The meeting of the Board of Directors of the Turlock Irrigation District was called to order at 9:00 a.m. in regular session (via Zoom Webinar) on the 2nd day of June 2020. Present were: Directors Rob Santos (President), Michael Frantz (Vice-President), Ron Macedo (Secretary), Charles Fernandes and Joe Alamo, General Manager Michelle Reimers and Executive Secretary to the Board Tami Wallenburg.

The Board President read the following statement:

“Good morning, thank you for tuning into the TID Board of Directors meeting. We appreciate everyone attending the meeting over the phone or computer. This meeting is being digitally recorded, and the Board Secretary is taking minutes as well. Materials presented will be made available online at tid.org. We encourage public participation during the Board meeting. Much like an in-person TID Board meeting, we’ll receive public comment during the ‘Public Comment Period’ portion of the agenda early on, as well as receive comment on specific agenda items. If you submitted comments by 3 pm yesterday, your comments will be read into the record during our public participation portion of the meeting. If you want to comment on matters not listed on the agenda please click the ‘raise hand feature’ on Zoom to do so when I ask for public participation (or you can do it now). If you’re participating via phone, please press (Star) 9 to raise your hand over the phone. When the time arrives to receive comment, staff will announce participants who have raised their hand and unmute participants one-by-one to provide comment. When their time comes in the queue, individual participants will need to unmute their device prior to speaking. For those who would like to comment or ask a question on items listed on the agenda, please use the ‘raise hand feature’ during the presentation of that item.”

PLEDGE OF ALLEGIANCE

MOTION APPROVING CONSENT CALENDAR

Moved by Director Frantz, seconded by Director Macedo, that the consent calendar consisting of the following be approved:

A. Minutes of the regular meeting of May 19, 2020.
B. Demands against the District represented by check numbers 393626 to 393904, inclusive, in the amount of $2,549,625.93.

All voted in favor with none opposed. The President declared the motion carried.
PUBLIC COMMENT PERIOD

There was none.

WEEKLY REPORTS

Utility Analyst/Hydrology Olivia Cramer reported on current water conditions. Accumulated precipitation measured at the three mountain stations in the Tuolumne River watershed from September 1, 2019 to present total 23.21 inches, or 65 percent of normal to date. Forecasted temperatures show an increase the next couple of days then coming back down to average temperatures. San Francisco reservoirs contain 643,800 acre-feet. CCSF releases for the past 7-days averaged at 2,865 cfs with 349 cfs in diversions. The Water Bank is at 482,394 acre-feet of credit. Don Pedro contains 1,769,319 acre-feet and is currently at 808.8 elevation. Average combined releases were 2,027 cubic feet per second with 1,137 cfs to TID canals, 716 cfs to Modesto Irrigation District and the remaining 174 cfs going to the Tuolumne River. Computed natural flow for the current water-year is averaging 5,126 cfs, and computed natural flow to date is 845,837 af or 61.3 percent of average. Turlock Lake contains 18,747 acre-feet of water. The updated weekly watershed report shows Don Pedro elevation increased slightly over a foot when compared to the previous week. The Board President asked for comments from the public, and there was none.

Water Distribution Department Manager Mike Kavarian reported on irrigation activity for the month of May. Water orders for the month totaled 8,295 noting the most orders in May since 1991. Water orders received during the week of May 25-31 totaled 2,160. Flows ranged between 1,290 to 895 cfs. Daily releases from Turlock Lake averaged 1,020 cfs, or 124 cfs above projections. Director Santos asked if there has been an increase in water orders placed online to which Mr. Kavarian responded that approximately 20 percent of irrigation orders are placed online. The Board President asked for comments from the public, and there was none.

RESOLUTION NO. 2020 - 20
RESOLUTION APPROVING ABANDONMENTS FROM IMPROVEMENT DISTRICTS

WHEREAS, the holders of title to land named in attached Exhibits A, A-1, and A-2 desire to abandon their rights in an improvement district within the Turlock Irrigation District and have signed Agreement to Abandon Use of Improvement District Facility, which agreements are incorporated into this resolution by reference.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Turlock Irrigation District, acting as trustees for the improvement districts named in attached Exhibits A, A-1, and A-2, do hereby approve the Agreements to Abandon Use of Improvement District Facility signed by the holders of title to land.

BE IT FURTHER RESOLVED that the Executive Secretary or Deputy Secretary of the Board of Directors is authorized and directed to sign the agreements on behalf of the District and to record said agreements with the appropriate County Recorder.
Moved by Director Frantz, seconded by Director Alamo, that the foregoing resolution be adopted.

Upon roll call the following vote was had:

Ayes: Directors Fernandes, Frantz, Alamo, Macedo, Santos
Noes: Directors - None
Absent: Directors - None

(Prior to the vote, the Board President asked for comments from the public, and there was none). The President declared the resolution adopted.

**DISCUSSION REGARDING AGENDA ITEM F.2, MOTION DIRECTING STAFF TO INCLUDE UPPER LATERAL 4 CANAL AS A POINT OF DISCHARGE OF RECYCLED WATER WITHIN THE CITY OF TURLOCK’S NPDES PERMIT**

AGM Water Resources Tou Her, External Affairs Department Manager Josh Weimer and Water Distribution Department Manager Mike Kavarian presented an overview of communications sent to growers in the area of the proposed discharge point. Staff sent 317 letters, 89 emails to those with an email address on record, and calls made to over 40 growers. The district letters informed growers of the City of Turlock’s intent to include Lateral 4 as a discharge point on their NPDES Permit and asked for comments with several responding with concerns. Areas of concern included existing and future water quality, the potential for harm to tree and forage crops, and concern regarding possible drinking well contamination within the City of Turlock. Board members and staff entered into a lengthy discussion regarding salinity levels, comparisons with coastal cities such as Monterey, and what impact today’s decision will have on the City of Turlock’s permitting process if delayed to which staff responded. Mr. Her stated there could be an amendment to the cities’ application if the Board desires more information before making a decision but cautioned that could take up to a year once submitted. He also noted that today’s proposed action does not obligate the District to receive the recycled water from the City. The consensus of the Board was to receive more information before they could make a decision noting a desire to table the item for a future board meeting.

The Board President then asked for public comments. An attorney representing Swanson Farms, George Petralakis, stated his client was very appreciative of the additional outreach staff provided to the public, and wished to thank the Board for their care of irrigator concerns. He also stated it would be helpful if irrigators could be provided a list of Regional boards and Authorities they could contact for additional information and thanked the Board for their time. After further discussion, the Board took the following action:

**MOTION TO TABLE AGENDA ITEM F.2, MOTION DIRECTING STAFF TO INCLUDE UPPER LATERAL 4 CANAL AS A POINT OF DISCHARGE OF RECYCLED WATER WITHIN THE CITY OF TURLOCK’S NPDES PERMIT**
Moved by Director Alamo, seconded by Director Frantz, that the motion to table Agenda Item F.2 “Motion directing staff to include Upper Lateral 4 canal as a point of discharge of recycled water within the City of Turlock’s NPDES permit” is hereby approved.

All voted in favor with none opposed (Directors voted via teleconference). The President declared the motion carried.

Discussion continued among the Board and staff with Mr. Her noting that tabling the proposed action item does not remove the Lateral 4 location from the City of Turlock’s NPDES Permit so the Board would need to take action to do so. Several additional questions were asked regarding the Central Valley Water Project, the timeline for the City of Turlock’s permitting process, and the projected completion date of the SRWA Drinking Water Project in 2022-2023. Board members had several legal questions for Assistant General Counsel Sara Lima and Legal Counsel Valerie Kincaid on possibly amending the original Motion approved earlier to include the removal of Lateral 4 as a Discharge Point from the City of Turlock’s application for the NPDES Permit to which they responded. Director Alamo then motioned the following:

**MOTION TO SUPERCEDE THE ORIGINAL MOTION TO TABLE
AGENDA ITEM F.2 AND DIRECTING DISTRICT STAFF TO REMOVE
UPPER LATERAL 4 CANAL AS A POINT OF DISCHARGE OF RECYCLED WATER
WITHIN THE CITY OF TURLOCK’S NPDES PERMIT**

Moved by Director Alamo, seconded by Director Frantz, that the original motion to table Agenda Item F.2 which was passed by the Board of Directors earlier in this meeting be rescinded, and that the motion directing staff to remove upper lateral 4 canal as a point of discharge of recycled water within the city of Turlock’s NPDES Permit is hereby approved; and also directing District staff to provide additional requested information for consideration at a future Board of Director’s meeting.

All voted in favor with none opposed. The President declared the motion carried.

**MOTION CANCELING THE TURLOCK IRRIGATION DISTRICT
REGULAR BOARD MEETING OF JUNE 9, 2020**

Moved by Director Macedo, seconded by Director Alamo, that the regular meeting of the Board of Directors of the Turlock Irrigation District scheduled for June 9, 2020, be canceled.

(Prior to the vote, the Board President asked for comments from the public, and there was none). All voted in favor with none opposed. The President declared the motion carried.

**RESOLUTION NO. 2020 - 21**

**RESOLUTION DELEGATING AUTHORITY TO APPROVE
PAYMENT OF TURLOCK IRRIGATION DISTRICT
WARRANTS FROM JUNE 3 THROUGH JUNE 9, 2020**

WHEREAS, because the Board of Directors will not hold its regular meeting on June 9, 2020; and
WHEREAS, Water Code Section 24600 states “No claim shall be paid by the treasurer until allowed by the board, and only upon a warrant signed by the president and countersigned by the secretary”; and

WHEREAS, it is in the best interests of the District that the District pay vendors in a timely manner.

NOW, THEREFORE BE IT HEREBY RESOLVED by the Board of Directors of the Turlock Irrigation District as follows:

1. For the period of June 3 through June 9, 2020 only, the Board of Directors delegates to the President and Vice President of the District’s Board of Directors, and either of them, the authority to approve claims for payment.

2. At the Board of Directors’ regular meeting on June 16, 2020, the Treasurer or the Accounting and Finance Department Manager shall report to the Board all claims paid during that period pursuant to this resolution.

Moved by Director Macedo, seconded by Director Alamo, that the foregoing resolution be adopted.

Upon roll call the following vote was had:

Ayes: Directors Fernandes, Frantz, Alamo, Macedo, Santos
Noes: Directors - None
Absent: Directors - None

(Prior to the vote, the Board President asked for comments from the public, and there was none). The President declared the resolution adopted.

GENERAL OVERVIEW OF CALIFORNIA WATER RIGHTS

Legal Counsel Valerie Kincaid presented a brief overview of surface water rights in California which include Pueblo Rights (based on succession of Spanish settlement), Riparian Rights (based on land ownership), and Appropriative Rights (based on water use), reviewing benefits and restrictions for each. Ms. Kincaid and board members focused the discussion on Appropriative Rights for Pre-1914 (based on historic use) and Post-1914 (based on application and permit/license) characteristics and requirements with board members asking several questions regarding establishment of original rights, beneficial land use, and transfer of rights among other questions to which Ms. Kincaid responded. The Board thanked Ms. Kincaid for the informative presentation.

Board President Rob Santos left the meeting asking Vice-President Michael Frantz to preside over the remainder of the board meeting.
WESTSIDE FACILITIES CHARGE

CFO/AGM Financial Services Brian Stubbert and Utility Analyst Chris Poley presented an overview of the Westside Facilities Charge (WFC) which was implemented in 2003 as a result of the District’s acquisition of the Westside area from PG&E. Costs associated with the distribution system were assigned to the customers who live on the west side of Stanislaus County, resulting in approximately $13 million. In addition, west side customers were to pay PG&E a Non-Bypassable Charge (NBC). For rate purposes these costs were added together and spread out over time with an estimated payoff of approximately 20-years. By the end of 2014, the $13 million cost of the distribution assets had been paid off by Westside customers resulting in a lowered WFC in 2015 to only collect the NBC costs PG&E was charging. The District had some concerns regarding PG&E using historical data to calculate current customer obligations (PG&E calculated NBC costs using a customer base established in 2003) and entered into negotiations with PG&E to pay a lump sum in exchange to ending the NBC obligation. In 2016, both agencies came to an agreement to end the NBC charges with the District paying a lump sum of $7 million. The balance as of today is slightly over $520,000 with anticipation of a small balance at the end of July. Staff noted the District will stop collecting the WFC in August of this year. This information will be relayed to customers through the District’s “The Wire” newsletter distributed monthly with billing statements.

LA GRANGE WATER TREATMENT PLANT PROJECT UPDATE

Associate Civil Engineer Bill Penney presented an update on the La Grange Water Treatment Plant Project. The project includes replacement of several items including finished water storage tanks, primary raw water pump station, ancillary electrical and chemical infrastructure and replacement of the gravity bypass pipeline with a new bypass canal pump and pipeline. The project is a joint project with the Modesto Irrigation District. In March of this year, two general contractor bids were received with only a three-percent difference in the bids, one for $2.5 million and the second at $2.6 million. Other required project costs will include a special inspector, engineering review and support, and construction and maintenance. Mr. Penney presented three different project path options including 1) Re-bid of the project (project costs could increase); 2) Amending the 2020 project budget to complete this year (not an option for MID); or 3) Phase the project over multiple years which would ensure reliable and continued operation of the Water Treatment Plant. If phasing the project over multiple years, Phase 1 would be completed the current year with Phase 2 moving to 2021. Director Frantz questioned if costs would increase by the project being phased over multiple years to which Mr. Penney responded it would be minimal. The Vice-President asked for comments from the public, and there was none.

GENERAL MANAGER’S REPORT

General Manager Michelle Reimers reported back on information the Board requested at the May 19th board meeting regarding a potential financial impact to the District in waiving specific customer fees during the pandemic. CFO/AGM Financial Services Brian Stubbert reviewed past-due financial data for the past three months noting the numbers have been improving as more customers have been paying more on their bill to catch up on past due amounts. Ms. Reimers stated staff would continue to analyze on a week-by-week basis and will adjust as needed.
BUSINESS OF THE BOARD

Director Alamo reported on his attendance as District representative to the West Turlock Subbasin Groundwater Sustainability Agency meeting the previous week. He noted the 2021 budget was approved as well as review of a Procurement Policy and a groundwater assessment tool.

Director Macedo commented the Don Pedro Reservoir has been busy and is currently working through re-opening issues. The marina has opened for rental of water craft though he noted the campground remains closed at this time.

MOTION TO ADJOURN

Hearing no further business, Director Macedo motioned, seconded by Director Fernandes, that the regular meeting of the Board of Directors be adjourned.

All voted in favor with none opposed. (Directors voted via teleconference; Director Santos was absent). The Vice-President declared the motion carried.

Tami Wallenburg
Executive Secretary to the Board of Directors