



February 13, 2018 – February 19, 2018

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

**Minutes of Regular Meeting, Board of Directors
February 20, 2018**

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 9:01 a.m.

ATTENDANCE

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

DIRECTORS ABSENT: None

OTHERS PRESENT: Sean P. Geivet, District Manager
Jody A. Griswold-Bratcher, District Secretary
Kathy Briano
Terry Schuler
Dave Dorrance, Sun World International
Armando Leal
Allan Lombardi
Michael DePaoli
Bill Wallace
Giovanna DePaoli
Bill Morgan

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

PUBLIC COMMENTS – President Borba asked if there was any public comment, however there was none at this time.

APPROVAL OF THE MINUTES

M/S/U Gisler, Chambers to approve the Minutes of the Board of Directors Regular Meeting held January 9, 2018 as presented.

AUTHORIZATION TO PAY BILLS

Manager Geivet brought to the Board's attention the inclusion of a rather large warrant payable to Lower Tule River Irrigation District (LTRID) for Tule River water that was run in 2017. He explained the increase from his initial calculations at last month's meeting. He also noted that we must manage water differently in wet years to make use of more Class 2 water from the canal as opposed to relying so heavily on Tule River flows for deliveries.

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

Giovanna DePaoli entered the Boardroom at 9:14 a.m.

MONTHLY REPORTS – Financial Reports: Treasurer Griswold-Bratcher reviewed with the Board the December 2017 Balance Sheet, showing status of the banking accounts, and Income Statements for the same period. She noted that these reports are considered preliminary pending any additional year-end entries made as a result of the upcoming audit. BNY Mellon bank statement as of December 31, 2017 was also included in the meeting packet.

M/S/U McCowan, Chambers to accept the financial reports as presented and to place the reports on file.

Bill Morgan entered the Boardroom at 9:20 a.m.

Administration Report: The Manager directed the Board's attention to a Notice of Fee Increase included in the meeting packet that was received from the Tulare County Recorder's office regarding an additional seventy-five dollars (\$75.00) fee per title for each document accepted for recording by the Recorder's office effective January 1, 2018. This is a State of California fee under California Government Code section 27388.1 (SB2 – Building Homes and Jobs Act). We submitted two for recording in January and the County returned them with this notice. The District paid the fees on those two, but it was noted that we will need to notify all other delinquent Assessment (Sales) customers affected by this new fee that will be added to their account. The Secretary stated that this fee is only due on the release/redemption documents and not on the initial filing of the Sale for delinquent assessments. Mr. Geivet also noted that this additional fee will need to be added to our Rules and Regulations, so we can expect that item may be on a future agenda.

Operations/Water Report: Manager Geivet informed the Board that the U.S. Bureau of Reclamation (Bureau) is unofficially at 20% Class 1 allocation due to the minimal rainfall and snow pack received thus far. We should see an official initial declaration soon. Guest questions led to a brief discussion on the possibility of transferring water between Districts.

Status Report of Authorities: DCTRA, TRA, VAWC & FWA: Manager Geivet and President Borba gave a brief update on some Friant Water Authority (FWA) topics. In regards to the Friant-Kern Canal (Canal) subsidence issues, it was shared that one

possible solution could be to install a pumping station at the spot in the Canal where it is lowest in an effort to encourage flow downstream.

President Borba noted there is a new chairman for Tule River Authority (TRA).

San Joaquin River (SJR) Settlement Implementation: Mr. Geivet gave the Board and guests a brief update on Settlement issues.

Groundwater Regulation: The Manager noted that the Eastern Tule Groundwater Sustainability Agency (ETGSA) is working through a second draft document. He also shared that Mr. DeGroot is working on a new ETGSA website that will be more accessible than the one hosted by the City of Porterville (City). It was noted that the City's site has all of the information, but it has proven a little cumbersome to locate.

Director Chambers stepped out of the Boardroom from 10:10-10:14 a.m.

Pipeline Project: Mr. Geivet updated the Board and guests on the pipeline project noting that we are moving on with work on Service Area #2 (SA2). He is working on obtaining the last two Easements needed. District staff is also working on registration on Government site to submit request for Grant payment on the completed Service Area #1 portion of the project.

218 PROCESS – Review and consider approval of Fiscal Year 2018 and 5-year Budgets and other District Policy Directives

Manager Geivet noted that due to additional efforts on Service Area #2 easements, he needs more time to prepare the 2018 budget both for this process, so we will revisit this topic as well as Agenda Item #9 next month.

2018 WATER RATE AND POLICY; 2018 BUDGET – Review and consider a water rate change for the 2018 Irrigation Season. Review and consider revising the 2018 Annual Budget

As explained above, this item has been tabled until next month.

Michael DePaoli departed the Boardroom at 10:34 a.m.

UNRELEASED RESTORATION FLOWS – Consider a resolution authorizing the Manager to enter into contracts with the United States Bureau of Reclamation (USBR) for delivery of 2018 Unreleased Restoration Flows

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

RESOLUTION NO. 2018-02-01

**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 20th day of February 2018 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 20th day of February 2018, 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 20th day of February 2018.

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

TEMPORARY 215 WATER SERVICE CONTRACT – Review and consider executing 2018 215 Water Service Contract with the United States Bureau of Reclamation (USBR)

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

RESOLUTION NO. 2018-02-02

RESOLUTION TO AUTHORIZE EXECUTION OF A TEMPORARY 215 WATER SERVICE 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, the Board of Directors accept the form and content of the “Contract for Temporary Water Service Between the United States and the Porterville Irrigation District” and directing officers of the District to execute said Contract on an annual basis provided the terms remain unchanged; and

WHEREAS, the United States has determined that surplus water may be available in the Friant Unit of the Central Valley Project during the any future water year; and

WHEREAS, the United States has made said surplus water available to contractors on the Friant Unit according to the provisions of Section 215 of the Reclamation Reform Act of 1982; and

WHEREAS, the Porterville Irrigation District may wish to take delivery of an undetermined quantity of such surplus water for delivery within the boundaries of the District; and

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

1. The form and content of the “Contract for Temporary Water Service Between the United States and the Porterville Irrigation District”, are hereby approved;
2. The officers of the District are authorized and directed to execute said Temporary Contract for and on behalf of the District on an annual basis provided the terms remain unchanged;
3. That a certified copy of this Resolution be prepared and transmitted by the Secretary of the District to the Bureau of Reclamation.

PASSED AND ADOPTED this 20th day of February 2018 by the following vote:

AYES:	<i>Borba, Gisler, McCowan, Chambers, 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 20th day of February 2018, 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 20th day of February 2018.

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

Terry Schuler, Allan Lombardi and Bill Morgan departed the Boardroom at 10:38 a.m.

FRIANT WATER AUTHORITY (FWA) BYLAWS – Consider approving the proposed changes to the FWA Bylaws

The Manager directed the Board's attention to the proposed FWA Bylaws included in the meeting packet.

M/S/U Gisler, McCowan to approve the proposed changes to the Friant Water Authority (FWA) Bylaws as presented.

CALIFORNIA FARM WATER COALITION (CFWC) – Consider a contribution to 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, Witzel, Chambers to authorize contribution payment of \$2,550.00 to continue membership in the California Farm Water Coalition.

SURPLUS DISTRICT EQUIPMENT – Consider declaring equipment surplus to the District's needs

The Secretary shared a handout prepared that included fifteen (15) items that are either outdated, no longer working or otherwise surplus. Items included were a non-working printer, a brand new dot-matrix printer that is outdated and no longer needed with the newer software, excess computers (hard-drives to be drilled prior to sale or disposal) and other miscellaneous items. Manager Geivet noted that District staff will accept sealed bids until noon on Friday, April 6, 2018. Any unclaimed items will be disposed of accordingly.

M/S/U McCowan, Gisler to declare equipment surplus to the District's needs as presented.

TRUCK PURCHASE – Consider authorizing the purchase of one new work truck

The Manager updated the Board on the status of the District's 2007 Ford Ranger noting that recent diagnosis is no longer favorable to continue. Included in the meeting packet were several quotes from various local dealerships with a comparison for easier review. Mr. Geivet recommend Merle Stone Chevrolet being the most local dealership with the lowest quote.

M/S/U Witzel, Gisler to authorize the purchase of one new work truck from Merle Stone Chevrolet in the amount of \$23,148.91 as presented in their quote.

Kathy Briano, Giovanna DePaoli, Dave Dorrance, Bill Wallace and Director McCowan departed the Boardroom at 10:53 a.m.

Pursuant to Government Code Section 54956.9, the Board adjourned into closed session at 10:57 a.m.

**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**

The Board adjourned from closed session at 11:14 a.m.

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 11:15 a.m.



Jody A. Griswold-Bratcher, Secretary