

**MINUTES OF REGULAR MEETING OF THE BOARD OF DIRECTORS  
OF THE TULARE IRRIGATION DISTRICT  
HELD AT 6826 AVENUE 240,  
TULARE, CALIFORNIA 93274  
VIA ZOOM TELECONFERENCE ON THE  
17<sup>th</sup> DAY OF JANUARY, 2023 AT THE HOUR OF 9:00 A.M.**

Call to Order and Roll Call:

Mr. Fukuda reported due to the Governor's Executive Order (N-29-20) and the declared state of emergency, including current social distancing directives as a result of the threat of the COVID-19 virus, the Tulare Irrigation District (TID) Board Members met in person at the Tulare Irrigation District Administration Office, under social distancing guidelines. There was no physical location for this meeting for the public. Members of the public and other officials participated in the Open Session portion of the meeting remotely via Zoom teleconference.

Directors present at the meeting held at the date and time above designated were President David Bixler, Rick Borges, Dave Martin, Scott Rogers, and Mike Thomas. Staff present at the meeting were Aaron Fukuda, General Manager; James Fisher, Water Resources Engineer; Marco Crenshaw, Watermaster; Jeremy Barroll, Assistant Engineer; Diana Zegarra, Assistant Water Resources Engineer; and Jorge Munoz, Assistant Engineer. Present via Zoom teleconference was David Van Groningen. Mr. Bixler thanked everyone for attending and announced that there was a full quorum of the Board of Directors present. President Bixler asked if there were any changes, additions, or deletions to the agenda, of which Mr. Fukuda reported there was none. The meeting was thereupon called to order by President Bixler.

Oath of Office:

At the start of the meeting Dave Martin, Director Division 2, recited the sworn oath of office before the Board of Directors.

Public Comments:

Mr. Fukuda welcomed and introduced Jorge Munoz, the newly hired TID Assistant Engineer. Mr. Munoz introduced himself to the Board of Directors.

Matters for Consideration of Board Action:

Resolution No. 23-02 - Virtual Meeting Resolution. A Resolution of the Board of Directors to the Tulare Irrigation District proclaiming a local emergency, ratifying the proclamation of a State of Emergency by the California Governor's Executive Order N-15-21 and authorizing remote teleconference meetings of Tulare Irrigation District Board of Directors for the period January 17, 2023 to February 16, 2023 pursuant to Brown Act provisions. By the motion of Director Martin and seconded by Director Borges, unanimously carried by all Directors present, Resolution No. 23-02 was thereupon approved as presented.

Director Bixler then moved the meeting to Closed Session.

Closed Session:

The Board thereupon entered into closed session under §54956.8, §54956.9(a)), §54956.9(b)), §54956.9(c)), §54957.6, §54957, and §54956.95 of the Government Code.

Upon returning to Open Session, President Bixler reported that the Shafter-Wasco Irrigation District and Tulare Irrigation District Agreement for Exchange of Water was approved by a motion of Director Borges, seconded by Director Rogers and unanimously approved by all directors present.

### Approval of Minutes:

Director Bixler then noted that the minutes of the Regular Meeting of December 13, 2022 were distributed and asked if any errors or omissions were noted therein. By the motion of Director Borges and seconded by Director Rogers, unanimously carried by all Directors present, the minutes of the Regular Meeting of December 13, 2022, were thereupon approved as presented.

### Watermaster Report:

Lake Kaweah Storage and Operations: Mr. Crenshaw reported on Lake Kaweah Storage and Operations/Water Supply Outlook - Mr. Crenshaw began his report by noting the Terminus Reservoir total inflow as of January 6<sup>th</sup> was 2,420 CFS, and the storage at Terminus Reservoir for the previous day was 79,612 AF. He then reported that the daily release from Terminus Reservoir was 2,353 CFS.

Thereupon, Mr. Crenshaw mentioned that the Millerton Lake total inflow was 9,193 CFS and the entire storage at Millerton Lake was 432,944 AF. He reported that the total daily release from Millerton was 6,744 CFS.

Mr. Crenshaw provided a 2005-Current Kaweah River Snow Water Content chart, which showed the Kaweah River Surrounding Snow Sensor Water Content Above Average Years 270% of the January 16<sup>th</sup> Average and 145% of the April 1<sup>st</sup> Average. Then, Mr. Crenshaw reported on San Joaquin River Snow Water Content 274% of the January 16<sup>th</sup> Average and 142% of the April 1<sup>st</sup> Average.

Mr. Crenshaw cited precipitation amounts to date at the district yard totaling 187% of the January 16<sup>th</sup> Average.

Mr. Crenshaw presented for discussion the Average SST Anomalies for October 10, 2021 - January 7, 2023.

Next, Mr. Crenshaw provided the Board with a Daily Water Summary as of January 16<sup>th</sup> reporting the following: TID Terminus Entitlement Share 1,275 AF; Total Diversion for TID 597 to 635 CFS; and Number of Turnout on: 52.

Water Supply Outlook - Mr. Crenshaw continued his report by indicating that the district's current water supply stood at 45,196 AF. The January 2022 to December 2022 cumulative diversions to TID were 28,826 AF. The Central Valley Project (CVP) Supply Contract totaled: 20,550 AF.

Lastly, Mr. Crenshaw presented a 2022 Headgate Diversions in acre-feet chart reporting Water Delivered to Farm Turnouts in 2022 totaling 10,770 AF and District Ground Water Recharge amounted to 18,056 AF. Mr. Crenshaw cited 2022 Diversion to Farm Turnouts at 37%; Recharged in District Basins at 36%; and Recharged in District Canals at 27%.

### Water Management Activities and Issues -

Statewide and Local Conditions: Mr. Fukuda reported on Current California Reservoir Operations first reporting on Friant Allocation reporting on the following: Friant is in Uncontrolled Season (200,000 AF of UCS); 100% Class 1; Friant Kern Canal (FKC) is out of service for Middle Reach Project will be back to service after January 25<sup>th</sup>; Most FKC Contractors dealing with local streams above the Middle Reach.

Mr. Fukuda provided for Board discussion a Terminus Operations January 8, 2023 to January 10, 2023 Storage/Flow (CFS)/Time Chart comparing: Lake Kaweah Storage; Lake Kaweah Inflow; Dry Creek Inflow and Terminus Release.

Next, Mr. Fukuda presented a California Snow Water Content Chart as of January 12, 2023 reporting: Northern Sierra/Trinity 192%; Central Sierra 229%; and Southern Sierra 267%; and Statewide 227%.

Mr. Fukuda thereupon presented a San Joaquin Precipitation 5-Station Index highlighting the Percent of Average for January 12, 2023 was 191%. Reporting Precipitation: 1982-1983 77.4 (Wettest); 2016-2017 72.7 (2<sup>nd</sup> Wettest); 1976-1977 15.4 (2<sup>nd</sup> Driest); and 2020-2021 18.80 (3<sup>rd</sup> Driest).

Then, Mr. Fukuda presented a Tulare Basin Precipitation: 6-Station Index, highlighting the Average for January 12, 2023 was 202%; 1968-1969 66.3 (Wettest); 1982-1983 66.2 (2<sup>nd</sup> Wettest); 2020-2021 9.9 (Driest); and 1976-1977 (2<sup>nd</sup> Driest).

Establish Water Rate for Winter 2023: Mr. Fukuda requested direction from the Board on establishing the 2023 Irrigation Winter season rate. Mr. Fukuda stated the current Water Rate is \$52 per AF. Mr. Fukuda reported the following: Water Rate has been set at \$52 per AF since the Summer of 2020; Per Water Rate Prop 218, the Board can consider a rate up to \$55 per AF. Then, Mr. Fukuda addressed the potential budget impact of an additional \$3 per AF. Next, Mr. Fukuda reported on the current Status: 635 CFS of Diversion; 52 turnouts on and more to come; and Recharge basins not at full capacity, but growing. Lastly, Mr. Fukuda presented for discussion a Revenue Forecast. The Board directed Mr. Fukuda to keep the 2023 Winter Water Rate at \$52 per AF.

On-Farm Water Recharge Program: Mr. Fukuda requested direction from the Board to have a 2023 On-Farm Recharge Program. Mr. Fukuda reported that growers have asked for free water or a significantly reduced rate during this initial flood release. Mr. Fukuda stated District Staff cannot make free water available mentioning it would be considered a gift of public funds but can make water available under an On-farm recharge program. Mr. Fukuda reported the following: On-Farm Program ran in 2017 and 2019; Water was made available for free, but no groundwater credit is applied to the individual landowner; Landowner must take water as long as TID has excess available; and Landowner must manage the water and accept liability. The Board directed Mr. Fukuda to provide the On-Farm Water Recharge Program to Growers/Landowners who want to sign-up.

Out-of-District Sales - Pilot Program: Mr. Fukuda recommended and requested direction from the Board to implement an Out-of-District Sales - Pilot Program. Mr. Fukuda recommends implementing the Out-of-District Pilot program in 2023. Mr. Fukuda outlined the conditions for making water available to landowners out of TID. Mr. Fukuda reported the Preliminary Conditions for making water available would be as follows: (1) TID Recharge Basin are generally at capacity; (2) TID distribution system is at capacity; (3) All grower demands are being met by existing capacity; (4) All recharge partners are being met, specifically the City of Tulare and City of Visalia; (5) TID exchange partners for surface water are being met. (6) Mechanism: Letter Agreement; (7) Term-One Year; (8) Applicant: Priority will be given to TID Growers who have land immediately outside the district; (9) Orders will be fulfilled in the order that agreements are signed; (10) Terms. Then, Mr. Fukuda briefed the Board on the Terms: (1) TID will make excess surface water supplies available upon Preliminary Conditions being met. (2) Land under which surface water is supplied and/or groundwater credits will be shared outside of the district will pay the 2023 Assessment rate of \$67 per acre; (3) Landowner must pay for any improvements to deliver and track the water (including meters); (4) Surface water must be tracked and only applied to lands under the Agreement; (5) Surface water will be charges at a rate of 1.5 times the in-District rate (\$52\*1.5 = \$78). Next Mr. Fukuda added TID/MKGSA shall coordinate with neighboring GSAs to pursue the coordination of the recharge and the potential to move the groundwater credit between the district and the out of District ground. Mr. Fukuda presented examples for discussion. By the motion of Director Borges,

seconded by Director Martin, and unanimously carried by the Directors present, the 2023 Out-of-District Sales Pilot Program was approved as presented.

O&M Superintendent Report: No Report provided.

Treasurer Reports:

Approval of Financial Statements - Mr. Fukuda presented the financial statements for December 2022 for the Board's review and consideration. She addressed first the revenue and expense statement, indicating that the total revenue for December 2022 was \$10,506,744 which was approximately 121.04% of the revised budget. He next presented the expenses, highlighting several items and reporting expenses from November totaling \$10,299,299 which was approximately 94.72% of the revised budget. He then went on with presenting the statements of cash flows and net assets, stating that the current cash standing was at \$8,973,657. Based on the Statement of Net Assets, Mr. Fukuda reported that Total Liabilities were at \$13,799,667, and the Total Equity in the District stood at 33,030,193. He thereupon cited investment return for the district's several holding accounts, those being 1.370% with the Tulare County Pooled Investment Fund, 2.007% with the State LAIF, and 0.100% with Citizen's Money Market Fund. Lastly Mr. Fukuda reported that the District has six months of funds to support operations.

Then, Mr. Fukuda reported on the following Designated Funds: Water Sale Rate Stabilization, Groundwater Replenishment, and CVP Environmental Charges.

Approval of Bill Payments - Mr. Fukuda presented the list of bills submitted for ratification and approval by the Board. After scrutiny of particular bills, the Board, by the motion of Director Martin, seconded by Director Thomas and unanimously carried by all Directors present, accepted the financial statements and, by said motion, check nos. 54518 through 54565 totaling \$1,257,805.55 were all either ratified or approved as paid, exclusive of any voided or withheld checks.

Assessor-Collector Report:

Status of First Installment Receipts - Mr. Fukuda presented the 2023 Assessment components: General & Administration, Surface Water Supply and Capital Improvement Projects. Mr. Fukuda presented the Assessor's Board report and noted that 94% of the 1<sup>st</sup> installments had been collected, and approximately 44% of the 2<sup>nd</sup> installment has been collected. Mr. Fukuda reported Water Tolls in the amount of \$7,067.02.

Thereupon, Mr. Fukuda reported the December 20<sup>th</sup>, 1<sup>st</sup> Installment 10% Penalties totaled \$19,751.89. Mr. Fukuda mentioned no issues with Covid-19 US Postal adjustment request to date.

Next, Mr. Fukuda presented for Board discussion a 2017-2022 Assessment comparison report providing percentage paid and % due as of January 6<sup>th</sup> for each year.

Lastly, Mr. Fukuda reported on Delinquent Tax Sales Liens 2017-2022 totaled \$36,633.24; and Delinquent Tax Sales moved to Tulare County 2007-2016 totaled \$4,012.00.

Engineer Report:

Update on Engineering Activities: Mr. Barroll provided an update on engineering, highlighting several ongoing projects that would impact the District. Mr. Barroll reported on the following five (5) projects: (1) Self-Help Enterprises Olema/West Street development project; (2) Liberty Hill Bardsley/West Street development project; (3) Paige/I Street industrial development project; (4) Darrel's Mini Storage SE Mooney/Ave 264 Project; and (5) Caltrans Packwood/99 Bridge project.

#### Management Staff Report:

Sustainable Groundwater Management ACT (SGMA) Matters - Mr. Fukuda summarized recent activities concerning the Kaweah Subbasin. Mr. Fukuda reporting on the following: Greater Kaweah GSA - Mark Larsen named new General Manager; M&A beginning work on Kaweah Subbasin Data Management System; and Provost & Pritchard working on Water Year 2022 Annual Report.

Mid-Kaweah Groundwater Sustainability Agency (MKGSA): Mr. Fukuda presented an update on the MKGSA. Mr. Fukuda briefed the Board on the following: (1) working on invoicing - had technical issues with data delaying invoicing from December 2022 to January 2023; (2) will be sending out ads for applications to the Advisory Committee; (3) Grants: Landflex - Retire Ground around DACs and 4) California Department of Food and Agriculture (CDFA) Block Grant will be coming out soon.

Friant Matters: Mr. Fukuda provided the Board with an update on Friant Activities. Mr. Fukuda reported on the following: Friant Kern Canal out for Middle Reach Projects and other canal projects; Friant working closely with the Bureau no operations; Capacity Study Revised - cost-benefit ratios went down from previous estimates; Friant - Scope of work for further investigation into FKC Fixes coming in February/March.

McKay Point Reservoir/Seaborn Reservoir - Mr. Fukuda provided the Board with an update on the McKay Point Reservoir/Seaborn Reservoir Project. Mr. Fukuda first reported on the Seaborn Reservoir Project, reporting the following: working on a flyer for the Seaborn Project; worked on Scope of Work and Budget for the Feasibility Report; and discussion with Sequoia Riverlands Trust about the projects and the inclusion of a Community Center.

Next, Mr. Fukuda reported on McKay Point Reservoir. Mr. Fukuda reported meeting with project partners in December and working with the County of Tulare on Air Quality comments.

San Joaquin Valley Collaborative Action Plan - Mr. Fukuda reported on the San Joaquin Valley Collaborative Action Plan reporting on the following: (1) Phase 1 Completed - Cap Term Sheet approved; (2) CAP Executive Team secured funding (Phase 2); (3) CAP restructure; (4) establishing Phase 2 Priorities. Mr. Fukuda will be participating in the Cap restructure Water Caucus.

Legislation - Mr. Fukuda presented an update on legislation mentioning the Governor's Preliminary Budget. Mr. Fukuda reported: \$22.5 billion deficit; Governor signaled the potential of a General Obligation Bonds for climate, wildfire, and water projects; \$4.7 million for stream gauges; \$4.9 million for San Joaquin River Basin Recharge Water Availability Analysis; \$8.6 billion over multiple years for drought and water resilience.

#### General Manager Report:

Mr. Fukuda reported that his focus has been the following four panel presentations: (1) working with Cal Poly BRAE Department on scheduling a session to discuss water issues with students; (2) working with a Cal Poly BRAE student on an innovative internship with Provost & Pritchard; (3) invited to speak at the California Irrigation Institute conference in late February; and (4) Will not be attending the Bureau of Reclamation Water Users Conference.

#### Matters for Consideration of Board Action:

California Farm Water Coalition Dues - Mr. Fukuda presented for Board review and consideration California Farm Water Coalition Dues request. Mr. Fukuda stated TID's annual contribution to California Farm Water

Coalition is \$9,435.00. By the motion of Director Martin and seconded by Director Rogers, unanimously carried by all Directors present, California Farm Water Coalition contribution in the amount of \$9,435.00 was thereupon approved.

2023 Preliminary Budget - Mr. Fukuda reviewed the District 2023 Preliminary Budget for Board consideration and approval. He stated his numbers were built on an above-average year reporting on Water Assumptions, Assessment Assumptions, and Expense Assumptions. He cited project revenue income of \$13.8 million, O&M expenses of \$11.4 million, and Capital costs of \$3.7 million, the combination of which should leave the district in the range of approximately \$6.0 million in cash reserves at year's end. By the motion of Director Rogers, seconded by Director Thomas, and unanimously carried by all Directors present, the Preliminary 2023 budget was approved as presented.

Resolution No. 23-01 - Board Members Assignments and Proxies: Mr. Fukuda presented the subject resolution and associated listings of appointments, proxies, and representations to be identified among board members and staff. It was agreed that the current slate of such persons was appropriate for the 2023 year. Kaweah River Power Authority was removed from the appointment list, Resolution No. 23-01 was adopted with the motion of Director Thomas, seconded by Director Martin, and duly put to a vote and unanimously carried by all board members present.

Resolution No. 23-03 - USBR Section 215 Contract. Mr. Fukuda recommends and presented Resolution No. 23-03 Execution of Contract with the U.S. Bureau of Reclamation for the purchase of 215 Water. By the motion of Director Martin, seconded by Director Rogers, and unanimously carried by all Directors present, Resolution No. 23-03 was approved as presented.

Board Member Reports of Meetings:

Director Bixler asked if any of the Directors have reports on meetings they attended or wished to discuss at this time.

Director Martin reported attending the Kaweah & St. Johns River Association Board Meeting on January 5, 2023.

Director Thomas reported attending a Wutchumna Water Company Board meeting on December 14, 2022 and again on January 11, 2023.

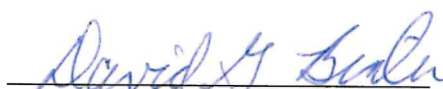
Closed Session:

The Board thereupon adjourned into closed session under \$54956.8, \$54956.9(a), \$54956.9(b), \$54956.9(c), \$54957.6, \$54957, and 54956.95 of the Government Code.

Upon returning to open session, it was reported that no reportable actions were made by the Board.

There being no other items to come before the Board of Directors, the meeting was then adjourned. The next regular board meeting was reported to be on February 21, 2023.

  
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Secretary

  
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President