MINUTES OF THE
BOARD OF DIRECTORS MEETING
OF THE TURLOCK IRRIGATION DISTRICT

Turlock, California
22 October 2019

The meeting of the Board of Directors of the Turlock Irrigation District was called to order at 9:00 a.m. in regular session on the 22nd day of October 2019. Present were: Directors Charles Fernandes (President), Rob Santos (Vice-President), Joe Alamo and Ron Macedo, General Manager Casey Hashimoto and Executive Secretary to the Board Tami Wallenburg. Absent was: Director Michael Frantz.

SALUTE TO THE FLAG

MOTION APPROVING CONSENT CALENDAR

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

A. Minutes of the regular meeting of October 1, 2019.
B. Demands against the District represented by check numbers 387529 to 387710, inclusive, in the amount of $2,835,151.19.

All voted in favor with none opposed (Director Frantz was absent). The President declared the motion carried.

PUBLIC COMMENT PERIOD

There was none.

WEEKLY UPDATES

Utility Analyst 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 0.32 inches, or 17 percent of normal to date. San Francisco reservoirs contain 536,976 acre-feet and the Water Bank is at 570,000 acre-feet of credit. Don Pedro contains 1,650,103 acre-feet. Average combined releases were 2,033 cubic feet per second with 1,046 cfs to TID canals, 455 cfs to Modesto Irrigation District and the remaining 532 cfs going to the river. Computed natural flow is averaging 333 cfs, and computed natural flow to date for the current water year is 13,198 af or 61.3 percent of average. Turlock Lake contains 28,345 acre-feet of water. The updated weekly watershed report shows Don Pedro decreased by almost 2 feet when compared to the previous week. Ms. Cramer also noted that City and County of San Francisco is currently bringing their reservoirs down in preparation for winter runoff.
Water Distribution Department Manager Mike Kavarian reviewed an irrigation activity for the period of October 14-20. There were 1,295 irrigation orders for this period with an additional 312 orders received the previous day. Flows ranged between 1,055 and 770 cfs. Total water requests by day of the week show Monday as the highest day for orders. Mr. Kavarian also reviewed Turlock Lake releases and water orders taken in comparison with the last 20 days of irrigation for past years. For this period, the average daily cfs from Turlock Lake was 909 cfs, or 237 cfs above projection. He stated the last day to order water is Sunday, October 27 and staff plans to complete all orders prior to the following weekend.

**MOTION APPROVING APPLICATION FOR INSTALLATION OF A 15-INCH SIDEGATE IN THE LATERAL 7 CANAL BY CARL PERRY**

Moved by Director Santos, seconded by Director Alamo, that the application of Carl Perry, dated October 16, 2019 for installation of one 15” sidegate in Turlock Irrigation District's Lateral 7 Canal be approved.

All voted in favor with none opposed (Director Frantz was absent). The President declared the motion carried.

**MOTION APPROVING APPLICATION FOR INSTALLATION OF A 15-INCH SIDEGATE IN THE TURLOCK MAIN CANAL BY DERRICK VESSEL**

Moved by Director Alamo, seconded by Director Macedo, that the application of Derrick Vessel, dated October 16, 2019 for installation of one 15” sidegate in Turlock Irrigation District's Turlock Main Canal be approved.

All voted in favor with none opposed (Director Frantz was absent). The President declared the motion carried.

**RESOLUTION NO. 2019 - 56**

**RESOLUTION DECLARING PROPERTY NO LONGER NECESSARY FOR DISTRICT PURPOSES AND AUTHORIZING SALE AT PUBLIC AUCTION, ONLINE, OR AT THE AGM – FINANCIAL SERVICES DISCRETION**

WHEREAS, the Turlock Irrigation District owns certain property described in the attached property list identified as “Exhibit A” and made a part hereof by reference; and

WHEREAS, it has been determined in accordance with Section 22500 of the Water Code that said property is no longer necessary for District purposes and it is in the best interest of the District to sell said property; and

NOW, THEREFORE BE IT HEREBY RESOLVED by the Board of Directors of the Turlock Irrigation District that said property is declared surplus and that said property either be sold at public auction or disposed of by the Assistant General Manager of Financial Services under such terms and conditions, as he deems appropriate.
Moved by Director Alamo, seconded by Director Santos, that the foregoing resolution be adopted.

Upon roll call the following vote was had:

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

The President declared the resolution adopted.

RESOLUTION NO. 2019 - 57

RESOLUTION APPROVING AMENDMENTS TO THE NATURAL GAS SERVICE AGREEMENTS BETWEEN TURLOCK IRRIGATION DISTRICT AND PACIFIC GAS AND ELECTRIC COMPANY

WHEREAS, Pacific Gas and Electric Company (PG&E) currently provides natural gas transportation service to Turlock Irrigation District’s (TID) natural gas fired power plants pursuant to a Natural Gas Service Agreement (NGSA) and California Public Utilities Commission (CPUC) approved rate schedule; and

WHEREAS, payments under the current NGSA are based on a volumetric charge and a daily fixed charge and are projected to be over $10 million per year; and

WHEREAS, TID and PG&E have negotiated amendments to the existing NGSAs for the period beginning November 1, 2019 through December 31, 2022 by replacing the CPUC approved volumetric rate with a monthly fixed fee and a reduced volumetric rate; and

WHEREAS, the amended NGSAs allows TID to terminate the agreements if certain conditions reduce the natural gas usage of a plant or if the plant is no longer in service; and

WHEREAS, the amendments are expected to reduce TID’s annual payments under the NGSA’s by about $4 – $8 million.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Turlock Irrigation District that the amendments to the NGSA’s are hereby approved and either the General Manager, Assistant General Manager – Power Supply, or their designee is authorized and directed to sign.

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

Upon roll call the following vote was had:

Ayes: Directors Santos, Alamo, Macedo, Fernandes
Noes: Directors - None
Absent: Director Frantz
The President declared the resolution adopted.

PUBLIC HEARING

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION FOR THE HARDING AND NIELSON FISH BARRIER PROJECTS

Civil Engineering Department Manager Phil Govea reviewed steps leading up to today’s proposed action to adopt the Initial Study/Mitigated Negative Declaration (IS/MND) for the Harding and Nielson Fish Barrier Projects. The goal of the projects are to prevent fall run Chinook Salmon from entering the District’s canal system from the San Joaquin River via the drains for the period of September 1 through February 28. If approved and in collaboration with the National Marine Fisheries services and California Department of Fish and Wildlife, plans include the construction of fish barriers across the existing drain channels at the Harding and Nielson Drains on the river side of the levee. The Initial Study and MND showed no significant and unavoidable impacts though there were some potential impacts which were reduced due to implementation of specific mitigation measures. During the public comment period of July 31 – August 29, 2019, staff received comment letters from three local agencies which required no changes to the IS/MND so the final IS/MND was prepared and being presented today. Board members asked several questions regarding debris removal and maintenance costs to which Mr. Govea responded. President of the Board Charles Fernandes opened the public hearing at 9:33 a.m., and hearing no comments from the public closed the hearing with the Board taking the following action:

RESOLUTION NO. 2019 - 58

RESOLUTION ADOPTING THE INITIAL STUDY / MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE HARDING AND NIELSON FISH BARRIER PROJECTS

WHEREAS, the Turlock Irrigation District (District) has chosen to pursue the construction of fish barriers across the discharges of the Harding and Nielson Drains to prevent Fall Run Chinook Salmon from entering District owned drains and canals; and

WHEREAS, an Initial Study and Mitigated Negative Declaration (hereafter “IS/MND”) for the Harding and Nielson Fish Barrier Projects was prepared pursuant to the California Environmental Quality Act (Public Resource Code Section 21000 et seq. hereafter “CEQA”), and the Guidelines for the Implementation of the California Environmental Quality Act (California Code of Regulations, Section 15000 et seq. hereafter “CEQA Guidelines”); and

WHEREAS, on July 31, 2019, the District filed a “Notice of Intent to Adopt an Initial Study/Mitigated Negative Declaration” with the Stanislaus and Merced County Clerks Offices and the State Clearinghouse, initiating a 30-day public review period for the IS/MND; and

WHEREAS, the public review period closed on August 29, 2019.

NOW, THEREFORE BE IT RESOLVED by the Board of Directors of the Turlock Irrigation District that:
1. The IS/MND is hereby adopted.

2. The Mitigation Monitoring and Reporting Program, included in the attached IS/MND, is hereby adopted.

3. The General Manager is hereby authorized and directed to execute the IS/MND on behalf of the District.

4. The General Manager will cause a Notice of Determination to be filed with Stanislaus and Merced Counties.

5. The following findings are made in conjunction with the above actions:
   a. The IS/MND has been completed in compliance with CEQA and CEQA Guidelines
   b. The IS/MND has been reviewed and considered prior to any related project approvals
   c. The IS/MND reflects the Board’s independent judgment and analysis, and is adequate for project awards
   d. Based on the whole of the record before the District, the Harding and Nielson Drain Fish Barrier Projects, with mitigation, will have less than significant impacts on the environment.

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

Upon roll call the following vote was had:

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

The President declared the resolution adopted.

RESOLUTION NO. 2019 - 59

RESOLUTION ADOPTING THE GRANT APPLICATION, ACCEPTANCE AND EXECUTION FOR THE SAN JOAQUIN FISH POPULATION ENHANCEMENT PROGRAM GRANT FOR THE HARDING AND NIELSON DRAIN FISH BARRIER PROJECTS

WHEREAS, the Turlock Irrigation District proposes to implement the Harding and Nielson Drain Fish Barrier Projects; and

WHEREAS, the Turlock Irrigation District has the legal authority and is authorized to enter into a funding agreement with the State of California; and
WHEREAS, the Turlock Irrigation District intends to apply for grant funding from the California Department of Water Resources for the Harding and Nielson Drain Fish Barrier Projects; and

WHEREAS, the parties desire that the Turlock Irrigation District provide primary leadership for the implementation of the Harding and Nielson Drain Fish Barrier Projects.

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

1.) Pursuant and subject to all the terms and provisions of the Costa-Machado Water Act of 2000 (Water Code, Section 79000 et. seq.), the Turlock Irrigation District General Manager, or designee, is hereby authorized and directed to prepare and file an application for funding with the Department of Water Resources, and take such other actions as necessary or appropriate to obtain grant funding; and

2.) The Turlock Irrigation District’s General Manager, or designee, is hereby authorized and directed to execute the funding agreement with the Department of Water Resources and any amendments thereto; and

3.) The Turlock Irrigation District’s General Manager, or designee, is hereby authorized and directed to submit any required documents, invoices and reports required to obtain grant funding is hereby approved.

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

Upon roll call the following vote was had:

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

The President declared the resolution adopted.

DISCUSSION REGARDING PROPOSED CHANGES TO DISTRICT RULES 4000.001 AND RULE 4000.002

CFO/AGM Financial Services Brian Stubbert reviewed the proposed changes to two District Purchasing Rules. For District Rule 4000.001 – Purchasing Authority, only minor changes are needed for clarity and to better reflect actual procedures. For District Rule 4000.002 – Purchasing Process, the proposed changes will update purchasing limits, distinguish between on-site and off-site purchases, and also allow the Purchasing staff to utilize quotes obtained by the requestor making the purchase. Board members asked questions regarding the percentage of items under the $2,500 threshold and how staff verifies the payment isn’t a series of payments for a higher threshold item to which Mr. Stubbert responded.
RESOLUTION NO. 2019 - 60

RESOLUTION ADOPTING AMENDMENTS TO DISTRICT RULE 4000.001 – PURCHASING AUTHORITY, AND RULE 4000.002 – PURCHASING PROCESS

WHEREAS, RL 4000.001 – Purchasing Authority, was last amended in 1997, and RL 4000.002 – Purchasing Process, was last amended in 2005; and

WHEREAS, since that time, there have been many changes to the legal requirements for purchases; and

WHEREAS, increases in the costs of materials and services since the Rules were last amended make it desirable to revise the requirements for when informal and formal bidding procedures will be used.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Turlock Irrigation District the attached amendment to RL 4000.001 and RL 4000.002 is hereby approved.

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

Upon roll call the following vote was had:

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

The President declared the resolution adopted.

MOTION ACCEPTING TREASURER’S REPORT ON TURLOCK IRRIGATION DISTRICT’S INVESTMENT PORTFOLIO AND SUMMARY OF INVESTMENT ACTIVITY

Moved by Director Santos, seconded by Director Macedo, that the Investment Portfolio dated September 30, 2019 which was prepared by Public Financial Management, Inc. for the Turlock Irrigation District (District) and reviewed by the Board of Directors be hereby accepted, and that the Board of Directors hereby acknowledges the opinion of Treasurer Brian Stubbert, confirming the Investment Portfolio is in compliance with the District’s Investment Policy and verifying the District has the ability to meet budgeted expenditures for the next six months.

All voted in favor with none opposed (Director Frantz was absent). The President declared the motion carried.

GENERAL MANAGER’S REPORT

General Manager Casey Hashimoto had no new items to report.
BUSINESS OF THE BOARD

There was none.

MOTION TO ADJOURN TO CLOSED SESSION

Moved by Director Macedo, seconded by Director Santos, that the regular meeting of the Board of Directors be adjourned to closed session:

1. Conference with Legal Counsel – Existing Litigation
   California Government Code Section 54956.9(a)
   Autrey vs. TID, Pegasus Claim Number TID94-90050-S
   State of California, Division of Workers’ Compensation Appeals Board
   - Jorian Reed, Director of Human Resources
   - Joe Barlupo, Legal Counsel

   All voted in favor with none opposed (Director Frantz was absent). The President declared the motion carried.

REPORT OF ANY ACTION TAKEN IN CLOSED SESSION

The President announced no reportable action was taken in closed session.

WILDFIRE MITIGATION PLAN WORKSHOP

AGM Electrical Engineering and Operations Manjot Gill and Electrical Engineering Department Manager Ed Jeffers reviewed the proposed Wildfire Mitigation Plan. In 2017, a regulation was put in place to create a CPUC Fire Map as well as annual patrols and increased vegetation clearance in high fire districts by June 2019. In 2019, Senate Bill 901 required District’s in high fire areas to develop a Wildfire Mitigation Plan to be approved by their respective Boards no later than January 1, 2020. In 2019, Assembly Bill 1054 requires TID’s Plan to be submitted to the Wildfire Safety Advisory Board by July 2020. TID’s high fire risk areas are located at the west and east ends of the District and includes State Responsibility Areas (SRAs) under the jurisdiction of Cal Fire. TID applies the most conservative requirement to all facilities within the SRA and Tier 2 areas. TID’s assets in high fire districts include 29 miles of transmission lines in a fire zone, 129 miles of distribution lines in a fire zone, 4 substations in the east side fire zone and 6 mini-hydro plants in SRAs outside TID service territory. SB 901 also requires the District develop protocols for de-energizing the electric system for public safety, otherwise known as a Public Safety Power Shutoff (PSPS). Developed protocols include staff assessments of local conditions including wind speed, humidity and temperature, fuel moisture, fuel loading and data from weather stations. Staff would also utilize real-time information from staff located in areas identified as at-risk of being subject to extreme weather conditions. Though the District is fully prepared for a PSPS, Mr. Gill indicated it would be a “last resort” under unprecedented conditions. TID has 16 customers that are served via a PG&E line at the far west end of Stanislaus County which would be affected by a PSPS order.
District mitigation activities to date include the trimming of 2,359 trees, 258 non-exempt fuses replaced, lightning arrestors and non-exempt switches removed, leaving only three non-exempt locations remaining which require vegetation removal at the base of the structures. Staff is also communicating with landowners regarding their responsibility to clear vegetation around service wires. Staff also held community outreach meeting in Diablo Grande (west end) and La Grange (east end) to raise awareness and answer questions. Next steps will include board approval at the November 5th Board Meeting, an independent evaluator review in 2020, and the submittal of the Plan to the Wildfire Safety Advisory Board in July of 2020. Mr. Gill thanked staff members Ed Jeffers, Denver Hodges and Constance Anderson for their time in communicating with landowners, coordinating the community meetings and the hard work going into the development of the draft Wildfire Mitigation Plan.

MOTION TO ADJOURN

Moved by Director Santos, seconded by Director Macedo, that the regular meeting of the Board of Directors be adjourned.

All voted in favor with none opposed (Director Frantz was absent). The President declared the motion carried.

Tami Wallenburg
Executive Secretary to the Board of Directors