



**Minutes of Regular Meeting, Board of Directors  
September 14, 2021**

The Board of Directors of the Porterville Irrigation District met this day in regular session in Porterville, California. Consistent with Executive Order N-29-20 and social distancing directives, the meeting was conducted by teleconference only, with no physical location for the meeting.

**CALL TO ORDER**

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

**ATTENDANCE**

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

**DIRECTORS ABSENT:** None

**OTHERS PRESENT:** Nick Keller, *District Engineer*  
Jody A. Griswold-Bratcher, *District Secretary-Treasurer, Assessor/Collector*  
Alan Doud, *District Legal Counsel*  
Brett Stroud, *District Legal Counsel*  
Aubrey A. Mauritsen, *Consulting Legal Counsel*  
Numerous guests via Zoom and One tap mobile

**AGENDA** – There were no changes or additions made to the agenda.

**BOARD OF EQUALIZATION – Review and consider adopting 2021-09-01 approving the 2021-22 Assessments**

The Assessor/Collector noted that the necessary reports are not completed. This item will be tabled to the next meeting.

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

District landowner Jace Vanderham inquired about transitional pumping that is being addressed by Eastern Tule Groundwater Sustainability Agency (ETGSA).

District landowner Terry Schuler inquired about the District's plan to address functionality of the P1 pipeline facilities that serves the area around his properties. He expressed his desire to see that functional before winter in hopes that potential flood water will be deliverable through facilities served by that part of the system.

**APPROVAL OF THE MINUTES**

Upon motion by Director Gisler, seconded by Director Witzel, the Minutes of the Board of Directors Regular Meeting held August 10, 2021 were approved as presented:

**AYES:** *Borba, Gisler, McCowan, Witzel*

**NOES:** *None*  
**ABSTAIN:** *None*  
**ABSENT:** *Chambers*

## **AUTHORIZATION TO PAY BILLS**

Upon motion by Director Gisler, seconded by Director McCowan, the Treasurer was authorized to pay all outstanding bills as presented was approved:

**AYES:** *Borba, Gisler, McCowan, Witzel*  
**NOES:** *None*  
**ABSTAIN:** *None*  
**ABSENT:** *Chambers*

**MONTHLY REPORTS – Financial Reports:** The Treasurer included in the Board meeting packet the July 2021 Balance Sheet, showing status of the banking accounts, and Income Statements for the same period. Also included in the meeting packet is the Local Agency Investment Fund (LAIF) statement for July 2021 reflecting interest earned in the 2<sup>nd</sup> Quarter 2021 of \$2,390.58.

It was noted that these reports are still considered preliminary pending the approval of the 2020 audit to be addressed later in the agenda.

Upon motion by Director Gisler, seconded by Director McCowan, the preliminary financial reports were accepted as presented and approved to be placed on file:

**AYES:** *Borba, Gisler, McCowan, Witzel*  
**NOES:** *None*  
**ABSTAIN:** *None*  
**ABSENT:** *Chambers*

**Administration Report:** Nothing new to report.

**Operations/Water Report:** Mr. Keller reminded the Board and guests that we did go over our allocation slightly and asked the Board how they would like to record that overuse. He offered the options to secure a transfer from sister District, Saucelito Irrigation District (SID) or pre-use 2022 water. The Board concurred with pursuing a transfer from SID.

Discussion moved to Ditch Company entitlement water supply for Shareholders. Mr. Keller is awaiting final delivery totals before we will prepare the allocation of voluntary groundwater recharge to be offered to Shareholders. We hope to have those figures in the next week or so and will notify and invoice Shareholders accordingly.

**Status Report of Authorities: DCTRA, TRA, VAWC & FWA:** Engineer Keller gave an update on current topics for Deer Creek and Tule River Authority (DCTRA).

**Eastern Tule Groundwater Sustainability Agency (ETGSA):** President Borba shared a brief update on ETGSA news.

Director Chambers joined the Board meeting via Zoom at 9:20 a.m.

**Success Reservoir Enlargement Project (SREP) Update:** Nothing new to report.

**Future Planning:** Mr. Keller noted that he would check into the status of the Service Areas waiting for grant funding.

**ROCKFORD WATER BANK PROJECT –**

- a. **Consider extending the written comment period for the Proposed Mitigated Negative Declaration from COB September 9, 2021 to COB September 30, 2021; and resetting the Public Hearing from September 14, 2021, to October 12, 2021**
- b. **Public Hearing for Proposed Mitigated Negative Declaration for Rockford Water Bank Project**

Mr. Keller made a recommendation to extend the comment period for these banking projects. He also suggested allowing for more time for the District/project applicant to respond or address any submitted comments prior to the public hearing.

M/S/U, Gisler, McCowan to extend the written period for the Proposed Mitigated Negative Declaration from COB September 9, 2021 to COB September 30, 2021; and resetting the Public Hearing from September 14, 2021, to October 12, 2021.

President Borba departed the Board meeting at 9:27 a.m. to abstain from discussion and action for the next item on the agenda. Vice-President Gisler assumed the chair to preside over the meeting in his absence.

**BORBA/POPLAR WATER BANK PROJECT –**

- a. Status report on Borba/Poplar Water Bank Project
- b. **Set Public Hearing for Proposed Mitigated Negative Declaration on November 9, 2021 with written comments due by COB October 22, 2021**

M/S/U, McCowan, Witzel to set a CEQA Public Hearing for Proposed Mitigated Negative Declaration for Borba/Poplar Water Bank Project on November 9, 2021, with written comments due by COB October 22, 2021.

President Borba returned to the Board meeting at 9:30 a.m. Vice-President Gisler relinquished the chair to President Borba.

**2020 FISCAL YEAR FINANCIAL STATEMENT –**

- a. **Review and consider placing the audited 2020 Financial Statement on file as prepared by Cuttone & Mastro CPAs**

President Borba introduced Joe Mastro, Cuttone & Mastro CPA's to review the prepared audit for the Board and guests.

M/S/U McCowan, Gisler to approve and place on file the 2020 Financial Statements as prepared by Mr. Joe Mastro, Cuttone & Mastro CPAs, as presented.

The Board thanked Mr. Mastro for his time.

#### **4 CREEKS SURFACE WATER MANAGEMENT SOFTWARE –**

##### **a. Review and consider proposal for water billing software**

M/S/U McCowan, Gisler to authorize President Borba to sign the concurrence authorizing 4Creeks Inc to begin work on Phase 1 of the presented proposal to configure and deploy a web-based Surface Water management application to help the District manage water deliveries, water billing, tracking and reporting.

Mr. Keller suggested that we adjourn into closed session with District Consulting Legal Counsel, Aubrey A. Mauritson. All other guests were moved to the Zoom “waiting room” at 9:45 a.m.

Pursuant to Government Code Section 54956.9, the Board adjourned into closed session at 9:46 a.m. Mrs. Mauritson departed and District Legal Counsel Brett Stroud joined the online Board Zoom meeting in closed session at 9:55 a.m. The Board adjourned from closed session at 10:01 a.m. Mr. Keller then admitted all guests that remained in the Zoom “waiting room” to rejoin the meeting.

#### **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 reportable action taken.

#### **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – [Government Code Section 54956.9] (1 Case)**

No reportable action taken.

#### **CLOSED SESSION ITEMS – Report Action Taken in Closed Session Required by Government Code Section 54957.1**

Any reportable action taken has been noted individually on closed session items above.

**ADJOURNMENT** –President Borba adjourned the meeting at 10:02 a.m.

  
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Jody A. Griswold-Bratcher, Secretary