

**PATTERSON IRRIGATION DISTRICT  
SPECIAL TELEPHONIC BOARD MEETING  
MINUTES**

February 16, 2022

The Board of Directors of the Patterson Irrigation District held a telephonic regular monthly Board meeting. The meeting was called to order at 1:03 p.m. by Director Barbaste

Directors Present: Richard Barbaste, David Reichmuth, David Fantozzi, Frank Trinta

Directors Absent: John Azevedo

Others Present:	Vince Lucchesi	General Manager
	Toni Russell	Secretary/Treasurer
	Jeanne Zolezzi	Legal Counsel
	Brett Azevedo	Landowner
	Nick Azevedo	Landowner
	Mark Smith	Consultant

**CORRECTIONS OR ADDITIONS TO THE AGENDA:**

The following items were added to the agenda as they have come to the attention of staff and the Board after posting of the agenda:

CONSIDER APPROVAL TO EXTEND THE TEMPORARY PUMPING ASSIGNMENT AND WHEELING AGREEMENT BETWEEN PATTERSON IRRIGATION DISTRICT AND WEST STANISLAUS IRRIGATION DISTRICT DATED MAY 19, 2021

Director Trinta motioned to approve the changes to the agenda due to the indication from the February 15, 2022 State Water Resources Control Board Meeting that curtailments may be issued by the end of the week and the continuation of the agreement would be necessary. Second by Director Fantozzi and pass unanimously.

Ayes: Barbaste, Reichmuth, Fantozzi, Trinta

Noes: None

Absent: Azevedo

Abstain: None

**PUBLIC COMMENT:**

Landowners Brett and Nick Azevedo addressed the board with their concerns of not being able to receive water on Lateral 3N10 due to ongoing construction.

**ADOPTION OF RESOLUTION 04-2022 RE-RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR GAVIN NEWSOM (MARCH 4, 2020), PROCLAIMING THE STATE OF EMERGENCY CONTINUES TO DIRECTLY IMPACT THE ABILITY OF THE LEGISLATIVE BODY OF THE PATTERSON IRRIGATION DISTRICT TO MEET SAFELY IN PERSON, AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS FOR SUCH LEGISLATIVE BODIES FOR THE PERIOD OF FEBRUARY 16, 2022 THROUGH MARCH 18, 2022, PURSUANT TO BROWN ACT PROVISIONS:**

Lucchesi presented to the Board Resolution 04-2022 re-ratifying the Governor's state of emergency.

After a brief discussion, a motion was made by Director Trinta to adopt Resolution 04-2022. Second by Director Reichmuth and passed unanimously.

Ayes: Barbaste, Reichmuth, Fantozzi, Trinta  
Noes: None  
Absent: Azevedo  
Abstain: None

#### **CONSENT ITEMS:**

Agenda Items 5 – 6 Board to Consider: a) January 26, 2022 Meeting Minutes b) Financial Report, and the Cash Disbursements Report for month ending January 2022.

Director Trinta made a motion to approve the Consent Items. Second by Director Fantozzi and passed unanimously.

Ayes: Barbaste, Reichmuth, Fantozzi, Trinta  
Noes: None  
Absent: Azevedo  
Abstain: None

#### **ACTION ITEMS:**

#### **CONIDER APPROVAL OF FINANCE COMMITTEE RECOMMENDATION TO ADOPT THE DRAFT 2022 DISTRICT BUDGET, WATER RATES, EMPLOYEE WAGE SCALES, AND WATER ALLOCATION:**

Lucchesi reported on the Final Draft Fiscal Year 2022 Budget and Extraordinary Operations and Maintenance Budget with the Board. Lucchesi included Capital Improvement expenditures, and projects with grant funding. Lucchesi also reviewed potential water transfer and wheeling/conveyance revenue. Lucchesi noted that the rates need to be addressed for 2022 due to the increase in costs associated with Power and Conveyance and Storage of Warren Act water into San Luis Reservoir.

Following a thorough discussion Director Reichmuth made a motion accept the recommendation of the Finance Committee to approve the 2022 draft budget as presented. Second by Director Fantozzi and passed unanimously.

Ayes: Barbaste, Reichmuth, Fantozzi, Trinta  
Noes: None  
Absent: Azevedo  
Abstain: None

The approved 2022 Assessment, allocation and water rates are as follows:

- Landholdings one acre and under \$12 per parcel
  - Landholdings over > 1 acre and < 2 acres \$15 per parcel
  - Landholdings 2 acres or greater \$60 per acre
- A water allocation is provided with the land-based assessment for landholdings 2 acres or greater. For the 2022 irrigation season, allocations will be six (6) acre-inches per acre (1/2 acre-foot per acre).
- Water deliveries beyond the allocation will continue and be unrestricted as long as supplies are available to the District. The water rate for 2022 is \$45 per acre-foot.

For Priority Area 1 there will be \$60 per acre contract fee, with a water rate of \$82 per acre-foot. Water deliveries will be unrestricted as long as supplies to the in-district lands are not restricted. In the event that in district deliveries are restricted for any reason, out-of-district deliveries will cease

#### **REPORT ITEMS:**

#### **WATER DISTRIBUTION SYSTEM SUPERVISOR'S REPORT:**

General Manager Lucchesi gave a report on recent operations and maintenance activities in the district. A written report was included in the board packet for review.

#### **STATE AND FEDERAL AFFAIRS UPDATE:**

Mark Smith provided updates on meetings and calls had regarding garnering support in the Fed and State for possible stimulus funding. Discussions also were on State bonds and proposed bills that could possibly consider the East-West Project to fund.

#### **SISK DAM RAISE ACTIVITY AGREEMENT:**

General Manager Lucchesi presented to the board that an activity agreement with the Water Authority is beginning to be circulated for potential partnerships for the additional storage being generated by the raising of Sisk Dam. Lucchesi requested that the Board take into consideration the potential of having additional storage for PID, albeit small but would be a great opportunity for the District.

#### **REVIEW OF 2022 NEWSLETTER:**

A final draft Landowner/Water User newsletter was provided to the Board for feedback.

#### **ACWA/JPIA COMMITMENT TO EXCELLENCE:**

Lucchesi presented to the Board a document submitted by ACWA for PID to sign and commit to regarding the JPIA insurance.

#### **DISCUSSION ON DMC PUMP STATION DESIGN PROPOSAL:**

Lucchesi provided to the Board a proposal from Stantec regarding the design of the pump station to the DMC. Lucchesi pointed out that the East-West Conveyance Project finance committee has not seen the proposal but that Lucchesi suggested that due to the costs, PID may need to go to RFP for the work. However, Lucchesi stated that he will meet with the committee prior to any direction is provided to the Board.

#### **SGMA UPDATE:**

General Manager Lucchesi provided a report in the board packet regarding:

- GSP Comments from DWR/SWRCB
- Well Meter Policy Letter
- GSP Implementation

#### **OUTSIDE AGENCY/ORGANIZATION REPORTS & UPDATES:**

Lucchesi provided Agency and Staff reports on the following:

- SLDMWA Activity Agreement Budget & Cost Re-allocation
- SLDMWA Activities
- IRWM/SWMP Update
- Drainage Authority Update
- SLDMWA SGMA Update
- FishBio Update
- Family Farm Alliance
- San Joaquin Valley Water Blueprint Effort

### **MANAGEMENT REPORT:**

A written report was included in the Board packet regarding administration, operations, and construction activities.

- Managers Briefing
  - Lucchesi provided no updates outside of the items presented herein.
- Administration Report
  - Lucchesi provided a report on Personnel
  - Lucchesi Provided a report on Risk Management
- Lucchesi provided a report on construction projects
- Lucchesi provided a report on projects
- Lucchesi provided a report on Water Operations

### **DIRECTORS BRIEFING:**

Nothing to report

### **CLOSED SESSION:**

President Barbaste announced the items that would be discussed in Closed Session. The Board convened into closed session at 3:40 p.m. to discuss the item below:

- a. CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
(Government Code Section 54956.8)  
Property: Water  
Agency Negotiator: Vince Lucchesi, General Manager  
Negotiating Parties: Cindy Kao, South Valley  
Under Negotiation: Instructions to Negotiator will concern price and payment terms
- b. CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
(Government Code Section 54956.8)  
Property: Water  
Agency Negotiator: Vince Lucchesi, General Manager  
Negotiating Parties: Dale Melville, South Valley Water Resources Authority  
Under Negotiation: Instructions to Negotiator will concern price and payment terms
- c. CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
(Government Code Section 54956.8)  
Property: Water  
Agency Negotiator: Vince Lucchesi, General Manager  
Negotiating Parties: Jason Phillips, Executive Director Friant Water Authority  
Under Negotiation: Instructions to Negotiator will concern price and payment terms
- d. CONFERENCE WITH REAL PROPERTY NETOTIATORS  
(Government Code Section 54956.8)  
Property: Water  
Agency Negotiator: Vince Lucchesi, General Manager  
Negotiating Parties: Stephen Ottemoeller, Friant Water Authority

Under Negotiation: Instructions to Negotiator will concern price and payment terms

- e. CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
(Government Code Section 54956.8)  
Property: Water  
Agency Negotiator: Vince Lucchesi, General Manager  
Negotiating Parties: Erika Kegel, USBR  
Under Negotiation: Instructions to Negotiator will concern price and payment terms
- f. CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION  
(Paragraph (4) of Subdivision (d) of Government Code Section 54956.9) – 2 potential cases
- g. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
(Paragraph (1) of Subdivision (d) of Government Code Section 54956.9)
  - i. Anthony Thill and Felicia Thill v Patterson Irrigation District, Stanislaus County Superior Court Case No. CV-19-004038
  - ii. California Sportfishing Protection Alliance v Patterson Irrigation District GSA, Stanislaus County Superior Court Case No. CV-20-001748
  - iii. Center for Biological Diversity, Restore the Delta, and Planning and Conservation League v United States Bureau of Reclamation; Deb Haaland, in her official capacity as Secretary of the Interior; et al
  - iv. Banta-Carbona Irrigation District, West Stanislaus Irrigation District, Patterson Irrigation District v California State Water Resources Control Board, Sacramento County Superior Court Case No. 34-2021-80003718-CU-WM-GDS

The Board returned to open session 3:56 p.m. President Barbaste reported on actions taken in closed session.

### **Action Items**

### **DISCUSSION AND ACTION ON AUTHORIZING THE GENERAL MANAGER TO EXECUTE THE TEMPORARY AGREEMENT FOR CONVEYANCE OF WATER (SAN JOAQUIN RIVER RESTORATION FLOWS) WITH THE FRIANT WATER AUTHORITY THROUGH FEBRUARY 28, 2023**

General Manager Lucchesi presented to the Board of Directors a revised wheeling agreement with the Friant Water Authority for water year 2022-2023, that mirrored 2021-2022 water years agreement. The only change to the agreement was the dates and the Warren Act Contract numbers.

Director Trinta made a motion to authorize the general manager to execute the agreement with Friant Water Authority. Second by Director Fantozzi and passed unanimously.

Ayes: Barbaste, Reichmuth, Fantozzi, Trinta

Noes: None

Absent: Azevedo

Abstain: None

### **DISCUSSION AND ACTION ON AUTHORIZING THE GENERAL MANAGER TO EXECUTE THE EXTENSION OF THE MEMORANDUM OF AGREEMENT REGARDING THE TEMPORARY RECAPTURE AND CONVEYANCE OF RESTORATION FLOWS WITH USBR THROUGH FEBRUARY 28, 2023:**

General Manager Lucchesi presented to the Board of Directors a Memorandum of Agreement with USBR for the recapture and conveyance of Restoration Flows for 2022-2023 water year

Director Trinta made a motion to authorize the General Manager to execute the new Memorandum of Agreement with USBR for the recapture and conveyance of restoration flows. Second by Director Fantozzi and passed unanimously.

Ayes: Barbaste, Reichmuth, Fantozzi, Trinta

Noes: None

Absent: Azevedo

Abstain: None

**CONSIDER APPROVAL TO EXTEND THE TEMPORARY PUMPING ASSIGNMENT AND WHEELING AGREEMENT BETWEEN PATTERSON IRRIGATION DISTRICT AND WEST STANISLAUS IRRIGATION DISTRICT DATED MAY 19, 2021**

General Manager Lucchesi presented the Board the Temporary Pumping Assignment and Wheeling Agreement between PID and WSID dated May 19, 2021. Lucchesi requested the Board consider extending the Agreement through the 2022 water year.

Following a through discussion Director Fantozzi made a motion to extend the Agreement under the same terms and conditions through February 28, 2023. Second by Director Trinta and passed unanimously.

Ayes: Barbaste, Reichmuth, Fantozzi, Trinta

Noes: None

Absent: Azevedo

Abstain: None

**OTHER ITEMS**

Nothing to report

With the completion of all agenda items the meeting was adjourned at 3:59 p.m.

Respectfully Submitted,

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Toni Russell, Secretary