Minutes of Regular Meeting, Board of Directors
April 12, 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* Josh T Fox, *Consulting Legal Counsel* 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 2022-04-01 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 McCowan, seconded by Director Witzel, the following Resolution was passed and adopted:

RESOLUTION NO. 2022-04-01

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 12th day of April 2022 by the following vote:

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

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 12th day of April 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 12th day of April 2022.

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

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

APPROVAL OF THE MINUTES

Upon motion by Director Witzel, seconded by Director McCowan, the Board approved the Minutes of the Board of Directors Regular Meeting of March 8, 2022 as presented by the following vote:

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

(During the meeting it was questioned if the meeting attendance was correct if Director McCowan was noted as absent for the Remote Teleconferencing Resolution vote. It was clarified that he was only absent for the voting on that agenda item. He joined the meeting after the vote and at the start of the Public Comments item.)

AUTHORIZATION TO PAY BILLS

Upon motion by Director McCowan, seconded by Director Witzel, the Board authorized the Treasurer to pay all outstanding bills against the District as presented by the following vote:

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

MONTHLY REPORTS – Financial Reports: The Secretary-Treasurer included in the Board meeting packet the February 2022 Balance Sheet, showing status of the banking accounts, and Income Statements for the same period. The Treasurer stated that these reports are still considered preliminary pending any additional 2021 entries made as a result of the upcoming audit.

Upon motion by Director McCowan, seconded by Director Witzel, the Board accept the preliminary financial reports as presented and to place the reports on file as presented by the following vote:

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

Administration Report: The Manager noted the inclusion of the annual Rate Stabilization Fund Report (Enclosure #6.B.1.) from our insurance carrier.

Also included in the packet is the "Monthly Google Analytics Report" on the District's website that has been live since August 2021 (Enclosure #6.B.2.).

Director Gisler entered the Board meeting at 9:12 a.m.

Operations/Water Report: District Engineer/Acting Manager Keller brought the Board and guests up to date on the District's water supply. Included in the meeting packet were two water schedules. The first being the final schedule for the 2021-22 water year (Enclosure #6.C.1.) and second being the preliminary schedule based on the US Bureau of Reclamation's (USBR) initial Class 1 Allocation of just 15% for the 2022-23 water year (Enclosure #6.C.2.).

Director Chambers entered the Zoom Board meeting at 9:15 a.m.

Discussion moved to the Exchange Contractors call on the upstream water supply resulting in a low CVP allocation as a result of dry conditions experienced after a bountiful December.

Although not discussed, also included in the meeting packet were several operations-related items. Enclosures #6.C.3. and 4. from USBR in regards to their 2022 water rates. Enclosure #6.C.5. compared the most recent groundwater measurements around the District with Spring 2021. And lastly, Enclosure #6.C.6. reporting rainfall totals for October 2021 – March 2022 of 7.16 inches.

Status Report of Authorities: DCTRA, TRA, VAWC & FWA: Enclosure #6.D. in today's meeting packet is a news release from Friant Water Authority (FWA) that announces the "DWR Releases Funds for Repairs of the Friant-Kern Canal". Mr. Keller and President Borba brought the Board up to speed on FWA news as well as the other authorities.

Eastern Tule Groundwater Sustainability Agency (ETGSA): Manager Geivet reviewed Enclosure #6.E. announcing ETGSA's "Notice of Amendment to Groundwater Sustainability Plan (GSP)" plans. He also updated the Board on other ETGSA matters.

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

Future Planning: It was noted there is an agenda item to be discussed later in today's meeting regarding the Northwest Service Area (SA4).

BANKING POLICY – Discussion on a revised Banking Policy

The Manager shared that a draft for review and in-depth discussion should be available at next month's meeting.

2022 BUDGET – Review and consider amending the 2022 Budget as adopted on 03/08/22

Although this item was tabled today, it was noted that the revisions to several expense items at last month's meeting should be offset by amending one or more income categories. The Manager will make a recommendation for the Board's consideration when the 2022 water rates are reviewed at a future meeting.

PIPELINE PROJECT – Consider proposal to prepare a USBR Drought Resiliency Grant Application for the Northwest Service Area (SA4)

The Manager reviewed a proposal from Provost & Pritchard Consulting Group (P&P) to prepare a USBR WaterSMART Grant Application to request funding for the Northwest Service Area Project (SA4). He noted the deadline for the application is June 15, 2022 so we will need to act quickly to get all steps completed for the application process.

> M/S/U McCowan, Gisler to authorize the Manager to execute the Consultant Services Agreement, as presented, to prepare a USBR Drought Resiliency Grant Application for the Northwest Service Area (SA4).

DEER CREEK TULE RIVER AUTHORITY (DCTRA) – Review and consider authorizing the Agreement Amongst Members of the DCTRA for the Distribution of Certain Authority Property to the Members

The Board reviewed Enclosure #10 in the meeting packet which is an Agreement that outlines the process involved to distribute the DCTRA basins from DCTRA to the individual districts as well as to facilitate a buy-in – buy-out distribution of interest in the basin. The Agreement also stipulates that Porterville Irrigation District (PorID) and Stone Corral Irrigation District (SCID) have chosen to be bought out of their interest, while Saucelito Irrigation District (SID) will increase its current interest; and Tea Pot Dome Water District (TPDWD) and Vandalia Water District (VWD) will both obtain interest in the basin property.

> M/S/U McCowan, Gisler to authorize President Borba to execute the Agreement Amongst Members of the DCTRA for the Distribution of Certain Authority Property to the Members.

Mr. Keller suggested that we adjourn into closed session. All other guests departed at 9:47 a.m.

Pursuant to Government Code Section 54956.9, the Board adjourned into closed session at 9:48 a.m. with Consulting Legal Counsel Josh Fox from Ruddell, Stanton, Bixler, Mauritson & Evans LLP.

The Board adjourned from closed session at 10:25 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.

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – [Government Code Section 54956.9(d)(1)] *Arvin-Edison Water Storage District v. PID, PID Board and Homer LLC*, Kern County Superior Court, Case No. BCV-22-100617

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 10:26 a.m.

JGBratcher

Jody A. Griswold-Bratcher, Secretary