

**PANOCHÉ DRAINAGE DISTRICT MEETING MINUTES  
REGULAR MEETING OF THE BOARD OF DIRECTORS  
November 09, 2021, at 9:00 A.M.**

A regular meeting of the Board of Directors was held in accordance with Resolution 787-21 proclaiming a local emergency and authorizing remote teleconference Board meetings through November 11, 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  
                              Lorena Chagoya, Ethics & Compliance Officer
  
- Others Present:     Philip Williams, General Counsel  
                              Palmer McCoy, Grassland Basin Authority  
                              Beau Correia, KB Family Farms

**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**

Mr. Correia requested the Board consider tabling all decisions until after the election, when a new Board is seated in December.

## **DIVISION REPORTS**

- A. Water Resources Manager Juan Cadena reported the Water District's August deliveries were about 1,080 acre-feet and that current deliveries were about 35 cubic-feet per second. He said crews were replacing a control gate at turnout 10W and installing safety railings and catwalks at Station 1 and Laterals 1, 2, and 3. In the Drainage District, he said crews were cleaning the Davidson and Bennett drains and repairing washouts in the Charleston drain. Lastly, Cadena reported the region had received about .18 inches of rainfall but drainage flows into the San Joaquin River Improvement Project remain low and no discharge event is anticipated.
- B. Controller JP Otollo reported staff were preparing the October water usage billing and responding to ongoing requests for supplemental water. He said the Water District audit was in its final stages and the results would be presented to the Board at a special meeting on November 23<sup>rd</sup>. For the Drainage District, Otto reported cash flow had improved significantly following issuance of the second Drainage Service Fee billing and that staff were preparing for the next financial audit.
- C. Ethics & Compliance Officer Lorena Chagoya reported on various risk management and Human Resources activities. She said there had been no property, liability, or worker's compensation insurance claims, nor COVID-19 cases, in the last month. Chagoya said there had been no complaints reported on the SpeakUp Hotline and two internal matters were addressed. Lastly, Chagoya updated the Board on past and future planned training events.

## **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 9:13 a.m., President Bennett called the joint closed session to order.*

*At approximately 9:57 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.

*At approximately 9:57 a.m., President Bennett suspended the Drainage District meeting and continued the Water District-ONLY meeting.*

*At approximately 12:00 p.m., President Bennett adjourned 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 January 26, 2021, special meeting of the Board, and the February 9, 2021, regular meeting of the Board; and the monthly financial statements for the period ending October 31, 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 for the Board and public to meet virtually until December 12, 2021. After consideration, on a motion by Director Linneman, seconded by Director Stearns, 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 ACCEPTING THE TREASURER’S QUARTERLY INVESTMENT REPORT FOR THE PERIOD ENDING SEPTEMBER 30, 2021**

Treasurer Otollo presented the Board with the Quarterly Investment Report. He stated the majority of District funds were invested in the State of California Local Agency Investment Fund, other funds were deposited in Federal Deposit Insurance Corporation insured accounts at Mechanics Bank, and the remaining balance was held in the Fresno County Fund Account. Otollo reported the District’s financial portfolio was in compliance with the District’s Statement of Investment Policy and that he expected the District to be able to meet its expenditure requirements for the next six months based on projected revenues from Drainage Service charges, reimbursements for project costs, and with application of funds from Fresno County tax allocations. After consideration, on a motion by Director Linneman, seconded by Director Koda, the Board accepted the Treasurer’s Report as presented.

The vote on the matter was as follows:

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

**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  
Nays: None  
Abstain: None  
Absent: Fausone

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

No reports were given.

**FUTURE MEETING DATES**

Special meeting dates were set for November 16<sup>th</sup> and 23<sup>rd</sup>. 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 12:13 p.m.



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John Bennett, President



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Mike Stearns, Secretary