



**Minutes of Regular Meeting, Board of Directors
March 8, 2022**

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: Sean P. Geivet, *District Manager*
Nick Keller, *District Engineer/Acting Manager*
Jody A. Griswold-Bratcher, *District Secretary-Treasurer, Assessor/Collector*
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 2022-03-01 renewing use of remote teleconference meetings under AB361**

Manager Geivet reminded everyone that we will need to renew this action each month.

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

RESOLUTION NO. 2022-03-01

***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 8th day of March 2022 by the following vote:

AYES:	<i>Borba, Chambers, Gisler, Witzel</i>
NOES:	<i>None</i>
ABSTAIN:	<i>None</i>
ABSENT:	<i>McCowan</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 8th day of March 2022, 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 8th day of March 2022.

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

Director McCowan entered the Board meeting at 9:01.

PUBLIC COMMENTS – President Borba asked the guests to quickly introduce themselves. He then asked if there was any public comment.

Landowner Casey Schuler addressed District management and Board about several topics including the District's 218 Election held in 2018 and Northwest Service Area (SA4) progress.

Mr. Schuler departed the Board room at 9:47 a.m.

Mr. Chamberlain and Mr. Holmes departed the Board room at 9:48 a.m.

APPROVAL OF THE MINUTES

M/S/U Chambers, Witzel to approve the Minutes of the Board of Directors Special Meeting of February 15, 2022 as presented.

AUTHORIZATION TO PAY BILLS

Director Witzel inquired about the invoices on the list for Vollmer Excavation. The Treasurer clarified that the three invoices on the updated list presented for payment are all for repairs on the P1 Gravity pipeline.

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 January 2022 Balance Sheet, showing status of the banking accounts, and Income Statements for the same period. The Treasurer stated that the budgeted Income Statements were based upon the 2021 budget figures since the 2022 budget had not been approved yet. It was also noted that these reports are still considered preliminary pending any additional 2021 entries made as a result of the upcoming audit.

Also included in the packet is the Local Agency Investment Fund (LAIF) statement for January 2022 reflecting interest earned in the 4th Quarter 2021 of \$1,603.02.

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

Administration Report: The Manager noted the inclusion of the Ethics Training Schedule of the District's Directors and applicable staff.

Operations/Water Report: Manager Geivet brought the Board and guests up to date on the District's water supply. Although we experienced a promising December of precipitation and record snowfall, January and February were quite dry. He noted that the US Bureau of Reclamation (USBR) announced an initial Class 1 Allocation of just 15% for the 2022-23 water year. This minimal allocation, if not increased, would result in an irrigation season similar to this past summer with a 3-4 week run in the late July-early August window.

He also shared that District staff has been given the final 2021-22 water year numbers and will be preparing the 3rd Round Groundwater Recharge Credit Allocation to all eligible parcels in good standing later this week. As a reminder, that water was run into the Porter Slough as recharge from late December 2021 through mid-February 2022 when supplies exhausted.

The Manager also noted there was a little water run for individual District customers under special arrangements made as a result of those individual's transfers from other sources or programs.

Status Report of Authorities: DCTRA, TRA, VAWC & FWA: Mr. Geivet, Mr. Keller and President Borba brought the Board up to speed on the other authorities.

Eastern Tule Groundwater Sustainability Agency (ETGSA): Manager Geivet noted that efforts continue to move towards the proposed 218 Election.

Success Reservoir Enlargement Project (SREP) Update: Directors Borba and Gisler provided a brief update on the project's progress.

Future Planning: Nothing new to report.

BANKING POLICY – Discussion on a revised Banking Policy

Nothing new to report at this time.

Director Gisler departed the Board room at 10:30 a.m.

2022 BUDGET – Review and consider adopting the draft 2022 Budget

The Board took under review and held discussion on the 2022 draft budget based upon a 20% Class 1 projection. After some discussion about the current events and pricing instability, the Board recommended several amendments to the budget as presented.

Due to the dry conditions and minimal initial USBR Class 1 allocation, as noted earlier in the Operations report, water rates discussions will be table to later in the year when more data is available.

Upon motion by Director Witzel, seconded by Director Chambers, the 2022 Budget was adopted with the following revisions to the draft that was presented:

- Friant Water Authority O & M was increased from \$335,000 to \$350,000;
- Friant Water Auth-SLD (O&M) was increased from \$445,000 to \$500,000;
- Repairs-Distribution Sys (O&M) was increased from \$15,000 to \$50,000;
- Supplies – Weed Control (O&M) was increased from \$7,000 to \$12,000;
- Gasoline & Oil (O&M) was increased from \$9,500 to \$15,000; and
- Supplies – Weed Control (O&M) was increased from \$7,000 to \$12,000.

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

(A copy of the 2022 Budget as approved is incorporated in the minutes by reference and is on file in the office of the District.)

COLLECTORS DEED PROCEDURE

- Discussion on the District's Collections Procedure**
- Status of Assessment Delinquencies**

The Assessor/Collector briefly shared with the Board that we recently reached out to our legal counsel to review and update as needed the Collections Procedures recommended by previous legal counsel in the early 2000's. They responded just days before this meeting and apparently not much has changed and the timeline and steps are still applicable. We have plans to revamp that process/timeline document as well as the templates for the various customer contact letters at the different stages of the process and will present for the Board's review at a future date.

Included in the meeting packet was also a report listing the delinquencies as of March 1, 2022 along with the lien recording dates that is used to determine when the Collectors Deed process is an available option. We anticipate more on this topic in coming months.

CALIFORNIA FARM WATER COALITION (CFWC) – Consider renewing membership in 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.

Upon motion by Director McCowan, seconded by Director Witzel, the Treasurer was authorized to submit a contribution payment of \$2,550.00 to continue membership in the California Farm Water Coalition as presented:

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

SURPLUS EQUIPMENT – Consider designating old equipment as surplus for disposal

Manager Geivet reviewed a draft notice presented in the meeting packet for the Board's consideration to declare the older backhoe as surplus. There have been a couple of public inquiries about its status and those names are being retained to contact in the event it becomes available. He also noted that he and staff have reached out to the San Joaquin Valley Air Quality Control Board to get information about potential rebate programs that might be available to cycle older equipment out of use, however were told that those programs were for "ag production" equipment and they thought it was a stretch that an irrigation district's backhoe might qualify. The Board asked that this item be tabled to do more research as there were some new suggestions. No action taken at this time.

The Manager suggested that we adjourn into closed session. All other guests departed at 10:44 a.m.

Pursuant to Government Code Section 54956.9, the Board adjourned into closed session at 10:45 a.m.

The Board adjourned from closed session at 10:58 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

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

No reportable action.

ADJOURNMENT –President Borba adjourned the meeting at 11:00 a.m.



Jody A. Griswold-Bratcher, Secretary