

July 8, 2020

The Board of Directors of the Terra Bella Irrigation District met this day in regular session consistent with Executive Order N-29-20 and social distancing directives, the meeting was conducted by teleconference only, with no physical location for the meeting.

CALL TO ORDER

President Wheaton called the meeting to order at 9:02 a.m.

ATTENDANCE participating in this meeting remotely:

DIRECTORS PRESENT: Wheaton, Fowler, Doyel, Martinez, Galloway*

DIRECTORS ABSENT: None

OTHERS PRESENT: Sean Geivet, General Manager
Albert Smith, District Operations Superintendent
Ann Nelms, District Secretary-Treasurer
Aubrey Mauritsen, Legal Counsel
Matt Hendrick
Lee Cohen
Joann Cohen
Michael Cohen
Mmi and Terry Schuler
Tom Prescott
Renee Hendrick
Clayton Cohen
Jeff Gibbons
Brad Samuelson
iphone
Jake Gorrell*
Paul Prescott*

AGENDA – CONSIDER CHANGES OR ADDITIONS TO THE AGENDA

No changes were made to the posted agenda.

PUBLIC INPUT

President Wheaton asked for public input. Public comment was received from Matt Hendrick regarding cancellation of the landowners meeting regarding the Setton Wheeling Application and concerns regarding Deer Creek Water Company's place of use.

APPROVAL OF MINUTES

Upon motion by Director Fowler, seconded by Director Doyel, to approve the minutes of the June 10, 2020 regular meeting as mailed.

Ayes: Fowler, Doyel, Galloway, Martinez, Wheaton
Noes: None
Absent: None
Abstain:None

AUTHORIZATION TO PAY BILLS Review and discuss outstanding bills.

Upon motion by Director Doyel, seconded by Director Martinez, to authorize the Treasurer to pay all outstanding bills against the District as presented.

Ayes: Fowler, Doyel, Galloway, Martinez, Wheaton
Noes: None
Absent: None
Abstain:None

MONTHLY REPORTS

Treasurer Nelms reviewed with the Board the financial status of the District, including TBID Investment Policy Review in Compliance with SB 564 and SB 866. Included in the review; monthly statements from California Bank & Trust, Local Agency Investment Fund, Friant Power Authority revenues and expenditure summary worksheet, noting revenue from FPA plant 2. Delinquent water account report was reviewed noting slight increase in delinquent water accounts from the prior month.

TBID preliminary balance sheet's as of May 31, 2020 as well as Income Statements for the same period, including a year to date statements were reviewed.

Albert Smith, Operations Superintendent, presented his monthly operating activities report for June 2020 Mr. Smith reported employee Don Collins was in an vehicle accident with no injuries or property damage to report.

Equipment maintenance and repair completed on motors on pump #1 and #9 at station #9 and pump #1 at Station #8 are back online and running. Greased all pumps and motors at stations #7, #8, and #9. Serviced both backhoes. Cleaned up around station #7, #8 and #9. Taking daily readings on four power meters from Eastside Power Authority.

WTP average flow through the plant is around 850 gpm. Calibrated the turbidity meters at the treatment plant. ERS added Anthracite to both of the filters. Replaced the west filter spray bar. Lead and copper samples will be taken soon.

Maintenance included 1 main line leak on Road 256 north of Avenue 95. Replaced 2 meters.

The total precipitation is 7.41 inches YTD. USA locates: 26. Back flow's Tested: 41

Manager Geivet presented his monthly report. He reported the Bureau has increased and declared a 65% Class 1 water supply, which will potentially allow TBID to offer LTRID water later in the year. LTRID bought TBID's URF water this year.

Friant Power Authority: Manager Geivet explained when Class 2 Contractors start to take more water we may see an increase in the FPA revenue.

Status of Authorities; ESPA, DCTRA, FWA, ACWA & AECA: Manager Geivet reported FWA is focused on plans to repair the canal. FWA will be de-watering the canal this winter from November 1st to January 31, 2021.

Eastern Tule GSA: Manager Geivet updated the Board on ETGSA accounting program along with Land IQ's progress in providing reports and accompanying data with a target date to be up and running the first of October 1, 2020.

*Director Galloway joined the teleconference meeting at 9:29 a.m.

SETTON WHEELING AGREEMENT – Review and consider executing a Wheeling Agreement with Setton Pistachio.

General Manager Geivet provided a status report on the Setton Wheeling Application. A landowner meeting was attempted with Setton, but due to increased participation was forced to be canceled due to health concerns. General Manager Geivet recommended the board table Agenda Item Number 6 and adjourn to closed session.

Public comment was received from Mr. Prescott.

All guests departed from the Board teleconference meeting at 9:32 a.m.

Adjourned into closed session at 9:32 a.m.

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION [Government Code Section 54956.9] (1 case)

The Board of Directors met while in closed session pursuant to Government Code Section 54956.9(d)(1) with General Counsel Mauritson to discuss the above-entitled action.

Report Action Taken in Closed Session Required by Government Code Section 54957.1

President Wheaton announced there was no reportable action taken during closed session.

The Board adjourned from closed session at 10:50 a.m.

Rejoining the teleconference meeting Jake Gorrell, Paul Prescott, Renee Hendrick, Matt Hendrick, Lee Cohen, Clayton Cohen, and Tom Prescott at 10:50 a.m.

The Board returned to Agenda Item Number 6.

SETTON WHEELING AGREEMENT – Review and consider executing a Wheeling Agreement with Setton Pistachio.

Public comment was received from the following regarding the Setton Wheeling Agreement: Mr. Gorrell, Mr. Paul Prescott, Mr. Tom Prescott, Lee Cohen of Setton Pistachio, Mr. Hendrick, and Mrs. Hendrick. Comments raised concerns regarding the environmental impact to the grazing land if Deer Creek Water Company was to move the water away from the property adjacent to Deer Creek at the proposed amount on the wheeling agreement.

Mr Lee Cohen of Setton Pistachio explained that upon any signs of damages or harm to the neighboring landowners they would turn off the pumps.

No action was taken on the proposed wheeling agreement.

The Board directed staff to meet with Setton for further discussions on terms of the Wheeling Agreement, with the anticipation of making a final decision next month.

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION [Government Code Section 54956.9(d)(1)] *City of Fresno, et al. v. United States of America, Court of Federal Claims, Case No. 16-1276L.*

No closed session was required on above litigation.

ITEMS TO BE DISCUSSED PURSUANT TO GOVERNMENT CODE SECTION 54954.2 (Relating to items not appearing on the agenda)

None to report.

ADJOURNMENT

There being no further business before the Board of Directors, the meeting was adjourned at 11:29 a.m. by President Wheaton.

Ann Nelms, Secretary