

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

May 18, 2022

The Board of Directors of the Patterson Irrigation District held the regular monthly Board meeting. The meeting was called to order at 1:07 p.m. by Director Barbaste

Directors Present: Richard Barbaste, David Fantozzi, Frank Trinta, John Azevedo

Directors Absent: David Reichmuth

Others Present:	Vince Lucchesi	General Manager
	Jeanne Zolezzi	Legal Counsel
	Mark Smith	Consultant

**CORRECTIONS OR ADDITIONS TO THE AGENDA:**

Lucchesi reported to the Board that on Tuesday, May 17; Mark Hansen of Liberty Mutual Insurance representing Cesar Ledezma of Cesar Land Leveling requested if the PID Board of Directors consider waiving the late fee for the repairs associated with the damage to the PID sub lateral. Lucchesi requested the Board to consider this to be included in the agenda since this item was brought to the attention of the Board after the agenda was posted.

Director Trinta made a motion to include taking action on waiving the late fee to Cesar Ledezma at the end of the May 18, 2022 Board Meeting Agenda. Second by Director Azevedo and passed unanimously.

Ayes: Barbaste, Fantozzi, Trinta, Azevedo

Noes: None

Absent: Reichmuth

Abstain: None

Lucchesi also requested for the Board to adjust the agenda to discuss agenda items 17.f and 17.g in closed session after public comment then go back to open session.

**PUBLIC COMMENT:**

None

**CLOSED SESSION:**

President Barbaste announced the items that would be discussed in Closed Session. The Board convened into closed session at 1:10 p.m. to discuss the items below:

- f. CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION  
(Paragraph (4) of Subdivision (d) of Government Code Section 54956.9) – 1 potential case
- g. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
(Paragraph (1) of Subdivision (d) of Government Code Section 54956.9)
  - i. California Sportfishing Protection Alliance v Patterson Irrigation District  
GSA, Stanislaus County Superior Court Case No. CV-20-001748

- ii. 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
- iii. 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 1:18 p.m. President Barbaste reported that no action was taken in closed session.

### **CONSENT ITEMS:**

Agenda Items 4 – 5 Board to Consider: a) April 20, 2022 Meeting Minutes b) Financial Report, Cash Disbursements Report, and the Update to Reserves for month ending April 2022. The budget to actual was not available for the meeting.

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

Ayes: Barbaste, Fantozzi, Trinta, Azevedo

Noes: None

Absent: Reichmuth

Abstain: None

### **ACTION ITEMS:**

#### **BOARD TO CONSIDER AUTHORIZING THE GENERAL MANAGER TO EXECUTE THE ENGAGEMENT AGREEMENT WITH DOWNEY BRAND FOR EMPLOYMENT MATTERS:**

Lucchesi presented to the Board an engagement agreement with Downey Brand to represent PID in labor negotiations for forthcoming compliance and negotiations with the future PID employee bargaining unit. Lucchesi noted that the attorney Ryan Reed came recommended by PID Human Resources attorney Stacy Henderson on this matter.

Following a thorough discussion, Director Azevedo made a motion to the engagement agreement. Second by Director Trinta and passed unanimously.

Ayes: Barbaste, Fantozzi, Trinta, Azevedo

Noes: None

Absent: Reichmuth

Abstain: None

#### **BOARD TO CONSIDER AUTHORIZING THE GENERAL MANAGER TO EXECUTE COST-SHARE AGREEMENT WITH THE SAN LUIS AND DELTA-MENDOTA WATER AUTHORITY FOR THE 2022 DMC PUMP BACK PROJECT AND TO ADJUST THE PID WATER PURCHASES BUDGET UTILIZING THE EMERGENCY RESERVE FUND TO ACCOMMODATE THE ANTICIPATED ADDITIONAL COSTS NECESSARY TO FACILITATE THE PROJECT:**

Lucchesi presented to the Board the anticipated costs and costs allocation for the DMC pump back project. The costs included the breakdown of flows and what agencies will be responsible for. Lucchesi noted that there may be a chance that the pump back project may no longer be needed based upon information provided by USBR CVO. However, participation is necessary since there are already costs sunk into the effort to be able to have the project ready by July 1 and therefore PID needs to provide its pro-rata share of these expenses.

Following a thorough discussion, Director Trinta made a motion to participate in the cost-share agreement with SLDMWA for the 2022 DMC Pump Back Project and adjust the PID budgets as necessary. Second by Director Azevedo and passed unanimously.

Ayes: Barbaste, Fantozzi, Trinta, Azevedo

Noes: None

Absent: Reichmuth

Abstain: None

**BOARD TO CONSIDER BUDGET ADJUSTMENT FOR CAPITAL IMPROVEMENT PROJECT BUDGET TO FUND THE EFFORT NECESSARY TO RETAIN A CONSULTANT TO DEVELOP A GRANT APPLICATION TO PURSUE A WATER USE AND ENERGY EFFICIENCY GRANT THROUGH THE UNITED STATES BUREAU OF RECLAMATION:**

Lucchesi informed the Board of a potential funding opportunity through the USBR WaterSMART program that may provide up to \$5 million to help fund a phase of the Main Canal Rehabilitation phase of the East-West Conveyance Project. In addition, Lucchesi presented to the Board an estimate of \$35,000 from Stantec Consulting to develop the application for the funding opportunity. Lucchesi noted that this is one of the highest funding opportunities available for PID to pursue to fund its project. Lucchesi noted that the scope for the WaterSMART program is very broad and this is intended to make the applications more competitive. Lucchesi noted that although the Main Canal Rehabilitation project will look good, it may not be eligible for all scoring criteria because of the broad nature of the funding opportunity. However, the possibility of receiving up to \$5 million is worth the risk of spending \$40,000 to pursue the opportunity.

Following a thorough discussion, Director Azevedo made a motion to set a budget of \$40,000 and authorize the general manager to execute an agreement with Stantec Consulting to pursue the funding opportunity. Second by Director Trinta and passed unanimously.

Ayes: Barbaste, Fantozzi, Trinta, Azevedo

Noes: None

Absent: Reichmuth

Abstain: None

**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:**

General Manager Lucchesi reported that PID had submitted a budget request for \$10 million to Senator Anna Caballero for PID's East/West Conveyance Project. Staff from Caballero's office contacted the District to report Senator Caballero has submitted a budget request for \$5 million from the Governor's general fund to help fund PID's project. Mark Smith stated that he will follow-up on this funding request to see if he can help support the request to the legislature.

Lucchesi also reported that PID and Mark Smith are working closely with Reclamation regarding the \$500,000 community funding appropriation for PID's Federal Appraisal Study. USBR has been allocated the funding, and they are working to identify as to how to spend the funds appropriately.

### **ADVANCED CLEAN FLEET REGULATION**

Lucchesi presented to the Board a new regulation being administered by the California Air Resources Board for fleets to work to be zero emissions.

### **ETHICS AND SEXUAL HARRASSMENT TRAINING:**

Lucchesi reported all board members are required to update their ethics training.

### **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 2:35 p.m. to discuss the items below:

- b. 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

c. 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

d. CONFERENCE WITH REAL PROPERTY NETOTIATORS

(Government Code Section 54956.8)

Property: Water

Agency Negotiator: Vince Lucchesi, General Manager

Negotiating Parties: Jarret Martin, Central California Irrigation District

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: Jason Phillips, Executive Director Friant Water Authority

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

The Board returned to open session 2:45 p.m. President Barbaste reported no action was taken in closed session.

**ACTION ITEMS**

**BOARD TO CONSIDER AUTHORIZING THE GENERAL MANAGER TO EXECUTE AGREEMENT WITH CENTRAL CALIFORNIA IRRIGATION DISTRICT FOR WHEELING AND CONVEYANCE OF PID STORED WATER IN SAN LUIS RESERVOIR THROUGH CCID FACILITIES THROUGH FEBRUARY 28, 2023 AND TAKING NECESSARY ACTIONS THERETO**

Lucchesi presented to the Board a final draft wheeling agreement to the with CCID. Lucchesi noted that the water will have losses and fees, however this will help get water into PID, due to PID not being able to meet demand through wells and DMC water when PID is curtailed off of the River.

Following a thorough discussion, Director Azevedo made a motion to execute the agreement and to take necessary actions thereto to facilitate the agreement and the wheeling of the water. Second by Director Trinta and passed unanimously.

Ayes: Barbaste, Fantozzi, Trinta, Azevedo

Noes: None

Absent: Reichmuth

Abstain: None

**BOARD TO CONSIDER WAIVING LATE FEE TO CESAR LEDEZMA FOR THE REPAIR AND REPLACEMENT COSTS OF PID SUB-LATERAL CROSSING PID PARCEL 294C**

Lucchesi presented to the Board a request from Liberty Mutual Insurance regarding a late fee assessed for the replacement of the sub-lateral that runs through PID Parcel 294C. Lucchesi noted that Liberty Mutual received the claim on April 28 and were issuing the claim for payment on May 16<sup>th</sup>. However, since they only took two weeks to respond, could PID Board of Directors consider waiving the late fee since they were unaware of how long this bill was outstanding before it came to them.

Following a thorough discussion, Director Fantozzi made a motion to waive the late fee. Second by Director Trinta and passed unanimously.

Ayes: Barbaste, Fantozzi, Trinta, Azevedo

Noes: None

Absent: Reichmuth

Abstain: None

#### **OTHER ITEMS**

Nothing to report

#### **NEXT BOARD MEETING**

The next board meeting is scheduled for June 15, 2022 at 1 PM at 948 Orange Avenue, Patterson, CA 95363

With the completion of all agenda items the meeting was adjourned at 2:49 p.m.

Respectfully Submitted,

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Toni Russell, Secretary