



**Minutes of Regular Meeting, Board of Directors
December 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 9:01 a.m.

ATTENDANCE

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

DIRECTORS ABSENT: None

OTHERS PRESENT: Sean P. Geivet, *District Manager*
Nick Keller, *District Engineer/Acting Manager*
Jody A. Griswold-Bratcher, *District Secretary-Treasurer, Assessor/Collector*
Alan Doud, *District Legal Counsel*
Aubrey A. Mauritson, *Consulting Legal Counsel*
Amy Wilson, *Provost & Pritchard Consulting Group*
Johnny Amaral, *Friant Water Authority*
Numerous guests via Zoom and One tap mobile

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

**RESOLUTION RENEWING AUTHORIZATION OF REMOTE TELE-
CONFERENCE MEETINGS –**

- a. **Consider adoption of Resolution 2021-12-01 renewing use of remote teleconference meetings under AB361**

District Acting Manager Keller noted that we will need to renew this action each month.

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

RESOLUTION NO. 2021-12-01

***RESOLUTION RENEWING AUTHORIZATION OF REMOTE
TELECONFERENCE MEETINGS UNDER AB361***

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

WHEREAS, meetings of the Board of Directors of District and its committees are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any

member of the public may attend, participate, and watch the District's legislative bodies conduct their business; and

WHEREAS, Government Code section 54953(e), as amended by Assembly Bill 361 (2021) ("AB361"), signed by the Governor on September 16, 2021, provides for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, the District wishes to invoke the provisions of AB361 to renew authorization of teleconference meetings subject to the modified standard of Government Code section 54953(e); and

NOW, THEREFORE, BE IT RESOLVED that:

Section 1. Findings. The Board hereby finds as follows:

- (a) As required by Government Code section 54953(e)(1), a proclaimed state of emergency exists under the California Emergency Services Act, as declared by the Governor on March 4, 2020.
- (b) State or local officials have imposed or recommended measures to promote social distancing, specifically, a state of emergency has been proclaimed in the State of California pertaining to the threat to human health and safety by the COVID-19 pandemic.

Section 2. Procedures for Teleconference Meetings. The District and its committees shall hold teleconference meetings pursuant to the requirements of Government Code section 54953(e).

Section 3. Effective Date. This resolution shall take effect immediately upon its adoption.

Section 4. Renewal. Pursuant to Government Code section 54953(e)(3), the District will reconsider the state of emergency every 30 days.

PASSED AND ADOPTED this 14th day of December 2021 by the following vote:

AYES:	<i>Borba, Chambers, Gisler, 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 Zoom meeting thereof duly and regularly held by the Porterville Irrigation District at Porterville, California on the 14th day of December 2021, 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 14th day of December 2021.

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

PUBLIC COMMENTS – President Borba asked if there was any public comment. A couple of guests inquired about the timeline that PID has in mind to submit complete recharge, banking and surface water data to Eastern Tule Groundwater Sustainability Agency (ETGSA). Mr. Keller noted that we would have a more in-depth update under that item later in the meeting.

APPROVAL OF THE MINUTES

M/S/U Gisler, Witzel to approve the Minutes of the Board of Directors Regular Meeting held November 9, 2021 as presented.

AUTHORIZATION TO PAY BILLS

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

MONTHLY REPORTS – Financial Reports: The Secretary-Treasurer included in the Board meeting packet the October 2021 Balance Sheet, showing status of the banking accounts, and Income Statements for the same period.

Director McCowan questioned an item on the Balance Sheet pertaining to the Bond Financing Reserve Account. Treasurer Griswold-Bratcher would investigate and report back next month, but believed it had to do with the recent refinance. The Board tabled acceptance of the financials until the next month.

Administration Report: Nothing new to report.

Operations/Water Report: Nothing new to report.

Mr. Keller suggested that we adjourn into closed session with District Consulting Legal Counsel Aubrey Mauritson. All other guests were moved to the Zoom “waiting room” at 9:39 a.m.

Pursuant to Government Code Section 54956.9, the Board adjourned into closed session at 9:40 a.m.

Secretary Griswold-Bratcher departed the meeting at 9:50 a.m. leaving Acting Manager Keller to take notes for the remainder of the meeting or until she returns, whichever comes first.

The Board adjourned from closed session at 10:00 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.

JONES CORNER/BURNS/LOS ROBLES WATER BANKS PROJECT

- a. Status on Jones Corner/Burns/Los Robles Water Banks Project**
- b. Consider Approval of Facility Reports**
- c. Set Public Hearing for Proposed Mitigated Negative Declaration for Jones Corner/Burns/Los Robles Water Banks Project for February 8, 2022, with written comments due by COB January 19, 2022.**

Amy Wilson, from Provost & Pritchard Consulting Group, brought the Board and guests up to date on the Homer LLC project, that is loosely being called “Three Banks”.

M/S/U, McCowan, Gisler to approve the facility reports for the Jones Corner/Burns/Los Robles Water Banks Project.

Acting Manager Keller discussed the need to set the Public Hearing for the project, but noted the February Board meeting date stated on the agenda will be amended to reflect the change for that month’s meeting to work around the World Ag Expo (formerly known as the California Farm Show) set for the second week of February.

M/S/U, Gisler, Witzel to set a CEQA Public Hearing for Proposed Mitigated Negative Declaration for Jones Corner/Burns/Los Robles Water Banks Project on February 15, 2022, with written comments due by COB January 19, 2022.

Status Report of Authorities: DCTRA, TRA, VAWC & FWA: Friant Water Authority’s (FWA) Chief of External Affairs, Johnny Amaral, brought the Board and guests up to speed on FWA matters.

Acting Manager Keller and President Borba brought the Board up to speed on the other authorities.

Eastern Tule Groundwater Sustainability Agency (ETGSA): As mentioned earlier in the meeting, District staff has submitted some data to ETGSA, but ETGSA has asked for more detail and breakdown on some of the figures provided to them that PID staff is still working on. There were also some errors discovered and customer transfers that are being reviewed more thoroughly before resubmitting to ETGSA.

Success Reservoir Enlargement Project (SREP) Update: Acting Manager Keller provided an update on the project.

Future Planning: Nothing new to report.

ADJOURNMENT –President Borba adjourned the meeting at 10:33 a.m.



Jody A. Griswold-Bratcher, Secretary