

MINUTES OF A REGULAR MEETING OF THE  
BOARD OF DIRECTORS OF THE  
LOWER TULE RIVER IRRIGATION DISTRICT

The Board of Directors of the Lower Tule River Irrigation District met in a regular meeting on the 13th day of April 2010, at 9:00 am at the District office in Tipton, California. The meeting was called to order by President SIMONICH. It was determined the following Directors were in attendance:

Director	Div. 2	2013	JIM COSTA
Director	Div. 3	2011	TOM BARCELLOS
Director	Div. 4	2011	GARY FERNANDES
Director	Div. 1	2013	TONY SIMONICH
Director	Div. 5	2013	JOHN ROELOFFS

District Staff Present: DANIEL G. VINK – General Manager  
MIKE BATTLES – Operations Manager  
ERIC LIMAS – Business Manager

**1. BOARD ADMINISTRATION**

On motion by Director BARCELLOS second by Director COSTA and unanimously approved, the agenda was approved as presented.

The minutes of the March 9th, 2010 Regular Meeting and March 23<sup>rd</sup> Adjourned Regular meetings were distributed for review prior to the meeting. Director BARCELLOS, second by Director COSTA and unanimously approved the minutes of the March 9<sup>th</sup> and March 23<sup>rd</sup> meetings were accepted and ordered placed on file.

The Financial Statements for the month of March 2010 were reviewed. On motion by Director ROELOFFS, second by Director COSTA and unanimously approved the Board accepted the Financial Statements and ordered them placed on file.

The Board reviewed the actions of the Finance Committee in the payment of the February bills following the March meeting. On motion by Director ROELOFFS, second by Director BARCELLOS and unanimously approved the Board ratified the actions of the Finance Committee in the payment of the bills.

## **2. WATER RESOURCES**

General Manager VINK reviewed a variety of water related activities including a discussion on the current water run. Based on the projected runoff forecast for the San Joaquin and Tule River basins, it appears the run will continue through April. There is growing speculation that the April / July runoff will increase and that should extend the current water run into May.

The Board turned its attention to a number of policy issues beginning with an extensive discussion on the recent Legislative Analysis Office report on groundwater and groundwater monitoring. The District will continue to develop its policies related to groundwater and groundwater pumping as more information becomes available including the completion of the crop survey study.

The Board reviewed the 2010 water rates, considering the long range water management model. After considerable discussion, on motion by Director FERNANDES, second by Director BARCELLOS and unanimously approved the Board set the 2010 water rate at \$65.00 an acre foot effective May 1, 2010.

The Board reviewed the Poplar Ditch stock and the District's acquisition of Poplar Ditch stock. The Board spent considerable time discussing the District's current standing offer of \$18,000.00 per share. After thorough review and discussion, on motion by Director BARCELLOS, second by Director COSTA and unanimously approved the Board provided revised parameters for staff for the purchase of Poplar Ditch stock.

Director SIMONICH and Director COSTA then recused themselves from the meeting resulting as a result of a conflict with the Riparian Board of Directors. Vice President FERNANDES convened the meeting into a brief closed session to discuss the

Riparian Operational guidelines. Upon coming out of closed session it was reported that no action was taken.

The Riparianist have requested a one-year implementation of the guidelines proposed by the District following the March meeting. The matter was tabled until information can be completed by Consulting Engineer SCHAFER relative to the different methodologies.

### **3. DISTRICT OPERATIONS**

#### **Construction and Operation activities**

The Board reviewed a variety of construction and maintenance activities including an update from Operation Manager BATTLES and General Manager VINK on the Tule River Inter-tie project. The Earthwork has started along with continuing work by District crews on the road and crossing structures. The District has opened bids associated with the Hwy 190 crossing and the Avenue 152 Jack and Bored project. After considerable discussion and recommendation by staff and Consulting Engineers, on motion by Director COSTA, second by Director ROELOFFS and unanimously approved the Board awarded the HWY 190 crossing to AGEE CONSTRUCTION.

The Board then turned its attention to the Avenue 152 jack and bore project. The apparent low bidder on the project was WALTER C. SMITH. After review of the bids by consulting engineers and staff it was apparent that WALTER C. SMITH was non-compliant. The matter was also reviewed with legal Council. After considerable discussion on motion by Director BARCELLOS, second by Director ROELOFFS and unanimously approved the Board authorized awarding the bid to FLOYD JOHNSTON CONSTRUCTION as the next responsible low bidder. A copy of both the Hwy 190 crossing and Avenue 152 Jack and Bored summary is attached as **EXIHIBIT "A"**.

#### **Legal Matters**

The Board spent time discussing the San Joaquin River Settlement and the 9d conversion including a status update from District Counsel ALEX PELTZER. General

Manager VINK reported that work continues to develop a Prop 218 Engineers report associated with the election and the conversion of the cost to a land base charge.

General Manager VINK then presented for consideration modifications to the existing California Dairies Inc. (CDI) agreement. Currently the District charges \$10,000.00 to CDI for the use of the District facilities. CDI has spent considerable time upgrading its facilities and does not anticipate the use of the District facilities for discharge of water from the CDI plant any longer. Therefore, after considerable discussion, following recusal of Director ROELOFFS for conflict of interest purposes, on motion by Director FERNANDES, second by Director COSTA and unanimously approved the Board accepted the revised terms of the agreement with CDI, wherein CDI will only pay the fees associated for the use of the facility when/if they actually use the facility.

#### **4. CROSS VALLEY CANAL**

Business Manager LIMAS and General Manager VINK reviewed with the Board a variety of Cross Valley and PWRPA activities. No action was taken.

#### **5. TULE RIVER ASSOCIATION**

The Board reviewed the minutes of the March 18, 2010 Tule River Association Board. Considerable time at that meeting was spent discussing the Del Oro pumping issue. The Board then turned its attention to the Del Oro pumping issue and after considerable discussion, on motion by Director COSTA, second by Director FERNANDES and unanimously approved the Board adopted a position to no longer pursue any further action relative to the Del Oro issue and to focus instead on future well development in the area. General Manager VINK will convey that position to representatives BARCELLOS and MACMILLIAN.

#### **6. FRIANT WATER USERS' AUTHORITY**

The Board reviewed the minutes of the March 25th regular meeting of the Friant Water Users Authority. The minutes of the meeting have been distributed and as such are not repeated here.

The District has received a call for funds in the amount of \$36,362.22. On motion by Director COSTA, second by Director ROELOFFS and unanimously approved the Board authorized payment for the call for funds in the amount of \$36,362.22.

**7. FRIANT WATER AUTHORITY**

The Board reviewed the minutes of the March 25th regular meeting of the Friant Water Authority. The minutes of the meeting have been distributed and as such are not repeated here.

The District has received a call for funds in the amount of \$26,030.12. On motion by Director COSTA, second by Director ROELOFFS and unanimously approved the Board authorized payment for the call for funds in the amount of \$26,030.12.

**8. MISCELLANEOUS AGENCIES/AUTHORITIES**

Deer Creek & Tule River Authority.

The Deer Creek and Tule River Authority had its meeting on the 19<sup>th</sup> day of March 2010.

At that meeting the RFP's were reviewed and an award was made for KELLER ENGINEERING for work done on a preliminary study associated groundwater banking at the project.

**9. U.S DEPARTMENT OF THE INTERIOR**

Nothing new to report.

**10. MEETINGS, HEARINGS & NOTICES**

Nothing new to report.

**11. MISCELLANEOUS MATTERS**

- A. Association of California Water Agencies
- B. Central Valley Project Water Association
- C. California Water Resources Association
- D. National Water Resources Association
- E. California Chamber of Commerce
- F. Ag Water Committee
- G. Water Education Foundation
- H. California Farm Water Coalition
- I. Family Farm Alliance
- J. California Farm Bureau
- K. California Special Districts Association
- L. Ag Leadership
- M. Tulare County Farm Bureau

There being no further business to be brought to the Boards attention the meeting was adjourned.

Respectfully Submitted,

Daniel G. Vink  
General Manager