

**MINUTES OF REGULAR MEETING OF THE BOARD OF DIRECTORS
OF THE TULARE IRRIGATION DISTRICT
HELD AT 6826 AVEUE 240,
TULARE, CALIFORNIA 93274
VIA ZOOM TELECONFERENCE ON THE
11th DAY OF OCTOBER, 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 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, Scott Rogers, and Dave Martin. Absent was Director 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; Wayne Fox, Superintendent, Marco Crenshaw, Watermaster; Wayne Fox; and Jeremy Barroll, Assistant Engineer. Also, present Joe Mastro, Certified Public Accountant, Cutton & Mastro. Present via Zoom teleconference were Don Wright, Water Wrights; Johnny Gailey, Delta View Water Association; and Geoff Vanden Heuvel. 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 was one public comment to come before the Board. Mr. Wright reported on recent activities by the State Water Resources Control Board to for establishing equity in water rights. Mr. Wright share concerns with the effort and encouraged more people to get engaged in the process.

Approval of Minutes:

Director Bixler then noted that the minutes of the Regular Meeting of September 13, 2022 were distributed and asked if any errors or omissions were noted therein. By the motion of Director Martin and seconded by Director Borges, unanimously carried by all Directors present, the minutes of the Regular Meeting of September 13, 2022, were both 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 Terminus Reservoir total inflow as of October 7th was 16 CFS, and the storage at Terminus Reservoir for the previous day was 11,281 AF. He then reported that the daily release from Terminus Reservoir was 28 CFS.

Thereupon, Mr. Crenshaw mentioned that the Millerton Lake total inflow was 919 CFS and the entire storage at Millerton Lake was 340,851 AF. He reported that the total daily release from Millerton was 459 CFS.

Mr. Crenshaw presented for Board discussion historical Kaweah River Water Year Runoff percentages comparing 10-year increments, 20-year

increments, and 30-year increments.

Mr. Crenshaw presented the Average SST Anomalies for July 11, 2021, through October 8, 2022. Mr. Crenshaw highlighted the SST Anomalies charts for August 2022, September 2022, and October 2022. Also, Mr. Crenshaw included in his report a 2019-2022 color coded chart comparing the following: El Nino/La Nina Conditions and Kaweah River Water Year.

Water Supply Outlook - Mr. Crenshaw continued his report by indicating that the district's current water supply stood at 5,112 AF. The January 2022 to September 2022 cumulative diversions to TID were 27,878 AF. The 2022 Central Valley Project (CVP) Supply Contract totaled: 4,857 AF.

Mr. Crenshaw thereupon reported that the district diverted 425 AF in September. He indicated that 45% of the diversions were delivered to farm turnouts; 45% recharged in District basins; and 10% recharged in District canals. The 425 AF represented City of Visalia tertiary water.

Water Management Activities and Issues - Mr. Fukuda updated the Board on California Reservoir Operations, reporting Friant Class 1 allocation will be 30% and Class 2 will be 0%. Mr. Fukuda reported reservoir levels are still low, but higher than last year at this time.

O&M Superintendent Report:

Routine Work and 3rd Quarter O&M Report - Mr. Fox provided a report on operations and maintenance activities in the third quarter of 2022. Activities included safety meetings, maintenance projects, construction projects, vehicle maintenance, and herbicide applications. Mr. Fox provided pictures and noted specific work activities within the district. Also, Mr. Fox reported Roy Bell, TID's Heavy Equipment Operator, was tasked to work for Delano Earlimart Irrigation District (DEID) for a short period.

Treasurer Reports:

2021 Audit Update - Mr. Mastro presented the audited financial statements for 2021 and the audit report for the period 2020-2021. Mr. Mastro indicated that the audit had no issues or concerns. Upon the motion by Director Thomas, seconded by Director Martin and unanimously carried by all board members present, the financial statements and audit report for 2020-2021 were accepted.

Approval of Financial Statements - Ms. Artis presented the financial statements for September 2022 for the Board's review and consideration. She addressed first the revenue and expense statement, indicating that the total revenue for September 2022 was \$6,744,097 which was approximately 77.69% of the revised budget. She next presented the expenses, highlighting several items and reporting expenses from September totaling \$7,822,289 which was approximately 71.94% 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 \$7,790,262. Based on the Statement of Net Assets, Ms. Artis reported that Total Liabilities were at \$13,543,979, and the Total Equity in the District stood at 31,744,556. She lastly cited investment return for the district's several holding accounts, those being 1.400% with the Tulare County Pooled Investment Fund, 1.513% 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 Martin, seconded by Director Rogers and unanimously carried by all Directors present, accepted the financial statements and, by said motion, check nos. 54228 through 54309 totaling \$1,653,823.58 were all either ratified or approved as paid, exclusive of any voided or withheld checks.

Engineer Report:

Update on Engineering Activities: Mr. Barroll provided an update on engineering activities, highlighting several ongoing projects that would impact the district. Mr. Barroll reported on the following six (6) projects: (1) Self-Help Enterprises Olema/West Street development project; (2) Liberty Hill Bardsley/West Street development; (3) two development projects at Hillman/Corvina Street; (4) the Paige/I Street industrial development; (5) Darrel's Mini/Storage SE Mooney/Ave 264 project; and (6) Caltrans Packwood/99 Bridge.

Management Staff Report:

Sustainable Groundwater Management ACT (SGMA) Matters - Mr. Fukuda summarized recent activities concerning the Kaweah Subbasin. Mr. Fukuda reported on the following: Kaweah Subbasin Management Committee Meeting scheduled for October 19, 2022; SGM Implementation Round 2 Grants; and a new Urban Drought Grant.

Mid-Kaweah Groundwater Sustainability Agency (MKGSA): Mr. Fukuda presented an update on the MKGSA Emergency Ordinance. Mr. Fukuda reported: Emergency Ordinance was implemented on May 1, 2022 and will stay in place until repealed by the MKGSA Board of Directors; MKGSA staff recommends keeping the Emergency Ordinance in place due to forecasted La Nina Conditions; and MKGSA is watching water savings between WY 2021 and WY 2022.

Next, Mr. Fukuda reported on MKGSA's Water Dashboard. Mr. Fukuda reported on the following: in discussions with growers, they were practicing better irrigation practices now that growers have access to the Water Dashboard; removal of permanent crops was reducing groundwater demand; the inability to triple-crop; reduced double-cropping; and limited fallowing to share credits or bank credits were all showing savings in evapotranspiration and subsequently groundwater pumping.

Thereupon, Mr. Fukuda updated the Board on MKGSA 2022 First Amended Groundwater Sustainability Plan. Mr. Fukuda reported that the California Department of Water Resources (DWR) had received three Comment Letters: (1) Self Help Enterprises - complimentary of approach with recommendations to provide stronger nexus to protection of drinking water via climate change and human right to water; (2) Combined Letter - several NGO's that feel that the Kaweah Subbasin GSAs should be sent to probation; (3) Animal Legal Defense Fund - reinforced earlier comments in the 2020 GSP.

Friant Matters: Mr. Fukuda provided the Board with an update on Friant Matters. Mr. Fukuda reported on the following: Friant Water Authority FY 2023 OM&R Budget approved (OM&R 2023: \$12.1 million); approved 5% cost of living adjustment (COLA) with a revisit of the COLA in 6 months; Systemwide Capacity Analysis; FWA Board Retreat November 14-17, 2022; and Friant Kern Canal Middle Reach Project.

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: Tulare County has authorized Tulare ID to resubmit the Seaborn Project to FEMA Building Resilience in Communities Grant; and coordinating with CalOES on resubmission of application. Mr. Fukuda highlighted the need to rewrite the grant.

Next, Mr. Fukuda reported on McKay Point Reservoir. Mr. Fukuda

reported revisions are completed on Air Quality Chapter and will be submitting and reviewing with Tulare County.

Legislation - No update.

General Manager Report:

General Manager Fukuda reported the focus has been on the following: (1) Collaborative Action Plan - Renewed work on the CAP Term Sheet; (2) participated in a regional meeting on vadose zone injection wells; (3) speaking engagement at the Crop Consultant Conference; (4) invited to speak at the San Joaquin Valley Regional Association of California-Panel on Water addressing water supply, SGMA, groundwater, and water rights; (5) UC Graduates visit - October 10, 2022; and (6) ACWA Region 6&7 Tour and Workshop October 13-14, 2022.

Matters for Consideration of Board Action:

Resolution No. 22-16 - Resolution Approving 2023 Assessment Rate. Mr. Fukuda presented for Board consideration Resolution No. 22-16. Mr. Fukuda gave a breakdown of the resolution identifying lands within the District boundaries would be levied for the purpose of funding the operation and maintenance of the District; On August 31, 2021 the Board Approved an engineer's report and authorized an election of landowners, pursuant to Proposition 218, for a change in the assessment process and the amount and nature of the assessment charged to landowners; A Public hearing was held on August 31, 2022, after a count of the ballots, the election of the landowners passed and certified via Resolution No. 2022-15; the new assessment structure, approved in the election included charges for: District Fixed Costs - General & Administrative, Surface Water Supply, and Capital Improvements Plan Projects; Adopts the 2023 Assessment Charges: (1) Parcels one acre or less - shall be charged a minimum assessment of \$67 per parcel; (2) Parcels greater than one acre - shall have the following assessment charges: General & Administration: \$25.00; Surface Water Supply: \$20.00; and Capital Projects: \$22.00; and based on the anticipated funds spent on the Capital Improvement Plan Projects in the coming year will be done without issuance of debt, being paid without interest, which was more favorable than borrowing funds at an interest rate. By the motion of Director Borges and seconded by Director Martin, unanimously carried by all Directors present, Resolution No. 22-16 was thereupon approved as presented and adopted.

Resolution No. 22-18- Resolution Recognizing Russell Nablo. Retirement honor for Russell Nablo. By the motion of Director Martin and seconded by Director Thomas, unanimously carried by all Directors present, Resolution No. 22-18 was thereupon approved.

Resolution No. 22-19 - Resolution Requesting a Waiver to Protest Proceedings for Detachment No. 1566-T-168. Mr. Fukuda presented for Board consideration: LAFCO Detachment No. 1566-T-168, Cordeniz Property on Cartmill Avenue (Liberty Basin), APN: 149-060-008-000, 39.20 Acres Detachment from Tulare Irrigation District for the development of City of Tulare Cordeniz Residential Subdivision. The annexation area is intended to facilitate a residential subdivision of 144 residential lots. No objections by landowners to detach. By the motion of Director Borges and seconded by Director Rogers, unanimously carried by all Directors present, approving the Resolution No. 22-19 as presented.

Contract Documents and Specifications for the Okieville Basin Project. Mr. Fukuda indicated that this agenda items was to be considered at a later date.

Repayment Agreement for Recapture of Restoration Flows in Lower San Joaquin River. Mr. Fukuda presented the standard agreement for Board review and consideration no price difference. By the motion of

Director Rogers and seconded by Director Borges, unanimously carried by all Directors present, approving the Repayment Agreement for Recapture of Restoration Flows in Lower San Joaquin River as presented.

Tulare Chamber of Commerce Membership Renewal. Mr. Fukuda presented for Board consideration and gave recommendation to renew our \$500.00 membership with the Tulare Chamber to continue our long-term commitment to our community success. After a lengthy discussion the Board determined that due to their prior decision a commitment to consider renewal in 2023 there was a lack of motion.

Consulting Agreement with Ewell Group. Mr. Fukuda presented for Board consideration a Consulting Agreement with Ewell Group. Mr. Fukuda stated that Austin Ewell is a local attorney experienced in water resources and bureaucratic requirements. Mr. Ewell is assisting the Water Blueprint, Friant Water Authority, and other local water agencies in getting their projects to fruition. Mr. Fukuda addressed the over-all need for consulting help. By the motion of Director Borges and seconded by Director Martin, unanimously carried by all Directors present, approving the Ewell Group Consulting Services Agreement as presented.

California FFA Donation - California Water Issues. Mr. Fukuda presented and gave recommendation to approve a California FFA \$250 contribution for a California Water Issues Contest. Kaweah Delta Water Conservation District, Lower Tule River Irrigation District, Lindmore Irrigation District and Tulare Irrigation District have agreed to each pay \$250.00. By the motion of Director Thomas and seconded by Director Martin, unanimously carried by all Directors present, approving the California FFA donation in the amount of \$250.00.

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 Basin Water Quality Association (KBWQA) Board meeting and the Kaweah & St. Johns River Association (KSJRA) Board meeting on October 4, 2022.

Director Borges also reported attending both the KBWQA Board meeting and KSJRA on October 4th.

Director Thomas and Director Bixler both reported attending the Wutchumna Water Company Board meeting on September 14, 2022.

Director Rogers reported on the Kaweah Basin Water Marketing Strategy Committee meeting held October 4, 2022.

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, 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 to November 8, 2022 regular Board of Directors Meeting.



Secretary

David Baker
President