



February 11, 2020 – February 17, 2020

The Porterville Irrigation District Board of Directors did not meet these days in regular session due to lack of a quorum.

**Minutes of Adjourned Meeting, Board of Directors
February 18, 2020**

The Board of Directors of the Porterville Irrigation District met this day in regular session at the District office located at 22086 Avenue 160, Porterville, California.

CALL TO ORDER

President Borba called the meeting to order at 9:00 a.m.

ATTENDANCE

DIRECTORS PRESENT: Borba, Gisler, Chambers, McCowan, Witzel

DIRECTORS ABSENT: None

OTHERS PRESENT: Sean P. Geivet, District Manager
Jody A. Griswold-Bratcher, District Secretary
Tom Barcellos
Dave Dorrance, Homer LLC
Michael Knight, City of Porterville
Trelawney Bullis, Sun Pacific
Doug DeFlitch, Friant Water Authority

AGENDA – No changes or additions were made to the agenda.

PUBLIC COMMENTS – President Borba asked if there was any public comment.

APPROVAL OF THE MINUTES

M/S/U Gisler, Chambers to approve the Minutes of the Board of Directors Regular Meeting held January 14, 2020 as presented.

AUTHORIZATION TO PAY BILLS

M/S/U Gisler, Witzel to authorize the Treasurer to pay all outstanding bills against the District as presented.

MONTHLY REPORTS – Financial Reports: Treasurer Griswold-Bratcher reviewed with the Board the December 2019 Balance Sheet, showing status of the banking

accounts, and Income Statements for the same period. The BNY Mellon bank statement as of December 31, 2019 was also included in the meeting packet as a quarterly update.

M/S/U Gisler, Witzel to accept the preliminary financial reports as presented and to place the reports on file.

Administration Report: Nothing to report.

Operations/Water Report: The Manager reviewed two preliminary water schedules that the U.S. Bureau of Reclamation (Bureau) requested earlier this month using both an estimated 30% and 50% Class 1 allocation. Discussion was also held on carryover resulting from some of the districts that did not use all of their water last summer.

Manager Geivet speculated that the Bureau will likely release an initial allocation later this month in the 20, 25 or 30% range depending upon results of snow pack data. Discussion moved to the District's Sharewater obligations as well as potential need for our first allocation that may become necessary if conditions remain dry.

Status Report of Authorities: DCTRA, TRA, VAWC & FWA: President Borba noted that he will not be able to attend an upcoming Friant Water Authority (FWA) meeting scheduled for February 27th. Director Gisler is also not able to attend. Director Witzel shared that he would make himself available to attend on the District's behalf.

M/S/U, Chambers, Gisler to name Director Witzel as Alternate Director of the Friant Water Authority Board on behalf of Porterville Irrigation District and to authorize him to attend meetings and vote on behalf of the District as needed.

Eastern Tule Groundwater Sustainability Agency (ETGSA): The Manager brought the Board and guests up to date on current ETGSA topics with emphasis on the Agency's need to finalize the Rules and Regulations so that the accounting system can proceed with development. He stated that the accounting system is just a mechanism to implement the Rules & Regulations, so they need to be completed in that order.

Mr. Geivet also reviewed some issues being faced with allocation discussions like tiered water, priorities of use and subsidence around the canal due to excess pumping.

Tom Barcellos departed the Board room at 10:17 a.m.

Future Planning: Manager Geivet touched on the status of the Northwest (NW) Service Area noting that he has distributed Provost & Pritchard's Reconnaissance Study to the parties involved for their review. He hopes to follow up with another meeting with those landowners once they have had a chance to review the study.

Another area being considered for improvement is to replace a section of P3 ditch from the Friant-Kern Canal (FKC) to the newly designed intersection at Avenue 152/Olive Avenue and Road 192.

UNRELEASED RESTORATION FLOW (URF) – Consider a resolution authorizing the Manager to enter into contracts with the United States Bureau of Reclamation (Bureau) for delivery of 2020 Unreleased Restoration Flows

Upon motion by Director Chambers, seconded by Director McCowan, the following Resolution was passed and adopted:

RESOLUTION NO. 2020-02-01

***RESOLUTION TO AUTHORIZE EXECUTION OF AN AGREEMENT
FOR PURCHASE OF UNRELEASED RESTORATION FLOWS
BETWEEN U.S. BUREAU OF RECLAMATION AND
PORTERVILLE IRRIGATION DISTRICT***

WHEREAS, the Board of Directors of the Porterville Irrigation District have met this day in regular session; and

WHEREAS, pursuant to the Stipulation of Settlement in *Natural Resources Defense Council, et. al., v. Kirk Rodgers, et. al.*, hereinafter referred to as Settlement, and the SJRRSA (San Joaquin Valley River Restoration Settlement Act), the Secretary of the Interior, acting through the Bureau of Reclamation, hereinafter referred to as Contracting Officer, is directed to implement a program that releases Restoration Flows from Friant Dam; and

WHEREAS, consistent with Paragraph 13(i) of the Settlement, if, for any reason, full Restoration Flows are not released in any year beginning January 1, 2014, the Contracting Officer shall release as much of the Restoration Flows as possible, in consultation with the Restoration Administrator, in light of then-existing channel capacity and without delaying completion of the Phase 1 improvements; and

WHEREAS, the Contracting Officer, in consultation with the Restoration Administrator, shall use the amount of the Restoration Flows not released in any such year, hereinafter referred to as Unreleased Restoration Flows or URFs, by taking one or more of the steps prescribed in Paragraph 13(i) of the Settlement to best achieve the Restoration Goal, as determined by the Contracting Officer; and

WHEREAS, the District and the United States have entered into Contract No. 175R-4309D, hereinafter referred to as Contract, for the delivery of Project Water; and

WHEREAS, Article 3(f) of the Contract provides for, following the declaration of Water Made Available under Article 4 of the Contract, the Contracting Officer to make a determination whether Project Water, or other water available to the Project, can be made available to the Contractor in addition to the Contractor Total provided in Article 3(a) of the Contract during the Year without adversely impacting the Project or other Project Contractors and consistent with the Secretary of the Interior's legal obligations; and

WHEREAS, the Board of Directors has determined that it is the best interests of the District and its landowners that the District purchase and ensure delivery of all water available to the District pursuant to the terms of that certain contract entitled "Agreement Between The United States And Porterville Irrigation District For Sale of Unreleased Restoration Flows".

NOW, THEREFORE, THE BOARD OF DIRECTORS OF PORTERVILLE IRRIGATION DISTRICT HEREBY FINDS AND RESOLVES AS FOLLOWS:

1. The foregoing recitals are true and correct.
2. The President and Secretary are authorized to execute that certain Contract entitled "Sales Agreement Between the United States and Porterville Irrigation District for Sale of Unreleased Restoration Flows" on behalf of the District subject to review by District Counsel.

PASSED AND ADOPTED this 18th day of February 2020 by the following vote:

AYES:	<i>Borba, Gisler, Chambers, McCowan, Witzel</i>
NOES:	<i>None</i>
ABSTAIN:	<i>None</i>
ABSENT:	<i>None</i>

CERTIFICATE OF SECRETARY

I do hereby certify that I am the Secretary of the Porterville Irrigation District, an irrigation district organized and existing under the laws of the State of California, and that the foregoing Resolution was duly adopted by the Board of Directors of said District at a meeting thereof duly and regularly held at the office of the Porterville Irrigation District at Porterville, California on the 18th day of February 2020, at which meeting a quorum of said Board of Directors was at all times present and acting, and that said Resolution has not been rescinded or amended in whole or any part thereof, and remains in force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and the Seal of the Porterville Irrigation District this 18th day of February 2020.

/s/ Jody A. Griswold-Bratcher
Jody A. Griswold-Bratcher, Secretary
Porterville Irrigation District

Doug DeFlicht departed the Board room at 10:30 a.m.

PORTER SLOUGH DITCH – Consider authorizing the replacement of roughly 300 feet of ditch with pipeline

The Manager shared that there are plans underway to develop the area on the East side of Mathew Street just North of Henderson Avenue. He noted that we have open ditch along there as well. The plans include replacement of sections with pipeline to allow access to the developed areas leaving one or more sections, or roughly 300 feet, of open ditch. He asked if we should consider having the contractor doing the other sections to simply replace the entire section with pipeline at the same time. After some discussion, the Board asked the Manager to work with the City of Porterville to get more information on cost and details to bring back for consideration at a future meeting.

Dave Dorrance departed the Board room at 10:45 a.m.

CALIFORNIA FARM WATER COALITION (CFWC) – Consider authorizing membership and paying annual dues in the CFWC for \$2,550.00

Mr. Geivet recommended that the Board consider continuing membership in this organization that has been very involved to educate consumers about the connection between water for our farms and the food they provide for their families. He noted that they are very active on social media and trying to take the message of the Valley to the Bay area with clips played at movie theaters between feature presentations as well as bus placards and editorials.

M/S/U, Gisler, Chambers to authorize contribution payment of \$2,550.00 to continue membership in the California Farm Water Coalition.

GRIFFITH FARMS – Discuss extending the term on the Griffith Farms lease agreement and the potential to re-negotiate the rent

Manager Geivet reminded the Board that this long-standing lease agreement will soon expire. He has been approached by Griffith Farms expressing their interest in re-negotiating the lease. He just wanted to start the discussions that will steer negotiations.

SUCCESS RESERVOIR ENLARGEMENT – Review Project Cash Flow and discuss the future of the project

The Manager directed the Board's attention to the Success Reservoir Enlargement Project - Project Cash Flow worksheet included in the meeting packet. He noted that project costs started in the twenty million dollar range quickly moving to the seventy-four million range and are now in the one hundred thirty-eight million dollar range. He also noted that this District chose not to be included in the expansion, however since we are already involved with initial storage needs, we are also subject to some of the costs that relate to flood control costs included with expansion.

Trelawney Bullis departed the Board room at 11:14 a.m.

The Manager noted that we do not need to adjourn into closed session.

**CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION –
[Government Code Section 54956.9(d)(1)] *City of Fresno, et al. v. United
States of America*, Court of Federal Claims, Case No. 16-1276L**

No action taken.

**CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
[Government Code Section 54956.9] (2 Cases)**

No action taken.

**ITEMS TO BE DISCUSSED PURSUANT TO GOVERNMENT CODE SECTION
54954.2 (RELATING TO ITEMS NOT APPEARING ON THE AGENDA)**

Nothing to report.

ADJOURNMENT –President Borba adjourned the meeting at 11:40 a.m.



Jody A. Griswold-Bratcher, Secretary