

**PANOCHÉ WATER DISTRICT MEETING MINUTES
REGULAR MEETING OF THE BOARD OF DIRECTORS
October 11, 2022, at 9:30 A.M.**

A meeting of the Board of Directors was held consistent with District Resolution 812-22 proclaiming a local emergency and authorizing remote teleconference Board meetings pursuant to Assembly Bill 361, and to make meetings accessible to the public electronically. Those present at the meeting were:

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

Directors Absent: None

District Staff Present: Ara Azhderian, General Manager

Others Present: Philip Williams, General Counsel
 Palmer McCoy, Grassland Basin Authority

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 meeting to order at approximately 10:55 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

No conflicts were reported.

PUBLIC COMMENT

There was no public comment.

DIVISION REPORTS

No reports were given.

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CONSENT CALENDAR

General Manager Azhderian presented the Board with the Consent Calendar items, which included a Resolution determining that during the proclaimed state of emergency due to the COVID-19 pandemic, meeting in person would present imminent risk to the health or safety of attendees; draft minutes from the August 09, 2022, regular meeting of the Board; the monthly financial statements for the period ending September 30, 2022; and the Director’s Monthly Credit Card Usage Report. After consideration, on a motion by Director Barcellos, seconded by Director Correia, the Board unanimously accepted the Consent Calendar as presented.

The vote on the matter was as follows:

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

THE BOARD TO REVIEW AND CONSIDER A RESOLUTION AUTHORIZING EXECUTION OF A WATER EXCHANGE AGREEMENT WITH CONTRA COSTA WATER DISTRICT

General Manager Azhderian presented the Board a draft Resolution authorizing execution of a Cooperative Agreement for a water exchange pilot project with Contra Costa Water District, and making findings of exemption under the California Environmental Quality Act. He said that following the successful initiation of a one-time exchange of water from Contra Costa in 2021, he began working with their staff to explore developing a larger, multi-year program. Azhderian reviewed the draft Cooperative Agreement and explained that the project would require approval from Reclamation, preparation of a National Environmental Policy Act document, and potentially other approvals, and noted Contra Costa had engaged consultant Frances Mizuno to help navigate the approvals processes. General Counsel Williams reviewed the CEQA exemptions with the Board. After consideration, on a motion by Director Fausone, seconded by Director Western, the Board unanimously adopted the Resolution as presented.

The vote on the matter was as follows:

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

THE BOARD TO REVIEW AND CONSIDER A RESOLUTION AUTHORIZING EXECUTION OF A WATER CONVEYANCE AGREEMENT WITH PATTERSON IRRIGATION DISTRICT

General Manager Azhderian presented the Board a draft Resolution authorizing execution of a Temporary Agreement with Patterson Irrigation District for the conveyance of water from the San Joaquin River to the Delta-Mendota Canal, and making findings of exemption under the California Environmental Quality Act. He said the District already had agreements in place that could use the Patterson conveyance and that he was looking to expand sources of supply that might require such conveyance. Azhderian reviewed the draft Temporary Agreement and explained that the project would require a Warren Act Contract with Reclamation, preparation of a National Environmental Policy Act document, and potentially other approvals. General Counsel Williams reviewed the CEQA exemptions with the Board. After consideration, on a motion by Director Barcellos, seconded by Director Fausone, the Board unanimously adopted the Resolution as presented.

The vote on the matter was as follows:

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

THE BOARD TO REVIEW AND CONSIDER A RESOLUTION ADOPTING THE 2021 ASSESSMENT BOOK FOR THE NOVEMBER 8TH ELECTION OF DIRECTORS TO THE DISTRICT'S BOARD

General Manager Azhderian presented the Board a draft Resolution determining the District would utilize the Fresno and Merced counties assessment rolls to determine land ownership for the upcoming election of Directors rather than the District developing and relying upon its own rolls. He noted the election for two Board positions would be held on November 8th. General Counsel Williams reviewed the election process and responded to questions. After consideration, on a motion by Director Fausone, seconded by Director Barcellos, the Board unanimously adopted the Resolution as presented.

The vote on the matter was as follows:

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

THE BOARD TO REVIEW AND CONSIDER AUTHORIZING EXECUTION OF A WATER QUALITY MONITORING AGREEMENT WITH GRASSLAND WATER DISTRICT

General Manager Azhderian presented the Board a draft Reimbursement Agreement with Grassland Water District to engage them to provide the water quality monitoring services necessary to ensure compliance with the 2022 Exchange Agreement with Reclamation for the Refuge Water Supply Program. He said engaging Grassland was the most cost effective, reliable, and credible approach to the required water quality monitoring. Azhderian said the cost of implementing the Monitoring Agreement would be recovered from the growers participating in the Grassland Basin Authority's groundwater revenue enhancement program administered by the District. After consideration, on a motion by Director Correia, seconded by Director Barcellos, the Board unanimously authorized execution of the Monitoring Agreement as presented.

The vote on the matter was as follows:

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

THE BOARD TO REVIEW AND CONSIDER APPROVING REQUEST FROM TURLOCK FRUIT TO INSTALL CANAL INLETS ON THE MAIN AND CONTOUR CANALS

General Manager Azhderian presented the Board drawing of the canal inlet structures Turlock Fruit was requesting to install. He said that Turlock Fruit was in the process of constructing wellhead water treatment facilities and that the requested inlets would allow them to introduce the clean water into the District's Main Canal and Contour Canal for distribution. Azhderian recommended approval of the request contingent upon review and construction monitoring by the District's staff and engineer. After consideration, on a motion by Director Correia, seconded by Director Western, the Board unanimously approved the request and accepted the recommendation.

The vote on the matter was as follows:

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

THE BOARD TO REVIEW AND CONSIDER ADOPTING A CLAIMS POLICY

General Manager Azhderian presented the draft policy to the Board explaining that the District did not have a standardized process for addressing claims made upon the District; rather, the practice was to address each claim individually with the Board. He suggested to make the responses more efficient, the Board consider adopting a policy for staff guidance. General Counsel Williams reviewed the draft policy with the Board and responded to questions. After consideration, on a motion by Director Barcellos, seconded by Director Correia, the Board directed Williams to remove the delegation of authority to the General Manager section of the draft policy and then unanimously adopted the remainder as edited.

The vote on the matter was as follows:

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

Director Barcellos steps out of the meeting.

THE BOARD TO REVIEW AND CONSIDERING APPROVING REVISIONS TO THE EMPLOYEE HANDBOOK

General Manager Azhderian presented the draft Handbook to the Board and explained that the proposed revisions were prepared by Ethics & Compliance Officer Lorena Chagoya in consultation with the District’s labor counsel to incorporate new legal standards adopted by the State and to integrate certain sections that have been discretely revised since the last review and adoption of the whole Handbook by the Board. Azhderian reviewed the proposed edits and responded to questions. After consideration, on a motion by Director Fausone, seconded by Director Correia, the Board approved the proposed revisions as presented.

The vote on the matter was as follows:

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

Director Barcellos returns to the meeting.

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 Correia, seconded by Director Barcellos, the Board unanimously approved payment of the bills.

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The vote on the matter was as follows:

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

PANOCHÉ WATER & DRAINAGE DISTRICTS' 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 11:30 a.m., President Bennett called the joint closed session to order.

At approximately 12:40 p.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.

CLOSED SESSION

General Counsel Williams announced that the Board would confer with legal counsel in closed session on anticipated and existing litigation pursuant to Government Code Section 54956.9, Subdivision (d), Paragraphs (1), (2), or (3); with Labor Negotiators Pursuant to Section 54957.6; and with Real Property Negotiators.

At approximately 12:41 p.m., President Bennett called the closed session to order.

At approximately 1:07 p.m., President Bennett adjourned the closed session.

CLOSED SESSION REPORT

General Counsel Williams reported the Board met with legal counsel in closed session and took no reportable action.

FINANCIAL REPORTS

No reports were given.

REPORTS UNDER DISTRICT POLICIES

No reports were given.

GENERAL MANAGER'S REPORT

No report was given.

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 November 08, 2022.

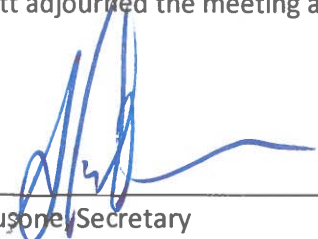
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ADJOURNMENT

With no further business on the agenda, President Bennett adjourned the meeting at 1:08 p.m.



John Bennett, President



Steve Faugone, Secretary