NOTICE

PANOCHE WATER DISTRICT
52027 WEST ALTHEA AVENUE
FIREBAUGH, CA 93622

TO: Board of Directors

FROM: John Bennett, President

RE: Regular Meeting of the Board of Directors

A regular meeting of the Board of Directors of the Panoche Water District is scheduled for 9:00 a.m., August 11, 2020, to address the items listed on the attached agenda. In accordance with Governor Newsom's Executive Orders N-25-20 and N-29-20 issued in response to the COVID-19 Pandemic, the meeting will be held by web and teleconference, and accessible to the public electronically, through the following means.

IN ACCORDANCE WITH EXECUTIVE ORDERS N-25-20 AND N-29-20,
DIRECTORS AND THE PUBLIC MAY CHOOSE TO PARTICIPATE FROM ANY LOCATION,
WITHIN OR WITHOUT THE BOUNDARIES OF THE DISTRICT.

DIRECTORS AND MEMBERS OF THE PUBIC MAY CHOOSE TO PARTICIPATE
IN THE OPEN SESSION PORTION OF THE MEETING
FROM YOUR COMPUTER, TABLET OR SMARTPHONE
THROUGH THE FOLLOWING MEANS:

https://global.gotomeeting.com/join/152387349

AND PLEASE DIAL

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

NOTE: Any member of the public may address the Board of Directors concerning any item on the Agenda before or during its consideration of that matter, as appropriate, by calling into the meeting and joining electronically via the GoToMeeting link above. The President may limit the total amount of time allocated for public comment on particular issues to 3 minutes for each individual speaker.

AGENDA

PANOCHE WATER DISTRICT
REGULAR BOARD OF DIRECTORS MEETING
August 11, 2020 – 9:00 a.m.

JOIN THE OPEN SESSION MEETING FROM YOUR COMPUTER, TABLET OR SMARTPHONE THROUGH THE FOLLOWING MEANS:

https://global.gotomeeting.com/join/152387349

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 Panoche Water District and Panoche Drainage District.

1. **CALL TO ORDER**

2. **REVIEW OF AGENDA:** The Board will consider corrections and/or additions to the Agenda of items that require immediate action that came to the attention of the Board after the Agenda was posted.

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 themself 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.

6. DIVISION REPORTS:

A. Water Operations & Maintenance – Juan Cadena
B. Administration – John Paul Otollo
C. Ethics, Compliance, & Human Resources – Lorena Chagoya/German Rodriguez

PANOCHE WATER DISTRICT

7. CONSENT CALENDAR

All matters listed on the Consent Calendar are considered to be routine and non-controversial and will be acted upon by a single action of the Board of Directors, unless a Board Member requests separate consideration of the item. If such a request is made, the item may be heard as an Action Item at this meeting. The Board will review and consider (Tab 2):

- Approval of DRAFT minutes from the April 21, 2020, adjourned regular meeting of the Board;
- Approval of DRAFT minutes from the April 28, 2020, adjourned regular meeting of the Board;
- Approval of DRAFT minutes from the May 5, 2020, adjourned regular meeting of the Board
- Approval of DRAFT minutes from the May 12, 2020, regular meeting of the Board;
- Acceptance of the monthly financial statements for the period ending July 31, 2020;
- Acceptance of Director's Monthly Credit Card Usage Report.

ACTION ITEMS

8. The Board to consider the annual review of the District's Ethics and Compliance Investigation Policy and Procedure (Chagoya – Tab 3);

9. The Board to review and consider authorizing temporary waiver of vacation accrual cap for Canal Operators (Azhderian – Tab 4);

10. The Board to review and consider proposal by Mercy Springs Water District to be annexed by the District (Azhderian – Tab 5);

11. The Board to review and consider authorizing execution of reciprocal service agreements with the Grassland Basin Authority (Azhderian – Tab 6);

12. The Board to review and consider adopting a Resolution authorizing amendment to the District's "Profit Sharing" Plan (i.e. 401k) to include "Safe Harbor" (Azhderian – Tab 7);

13. The Board to review and consider accepting the Treasurer's Quarterly Investment Report for the period ending June 30, 2020, consistent with the District's Statement of Investment Policy (Otollo – Tab 8);

14. The Board to review and consider approving payment of bills (Otollo – Tab 9).

REPORT ITEMS

15. CONTROLLER'S REPORT (Tab 10)

A. Board to review FY 2020-21 Budget-to-Actual Report;
B. Reclamation's change of 2020 Central Valley Project rates;
C. Fiscal-Year Ending 2019 Financial Audit update;
D. Other financial matters affecting the District.

16. REPORTS UNDER DISTRICT POLICIES

A. Report(s) on Brown Act Meetings & Conferences Attended at District Expense (may be written or oral and may be joint for multiple attendees);
B. Report on Emergency COVID-19 Pandemic Response Policy;
C. Board to Consider Update(s) or Approval(s) Required Under Any Other District Policies.

17. GENERAL MANAGER'S REPORT (Tab 11)

A. Water Supplies & Deliveries;
B. Water Quality Report;
C. Supplemental Water;
D. Domestic Water Treatment Plant;
E. WIIN Act Contract Conversion and CVP Capital Prepayment:
   i. Contract execution process;
   ii. Prepayment financing.
F. Los Vaqueros Reservoir Expansion Project;
G. Sustainable Groundwater Management;
H. Staffing Update:
   i. Special Projects Coordinator;
   ii. Accounting Specialist;
   iii. Janitor;
   iv. Electrician.
I. Grassland Basin Authority;
J. Other Matters Affecting the District.

At approximately 11:00 a.m., the President will suspend the Panoche Water District meeting and resume the Panoche Drainage District-ONLY meeting.

At approximately 12:00 p.m., the President will suspend the Panoche Drainage District meeting to break for lunch.

At approximately 12:30 p.m., the President will call to order the JOINT session of the Panoche Water and Drainage Districts.

18. <u>JOINT</u> CLOSED SESSION: Conference with Legal Counsel.

A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)

Name of Cases:

i. Stephen W. Sloan vs. Panoche Water District
Fresno County Superior Court Case No. 18CECG00511;

ii. Imani Percoats & Chris Bettencourt vs. Panoche Water District
Fresno County Superior Court Case No. 18CECG01651;

iii. Jeffrey Moore vs. Panoche Water District
U.S. Eastern District Court Case No. 1:20-cv-00143-DAD-EPG

B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant Exposure to Litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9:

Number of Cases: Eight

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9:

Number of Cases: One

19. REPORT FROM JOINT CLOSED SESSION (GOVERNMENT CODE SECTION 54957.1)

At approximately 12:45 p.m., the President will adjourn the JOINT session of the Panoche Water and Drainage Districts and resume the Panoche Water District-ONLY meeting.

20. CLOSED SESSION:

A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant Exposure to Litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9:

Number of Cases: Three

B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)

Name of Cases:

i. Stephen W. Sloan vs. Panoche Water District
Fresno County Superior Court Case No. 18CECG00511;

ii. Imani Percoats & Chris Bettencourt vs. Panoche Water District
Fresno County Superior Court Case No. 18CECG01651;

iii. Jeffrey Moore vs. Panoche Water District
U.S. Eastern District Court Case No. 1:20-cv-00143-DAD-EPG

C. CONFERENCE WITH LABOR NEGOTIATORS
Agency Designated Representative: Ara Azhderian, General Manager
Employee Organization: International Brotherhood of Electrical Workers Local 1245

21. REPORT FROM CLOSED SESSION (GOVERNMENT CODE SECTION 54957.1)

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

23. FUTURE MEETING DATES

A. Board to Consider Action to Set Special Meeting Date(s): *Staff requests August 25th.*
B. Next Regular Meeting Date: September 8, 2020

24. 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 to Jessica Saravia at (209) 364-6136. Requests must be received at least 18 hours prior to a scheduled public meeting.