

AGENDA

PANOCHÉ WATER DISTRICT

BOARD OF DIRECTORS MEETING

June 19, 2023 @ 9:00 am

Panoche Water District Boardroom

52027 West Althea Ave.

Firebaugh, CA 93622

PRESIDENT'S ANNOUNCEMENT: Pursuant to Government Code Section 54952.3, Water Code sections 34740 and 34741, and the District's Bylaws, let it be known that Board members may receive either: A \$100.00 stipend as compensation for participation in today's meeting and for each day's service rendered as a Director, not to exceed a total of \$600.00 in any calendar month, or, as an Executive Officer of the District, a \$500.00 per month stipend as compensation for their service to the 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.

6. PANOCHÉ WATER DISTRICT 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: Four

B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Section 54956.9(d)(1):

Names of Cases:

- i. Imani Percoats & Chris Bettencourt vs. Panoche Water District
Fresno County Superior Court Case No. 18CECG01651
- ii. Center for Biological Diversity, et al. v. United States, et al.
US District Court, E.D. Cal, Case No. 1:20-CV-00760 DAD-EPG
- v. North Coast Rivers Alliance, et al. v. Kenneth Salazar, et al.
US District Court, E.D. Cal., Case No. 1:16-cv-00307-DAD-SKO
- vi. Firebaugh Canal Water District & Central California Water District v. United States, et al.
US District Court, E.D. Cal., Case 1:88-cv-00634-LJO-SKO

C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Section 54956.8

Property: Land and Associated Infrastructure
Agency Negotiator: Chase Hurley, General Manager
Negotiating Parties: Panoche Water District, ForeFront
Under Negotiation: Price and Terms

D. CONFERENCE REGARDING LABOR NEGOTIATIONS AND RECRUITMENT [GOV CODE §54950]

Pursuant to Section 54957.6:

Agency Designated Representative: Che Johnson; Legal Counsel
Employee Organization: International Brotherhood of Electrical Workers Local 1245

Pursuant to Section 54957(b)(1):

The Board will confer regarding recruitment for the position of General Manager.

7. 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:

- i. PCFFA v. Glaser, et. al.
US District Court, E.D. Cal, Case No. 2:11-cv-02980

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

9. REPORT FROM CLOSED SESSION

10. 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:

- A. Approving minutes from the March 14, 2023, regular meeting of the Board
- B. Approving minutes from the May 17, 2023, adjourned meeting of the Board
- C. Approving minutes from the May 25, 2023, special meeting of the Board
- D. Approving minutes from the June 2, 2023, special meeting of the Board

ACTION ITEMS

11. THE BOARD TO REVIEW THE FINANCIAL AND POLICY IMPLICATIONS OF THE B.F. SISK DAM RAISE AND CONSIDER APPROVING MOVING FORWARD WITH A JULY 1, 2023, CASH CALL (Hurley)

12. THE BOARD TO REVIEW AND CONSIDER APPROVAL OF AN EQUIPMENT LIQUIDATION PLAN WITH THE GRASSLAND BASIN AUTHORITY (Hurley)

13. THE BOARD TO REVIEW AND CONSIDER APPROVING A REQUEST FROM LANDOWNER SANDY CORREIA RELATED TO AN EXISTING LOAN PAYMENT SCHEDULE FOR THE ADLP EQUIPMENT LOAN PROGRAM (Hurley)

14. FINANCIAL REPORT (Brazil)

- A. Accounts Payable
- B. Monthly Financials
- C. FYE 2024 Budget-to-Actual Report
- D. Other financial matters affecting the District.

15. THE BOARD TO REVIEW AND CONSIDER APPROVAL OF REVISIONS TO CERTAIN DISTRICT HEALTH AND SAFETY POLICIES: (Chagoya)

- A. Alcohol and Drug Free Workplace
- B. Spill Prevention Control and Countermeasures Plan (SPCC)
- C. Ergonomics Program

REPORT ITEMS

16. DIVISION REPORTS

- A. Water Supply Update (Reyes)
- B. Current Reservoir Conditions (Reyes)
- C. Domestic Water Treatment Plant (Cadena)
- D. Operations & Maintenance (Carlucci)
- E. Ethics, Compliance, & Human Resources (Chagoya)

17. GENERAL MANAGER'S REPORT

- A. Sustainable Groundwater Management Act
- B. Los Vaqueros Expansion Project
- C. B.F. Sisk Expansion Project
- D. Water Storage and Conveyance Discussions

- E. Legislative Update
- F. Other Matters Affecting the District

18. REPORTS UNDER DISTRICT POLICIES

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

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

20. FUTURE MEETING DATES

- A. Next Regular Meeting Date: July 11, 2023.

21. ACTION ITEMS

22. ADJOURNMENT

- A. Items on the Agenda may be taken in any order.
- B. Action may be taken on any item listed on the Agenda.
- C. 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.

Investment Information Disclaimer: This agenda has been prepared as required by the applicable laws of the State of California, including but not limited to, Government Code Section 54950 et seq., and has not been prepared with a view to informing an investment decision in any of the District's bonds, notes, or other obligations. Any projections, plans, or other forward-looking statements included in the information in this agenda are subject to a variety of uncertainties that could cause any actual plans or results to differ materially from any such statement. The information herein is not intended to be used by investors or potential investors in considering the purchase or sale of the District's bonds, notes or other obligations and investors and potential investors should rely only on information filed by the District on the Municipal Securities Rulemaking Board's Electronic Municipal Market Access System for municipal securities disclosures, maintained on the World Wide Web at <https://emma.msrb.org/>