

**MINUTES OF REGULAR MEETING OF THE BOARD OF DIRECTORS  
OF THE TULARE IRRIGATION DISTRICT HELD  
VIA ZOOM TELECONFERENCE ON THE  
14<sup>th</sup> DAY OF JUNE, 2022 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 at the District Office (6826 Avenue 240, Tulare, CA 93274) 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, Scott Rogers, Dave Martin, and Mike Thomas. Staff present at the meeting were Aaron Fukuda, General Manager; Kathi Artis, Controller and Treasurer; Beth Holmes, Senior Administrator and Assessor-Collector; James Fisher, Water Resources Engineer; Marco Crenshaw, Watermaster; Wayne Fox, Superintendent; Jeremy Barroll, Assistant Engineer; and Alex Peltzer, District Counsel. Also present or via Zoom teleconference roll call were Maryse Suppiger, Manulife Investment Management, Timberland and Agriculture; Don Wright, Water Wrights; Matt Klinchurch, Provost & Pritchard Consulting; Lora Carpenter and Robert Porr, Fieldman, Rolapp & Associates; Paul Grensman; Nancy Jacobus; Larry Dutto; Doug Reynolds; Earl Avila, Talik Hanzadeh; Janet (Last Name Unknown); and Scott Kuney, Young Wooldridge. 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.

Public Comments:

There were no public comments to come before the Board.

Matters for Consideration of Board Action:

Resolution No. 22-08 - 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 June 14, 2022 to July 14, 2022 pursuant to Brown Act provisions. By the motion of Director Martin and seconded by Director Borges, unanimously carried by all Directors present, Resolution No. 22-08 was thereupon approved as presented.

Proposition 218 Engineer's Report. Mr. Fukuda provided for Board discussion a Prop. 218 Engineer's Report prepared by Provost & Pritchard (P&P) Consulting Group.

Mr. Fukuda introduced the Prop. 218 Team: Matt Klinchuch (P&P) Consultant; Alex Peltzer, District Legal Counsel; Lora Carpenter and Robert Porr, Fieldman, Rolapp & Associates.

Thereupon Mr. Fukuda presented a power point presentation titled Tulare Irrigation District Assessment Increase Presentation (Prop 218). Mr. Fukuda covered the following: Historical District Background; Board Representatives 5 Divisions; Historical (1964-2022) TID Assessments; Time of Tulare ID Assessment; Tulare ID Strategic Plan; and Long-Range Financial Plan.

Mr. Fukuda noted that the conclusion is that the current rate

structure is not adequate to meet the needs of current and future programs. The District intends to restructure and increase its land-based assessments. Mr. Fukuda highlighted Revised Long-Term Financial Plan Assessment Rates Range \$87-\$189.

Then, Mr. Klinchuch presented for board discussion the Engineer's Report prepared for TID's Proposition 218 Procedures for Benefit Assessment. Mr. Klinchuch covered the following:  
Current Assessment Basis \$32.00 Ad Valorem & Environmental Charge; Proposed Benefit Assessment flat rate; Parcels greater than 1 acre assessed all 3 categories: District Fixed Costs - (1) General & Administration (65,070 Acres) \$67.00/Acre; (2) Water Supply (64,980 Acres) \$35.00/Acre; (3) Capital Improvement Projects (64,980 Acres) \$38.00 = \$140.00/Acre; Total Revenue: \$9,103,230.00. Highlighting Parcels less than 1 acre only assess the General and Administration (\$67); Proposed Western US Cities CPI Escalation with option to adopt maximum; and Proposed 5-year Ramp Up Escalation period.

Next Mr. Fukuda provided for discuss a Friant District Assessment Comparison chart and a Friant District Assessment plus Water Rate Comparison Chart.

Mr. Fukuda requested Board consideration to approve the Engineers report at the July 12<sup>th</sup> TID Board meeting. Mr. Fukuda presented a TID Prop 218 Schedule: June-July Prop 218 Outreach Plan; Mid-July Ballots mailed to landowners; July-August TID staff available for meetings and questions; Public Hearing and Ballot Count set for August 31<sup>st</sup>. MK Elections will handle and certify the ballots count. The Outreach has officially started with five Division Workshops scheduled at the Tulare County Ag Commissioners Office and three virtual workshop.

Lastly, Mr. Fukuda updated the Board on the TID/City of Tulare Annexed lands and Recharge Rates agreement. The Board requested that Mr. Fukuda continue the discussions with the City of Tulare and potentially establish a meeting between representatives to discuss the approach that will be used.

#### Approval of Minutes:

Director Bixler then noted that the minutes of the Adjourned Regular Meeting of May 10, 2022 were distributed and asked if any errors or omissions were noted therein. By the motion of Director Borges and seconded by Director Martin, unanimously carried by all Directors present, the minutes of the Adjourned Regular Meeting of May 10, 2022 were thereupon approved.

#### Watermaster Report:

Mr. Crenshaw reported on Lake Kaweah Storage and Operations/Water Supply Outlook - Mr. Crenshaw began his report by noting Terminus Reservoir total inflow for the day was 235 CFS, and the storage at Terminus Reservoir for the previous day was 112,942 AF. He then reported that the daily release from Terminus Reservoir was 803 CFS.

Thereupon, Mr. Crenshaw mentioned that the Millerton Lake total inflow was 1,930 CFS and the entire storage at Millerton Lake was 367,709 AF. He reported that the total daily release from Millerton was 2,072 CFS.

Water Supply Outlook - Mr. Crenshaw continued with his report by indicating that the district's current water supply stood at 6,150 AF. The January 2022 to May 2022 cumulated diversions to TID was 22,126 AF. CVP Supply 2022 Contract totaled: 3,500 AF.

Mr. Crenshaw thereupon reported that the District diverted 900 AF in May. He indicated that 45% of the diversions were delivered to farm turnouts; 43% recharged in District basins; and 12% recharged in District canals.

Mr. Crenshaw highlighted that TID needs a minimum of 20,000 AF for a

District-wide irrigation run.

Water Management Activities and Issues - Mr. Fukuda first updated the Board on California Reservoir Operations reporting Friant Allocations: 15% Class 1 and 0% Class 2. Mr. Fukuda reported that the Bureau is still releasing water down the San Joaquin River for San Joaquin River Exchange Contractors and California State Water Resources Control Board continues with curtailment orders.

O&M Superintendent Report:

Routine Work and Construction Projects - Mr. Fox reported to the Board activities undertaken during the past month. Mr. Fox reported on Routine Work and Construction Activities mentioning the following: Due to dry conditions pushing bottoms, canal improvements throughout the district, SCADA station maintenance operations, dozer work, hauling material to Crocker Cut, Upstream excavator work; and Herbicide application.

Mr. Fox stated the Shop is down one person and one employee is keeping up with the fleet vehicle repairs. Mr. Fox mentioned having one employee work for Kaweah Delta Water Conservation District discing basins and working on the Hanna-South operations.

Treasurer Reports:

Approval of Financial Statements - Ms. Artis presented the financial statements for May 2022 for the Board's review and consideration. She addressed first the revenue and expense statement, indicating that the total revenue for May 2022 was \$875,687, which was approximately 10.09% of the revised budget. She next presented the expenses, highlighting several items and reporting expenses from April totaling \$3,893,427 which was approximately 35.81% of the revised budget. She then went on with presenting the statements of cash flows and net assets, stating that the current cash standing was at \$7,576,907. Based on the Statement of Net Assets, Ms. Artis reported that Total Liabilities were at \$13,891,105., and the Total Equity in the District stood at 30,365,914. She lastly cited investment return for the district's several holding accounts, those being 1.04% with the Tulare County Pooled Investment Fund, 0.684% with the State LAIF, and 0.100% with Citizen's Money Market Fund.

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

Approval of Bill Payments - Ms. Artis 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 Thomas, seconded by Director Martin and unanimously carried by all Directors present, accepted the financial statements and, by said motion, check nos. 53897 through 54003 totaling \$554,894.50 were all either ratified or approved as paid, exclusive of any voided or withheld checks.

Thereupon, Mr. Fukuda moved the meeting to Closed Session.

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 return to open session, President Bixler reported that no action was taken in closed session.

Management Staff Report:

Sustainable Groundwater Management ACT (SGMA) Matters - Mr. Fukuda summarized recent activities concerning the Kaweah Subbasin. Reporting on the following: Department of Conservation - MBLRP Grant \$10 Million.

#### Executive Order N-7-22:

Mr. Fukuda reported that Governor Newsom on March 28, 2022 signed and issued Executive Order N-7-22. Mr. Fukuda covered the following key issues: MKGSA has an adopted form that is being implemented; 10 applications submitted, 2 pending with landowners; SWRCB Emergency Regulations passed on May 24<sup>th</sup>; cities must submit supply and demand assessment reports; as of April, the State is not saving as much water as anticipated; by June 10, 2022 all irrigation of non-functional turf with potable water must stop.

Mid-Kaweah Groundwater Sustainability Agency (MKGSA): Mr. Fukuda presented an update on the MKGSA. Mr. Fukuda highlighted the following: MKGSA has now started tracking ET values via Land IQ; a notice has gone out to growers via social media and a flyer; Water Dashboard early implementers have logged on; full registration will be available by July 15, 2022.

Next, Mr. Fukuda reported on MKGSA GSP Modifications reporting the following: GSAs, consultants and technical folks continue to meet weekly; the Kaweah Subbasin GSAs met with DWR on June 10, 2022; progress on issues: Declining Groundwater Levels - completed approach and technical appendix being routed for review; Subsidence - based on meeting with DWR, consultants can complete technical appendix; Interconnected Surface Water - based on DWR meeting, MKGSA and EKGSA still verifying approach. Mr. Fukuda highlighted we are a few weeks behind schedule - continue to share concern over the speed of decision making.

Friant Matters: Mr. Fukuda provided the Board with an update on Friant Matters. Reporting Friant Budget increased \$2.27 million. Mr. Fukuda reported: O&M increase \$1.14 million, Equipment purchases \$1.187 million, None Routine O&M \$1.2 million.

Mr. Fukuda reported on Water Quality Guidelines and provided details on a Water Quality Agreement. Mr. Fukuda reported the following: FWA has a Water Quality Ad Hoc Committee working on a Water Quality Program. Mr. Fukuda reported that if you put non-Millerton water of lower quality in the FKC you must do so under the Guidelines for Accepting Water into the FKC that was voluntarily implemented. Lastly Mr. Fukuda indicated that the FWA OM&R budget shall cover costs and seek reimbursement from parties that introduce non-Millerton water into FKC.

McKay Point Reservoir/Seaborn Reservoir - Mr. Fukuda provided the Board with an update on the McKay Point Reservoir/Seaborn Reservoir Project. First Mr. Fukuda coordinated with Mosquito Abatement to apply treatments to the Seaborn property. Mosquito abatement covers the cost of the material and owners will pay for flight (\$950.00 per flight).

Then, Mr. Fukuda reported on McKay Point Reservoir. Mr. Fukuda reported the following: SESPE completed EIR Sections and we have transmitted them to the Tulare County; We are setting up bi-weekly meetings to keep progress on review going.

Legislation - Mr. Fukuda provide a legislation update on AB2201 (Bennett). The Board discussed the merits of the bill. Mr. Fukuda reported the following: AB2201 (Bennett) legislation passed the Assembly and is moving to the Senate; Mr. Fukuda attended GRA Legislative Event where Assembly Member Bennett presented the bill; MKGSA is coordinating with other GSAs to share concerns.

#### General Manager Report:

General Manager Fukuda reported on the following events: Mr. Fukuda gave a presentation at the GRA SGMA Symposium; CalTrans Meeting; Mr. Fukuda hosted ACWA Executive Director Dave Eggerton tour; attended the GRA Legislative and SGMA Conference in Sacramento which Mr. Fukuda had

a panel with DWR and SWRCB; and Mr. Fukuda continues to participate in the Collaborative Action Plan (CAP).

Matters for Consideration of Board Action:

Mr. Fukuda presented for Board review and consideration Tulare Chamber of Commerce Membership in the amount of \$500.00. No action taken by the board, therefore action died due to lack of action by the board.

Mr. Fukuda presented for Board review and consideration TID Retirement Plan - Emergency Employee Adjustment. Current Policy allows employees to make adjustments once a year. TID employees would like the ability based upon board approval for emergency authorization to allow employees to adjust the Tulare ID retirement plan for an individual if they wish. By the motion of Director Borges, and seconded by Director Rogers, unanimously carried by all Directors present, emergency authorization, allowing Emergency Employee Adjustment up to two times before December 31, 2022 was approved.

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 Borges reported attending the following meetings: Kaweah & St. Johns River Association (KSJRA) Board meeting on June 12<sup>th</sup> and the Kaweah Basin Water Quality Association (KBWQA) Board meeting on June 12<sup>th</sup>.

Director Thomas reported attending the Wutchumna Water Company meeting on May 11, 2022.

There being no other items to come before the Board of Directors, the meeting was then adjourned to July 12, 2022.

  
Secretary

  
President