



**Minutes of Regular Meeting, Board of Directors
November 13, 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 9:00 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
Michael Reed, City of Porterville
Dave Dorrance, Sun World International
Michael DePaoli
Bill Wallace
Kathy Briano
Tim Allan
Bryce McAteer, Eastern Tule GSA
Terry Schuler

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.

Michael Reed entered the Board room at 9:05 a.m.

APPROVAL OF THE MINUTES

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

Bryce McAteer entered the Board room at 9:07 a.m.

AUTHORIZATION TO PAY BILLS

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

Terry Schuler entered the Board room at 9:11 a.m.

MONTHLY REPORTS – Financial Reports: Treasurer Griswold-Bratcher reviewed with the Board the September 2018 Balance Sheet, showing status of the banking accounts, and Income Statements for the same period. BNY Mellon bank statement as of September 30, 2018 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.

Administration Report: Mr. Geivet noted that as we wrap up the next month of water billing, we will be better able to prepare calculations to settle up with Lower Tule River Irrigation District (LTRID).

Operations/Water Report: Manager Geivet reviewed the water schedule with the Board and guests noting that there is still some water available. He stated that irrigation use is still ongoing, however minimal and it is unlikely that we will use all of the water available. After some discussion, the Board explored making some of the available for recharge noting that they still wish to have some irrigation water in the schedule as needed. The Manager suggested starting this water after the Thanksgiving Holiday in order to allow District staff time to notify customers of this availability.

M/S/U McCowan, Gisler to designate 1,000 (one thousand) acre-ft of water in our schedule as groundwater recharge water at the previously set rate of \$85.00/acre-ft, to all accounts in good standing and Assessments are current prior to ordering this water to begin after the Thanksgiving Holiday, to be prorated on an acreage basis for customers that choose to order this recharge water, and customers may choose to run this water into their own recharge facilities or fallow ground or may ask the District to run this water into the Porter Slough in the customers' name.

Status Report of Authorities: DCTRA, TRA, VAWC & FWA: The Manager noted that he forwards to the Board for their information weekly updates sent out by Friant Water Authority (FWA) CEO Jason Phillips. President Borba noted that FWA is trying to set up a special meeting with U.S. House of Representatives McCarthy and Valadao prior to the upcoming FWA Retreat.

Eastern Tule Groundwater Sustainability Agency (ETGSA): Mr. Geivet introduced Executive Director, Bryce G McAteer. Mr. McAteer brought the Board and guests up to date on ETGSA topics including current topics, budget and meeting dates and locations. Included in the lengthy discussion were models and SGMA (Sustainable Groundwater Management Act of 2014) deadlines and how it could affect PID.

Pipeline Project: The Manager updated the Board on the P1 Pipeline Repair/Replacement project noting that he will touch base with District staff and the contractor to see where to go from here.

Future Planning: Manager Geivet noted that he wants to keep this item on the agenda, however has not had a specific project in mind as of yet. Once SGMA is deeper in play, we may see the need to discuss/review potential ways to bank or recharge water to keep in the District. The Ad-Hoc committee will continue on current path then in January or so, they can start on potential “Future Planning” topics.

WATER SUPPLY – Consider designating water supplies for transfer, recharge and/or irrigation

This item was discussed and tabled earlier in the meeting.

ALLOCATION POLICY – Provide direction on developing a draft Allocation Policy

Extensive discussion was held on this topic including the direction this policy should go and how can we persuade landowners to get connected. Unfortunately, this item was not designated on the agenda as an action item, so we cannot act at this time.

GROUNDWATER BANKING AGREEMENT – Consider executing the draft Groundwater Banking Agreement with Homer

Manager Geivet reviewed with the Board and guests some recent changes to this Agreement stating that it is near completion with only some minor legal wording to be added. He suggested the Board consider approving the Agreement with the stipulation that the Manager and District legal counsel approve before execution.

M/S/U McCowan, Gisler to execute the groundwater banking agreement as outlined upon final approval of the Manager and District legal counsel.

Terry Schuler departed the Board room at 10:50 a.m.

2019 UNRELEASED RESTORATION FLOW (URF) – Consider executing the Unreleased Restoration Flows 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. 2018-11-01

***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 13th day of November 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 13th day of November 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 13th day of November 2018.

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

All guests departed the Boardroom at 11:07 a.m.

Pursuant to Government Code Section 54956.9, the Board adjourned into closed session at 11:08 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 11:45 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 11:46 a.m.



Jody A. Griswold-Bratcher, Secretary