



**Minutes of Regular Meeting, Board of Directors
December 13, 2022**

The Board of Directors of the Porterville Irrigation District met this day in regular session. Consistent with Executive Order N-29-20 and social distancing directives, the meeting was conducted by teleconference from the District office at 22086 Avenue 160 in Porterville, California; with District representatives and a few guests on a limited space and first come/first served basis.

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*
Jody A. Griswold-Bratcher, *District Secretary-Treasurer, Assessor/Collector*
Ann Erikson, *District Administrative Assistant*
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 – Consider adoption of a Resolution 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 Chambers, seconded by Director Witzel, the following Resolution was passed and adopted:

RESOLUTION NO. 2022-12-01

***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 13th day of December 2022 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 13th day of December 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 13th day of December 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.

APPROVAL OF THE MINUTES

M/S/U Gisler, Chambers to approve the Minutes of the Board of Directors Regular Meeting of November 8, 2022 as presented.

AUTHORIZATION TO PAY BILLS

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

MONTHLY REPORTS

Financial Reports: The Treasurer included in the Board meeting packet the October 2022 Balance Sheet, showing status of the banking accounts, and Income Statements for the same period. Also included in the packet is the Local Agency Investment Fund (LAIF) statement for October 2022 reflecting interest earned in the 3rd Quarter 2022 of \$8,554.83.

Discussion ensued on the financials which lead to the status of planned repairs of P1 where it was noted that Mr. Keller is working on ordering pipe. Plans for a potential landowner meeting for a Southeast Service Area project were mentioned. Discussion moved to how the District currently handles expansion. In recent past, PID paid for the feasibility study then waited to see if financing would allow moving forward if affected landowners agree to pay for the balance of the project.

The Manager also announced that he hired a new controller to start next week.

Administration Report: The Manager quickly reviewed a letter from the Tulare County Registrar of Voters indicating that the Board of Supervisors appointed Directors Borba and Gisler in lieu of election since they ran unopposed in last month's election (Enclosure #6.B.1.). Director McCowan's information was mailed direct to him, so he will submit to the District.

Also included in the meeting packet was a letter from the District's insurance carrier ACWA-JPIA transmitting several "President's Special Recognition Award" certificates issued to the District (Enclosure #6.B.2.).

Operations/Water Report: District Engineer Nick Keller reviewed with the Board and guests the U.S. Bureau of Reclamation (USBR) water schedule (Enclosure #6.C.1.).

Also included in the meeting packet was Enclosure #6.C.2. reporting rainfall totals going back through the 1960's. The total rainfall for the current water year, which began October 2022, is 1.81 inches.

Status Report of Authorities: DCTRA, TRA, VAWC & FWA: Manager Geivet and President Borba brought the Board and guests up to date on Friant Water Authority (FWA) topics such as recent FWA Board Retreat held late last month.

Eastern Tule Groundwater Sustainability Agency (ETGSA): The Manager and President Borba gave a brief update on ETGSA transition pumping issues.

Success Reservoir Enlargement Project (SREP) Update: The project is ongoing with nothing significant to report.

Future Planning: Nothing new to add to what was discussed earlier in the meeting.

BANKING POLICY – Discussion on a revised Banking Policy

Manager Geivet once again updated the Board and guests on the status of the draft Water Banking Policy document noting some additional review has been warranted. He hopes to have the document ready for the next meeting.

DEER CREEK & TULE RIVER AUTHORITY (DCTRA) TERMINATION AGREEMENT – Review and consider authorizing the Board's President and Secretary to sign an Amendment to Joint Powers Agreement providing for termination of the DCTRA

The Manager briefly brought the Board and guests up to date on the status of the DCTRA. He then brought to the Board's attention the Amendment to Joint Powers Agreement providing for termination of the DCTRA as Enclosure #8 in the meeting packet.

M/S/U McCowan, Gisler to authorize the Board President and Secretary to sign the Amendment to Joint Powers Agreement providing for termination of the DCTRA as presented.

All guests departed the online Board Zoom meeting at 10:25 a.m.

Pursuant to Government Code Sections 54956.9, the Board adjourned into closed session at 10:26 a.m. The Board adjourned from closed session at 11:13 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.

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

No reportable action.

**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.

**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 11:14 a.m.



Jody A. Griswold-Bratcher, Secretary