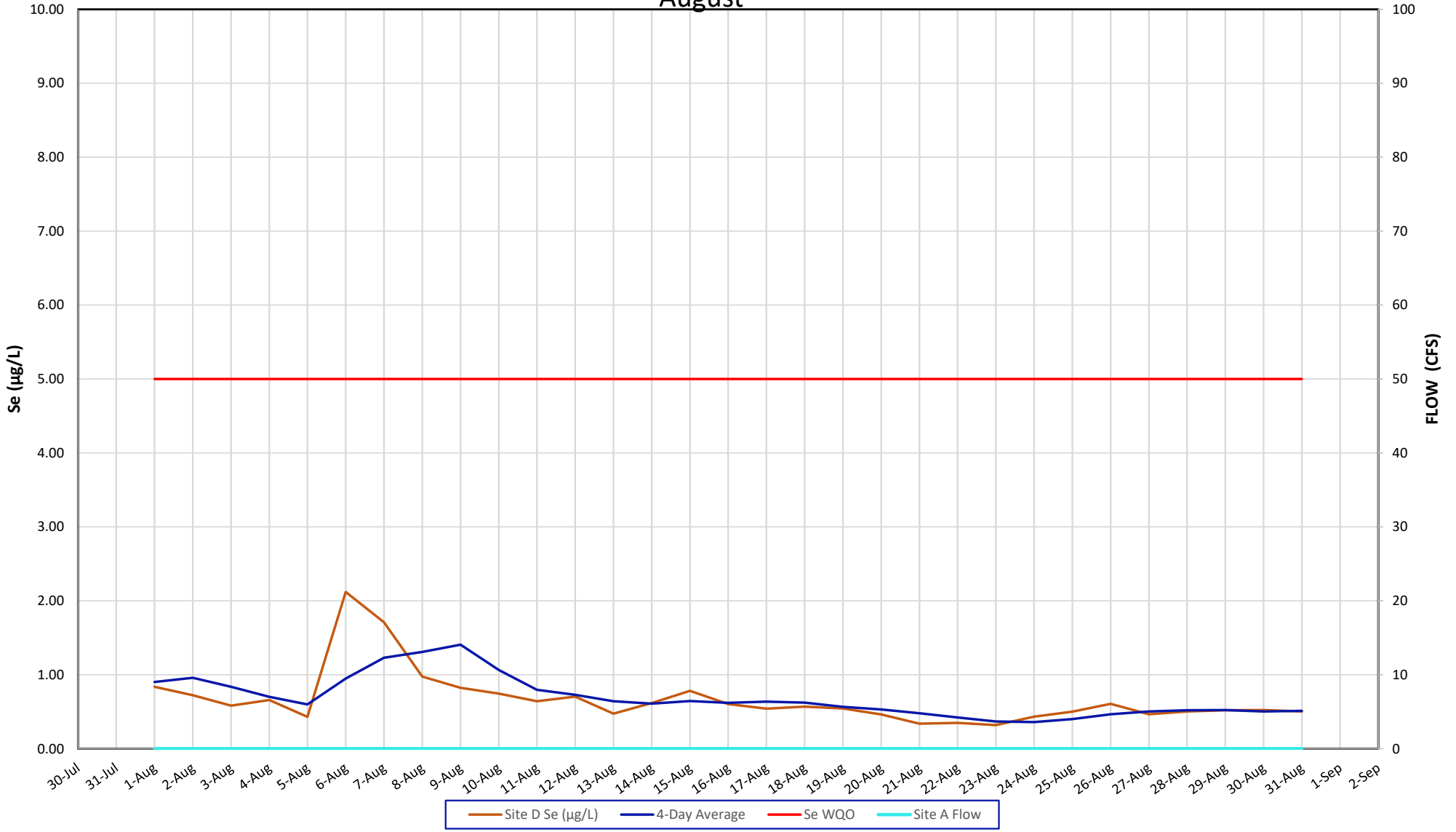
CC: PATRICK MCGOWAN, GENERAL MANAGER

For the month of August, the following operations and maintenance activities occurred as follows:

- General Maintenance.
- Staff cleaned the Buick drain.
- Staff made repairs to Buick drain road crossing pipe.
- Weed control- Staff sprayed Althea, Davidson, Russell, T- Canal, Nees and Buick drains.
- Charleston Drainage District- Checking oilers on CH-2 pumps.
- San Luis Drain Weed Control- Hwy 152 to Hwy 165. Staff also placed squirrel bait at bait stations.

Mud Slough Water Quality - 2024

August



PDD
AUGUST 13th, 2024
BOARD MEETING ACTION ITEMS

1. Letter to delinquent landowner. **PHIL**
2. Board to adopt election certification in September. **JOSH**
3. Landowner authorization forms signed for annexation. **JUAN**
4. Audit drainage easements. **JUAN**
5. Meet with SePRO representatives and investigate FCWD spray mix. **CHRIS**
6. Provide Drainage coordinator job description to GBA. **JUAN**
7. Field visit to CDD CH2 pumps, to visualize issue. **PATRICK & CHRIS**
8. Expense overages identified in red and revenue overages in green on financial sheets. **MARLENE**
9. Clean version of joint solar policy. Distribute to landowners. **PATRICK & SANDRA**
10. PDD acreage audit. **JUAN**
11. Tile line policy and moratorium. Review GBA specs. Place on the September agenda. **JUAN & PATRICK**