

**August 11, 2021**

The Board of Directors of the Terra Bella Irrigation District met this day in regular session, the meeting was teleconference from the District Office located at 24790 Avenue 95, Terra Bella, California.

**CALL TO ORDER**

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

**ATTENDANCE** participating in this meeting remotely and in person:

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

DIRECTORS ABSENT: none

OTHERS PRESENT: Albert Smith, District Operations Superintendent  
Ann Nelms, District Secretary-Treasurer  
Aubrey Mauritsen, Legal Counsel  
Nick Keller, Consulting Engineer  
Kristie Mattock  
Matt Hendrick  
Brad Samuelson  
Roger Everett  
Ray Chrispens  
Chad Mattock

**AGENDA – CONSIDER CHANGES OR ADDITIONS TO THE AGENDA**

No changes were made to the posted agenda.

**PUBLIC INPUT**

President Wheaton asked for public input. There was no public input.

**APPROVAL OF MINUTES**

M/S/U, Fowler, Doyel to approve the minutes of the July 14, 2021 regular meeting as mailed.

**AUTHORIZATION TO PAY BILLS** Review and discuss outstanding bills.

M/S/U Galloway, Doyel to authorize the Treasurer to pay all outstanding bills against the District as presented.

**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 is the monthly statements from California Bank & Trust, Local Agency Investment Fund, Friant Power Authority revenue and expenditure summary worksheet, along with the delinquent water account report was reviewed.

TBID balance sheet as of June 30, 2021 as well as Income Statements for the same period, including year-to-date statements were reviewed.

Albert Smith, Operations Superintendent, presented his monthly operating activities report for July 2021 Mr. Smith stated no accidents or injuries to report for the month of June.

Equipment maintenance and repair includes Car #2 new tires, greased all pumps and motors at stations #1, #2, and #4. Replaced AC at station #1, new tires on 580L backhoe. Operations maintenance and repair report included weeding and cleaned up at stations #7, #8, and #9. Disc around the treatment plant. Will be replacing upper wells line to station #3 in 2 weeks.

WTP average flow through the plant is around 700 gpm. Air compressor control switch went bad, replaced chlorine tubing.

1 main line leaks in July; at Avenue 92 east of Road 248.

The total precipitation is 4.67 inches YTD. USA locates: 45. Back flow's Tested: 17

Mr. Keller presented the monthly water report. Included in the Board Packet is the Water Schedule at 20% Class 1 and July 2021 actual delivery of 3211 acre feet. The Bureau's CVP allocation is still at 20% and it does not appear that the Bureau will reduce it at this point. Included in the board packet is a letter from the Bureau on the well discharge licenses for wells 63 and 64. Discussion followed on the ability to use these wells.

**Friant Power Authority:** Nothing new to report

**Status of Authorities; ESPA, DCTRA, FWA, ACWA & AECA:** Mr. Keller updated the Board on FWA, they approved the refund of District's funding if there is excess at the end of the Capacity Correction project. Ms. Mauritson reported FWA will not hold the District's money for other projects. Mr. Keller informed the Board of the DCTRA spill way enlargement contract was awarded this project is subsidized by the federal and state funding.

**Eastern Tule GSA:** Ms. Mauritson updated the Board on ETGSA's monitoring and management of the accounting methods. Discussion followed on ETGSA management and accounting.

**EMPLOYEE SERVICES AGREEMENT – Review and consider authorizing execution of the amended and restated agreement between TBID and the ETGSA.**

The Board reviewed the amended and restated agreement between TBID and ETGSA.

M/S/C Doyel, Fowler, to approve and restate the new Employee Service Agreement between TBID and ETGSA.

**ETGSA OPT-IN AGREEMENT for APN 305-050-007 Review and consider authorizing the signing of an annual Opt-In Agreement with ETGSA on APN 305-050-007 that is not wholly within the ETGSA's boundaries.**

Item was tabled until next month.

**RICKY L BEALS LEASE – Review and consider the draft lease with changes to the lease terms on the existing Farming and Grazing Lease for the remainder of this year and renewing the lease for another 5 years starting September 1, 2021 to December 31, 2027.**

The Board reviewed the farming and grazing lease agreement between TBID and Ricky Beals.

M/S/C Doyel, Fowler, approved farming and grazing lease agreement between TBID and Ricky Beals as it is written.

Chad Mattock and Ray Chrispens departed the teleconference at 9:40 a.m.

Brad Samuelson, Roger Everett, Kristie Mattock, and Matt Hendrick, departed from the Board room and teleconference at 9:49 a.m.

**CLOSED SESSION**

The Board adjourned into closed session at the hour of 9:50 a.m.

**CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION Government Code Section 54956.9(d)(1 Case)**

The Board of Directors met while in closed session pursuant to Government Code Section 54956.9 to discuss one potential anticipated litigation case.

**EMPLOYEE MATTERS – Closed Session. Government Code Section 54957, Personnel.**

The Board of Directors met while in closed session pursuant to Government Code Section 54956.9(d)(1) to discuss the above-entitled action. Report Action Taken in Closed Session Required by Government Code Section 54957.1

**REPORTABLE ACTION**

The Board adjourned from closed session at 11:08 a.m.

Pursuant to Government Code Section 54957.1 the Board came back into open session and announced no reportable action.

**ETGSA SURFACE WATER ACCOUNTS: Consider authorizing staff to direct the GSA on a methodology for surface water accounts.**

The Board took under extensive discussion and review the methodology for prior years leave behind and recharge water the Board recommended ETGSA staff apply the leave behind and recharge water to individual owners account.

M/S/C, Doyel, Fowler to advise ETGSA to apply the leave behind and recharge water to the individual owners.

**TEMPORARY CONSTRUCTION EASEMENT WITH THE U.S. BUREAU OF RECLAMATION – Property easement: Friant-Kern Canal Middle Reach Capacity Correction Project easement premises. Consider a resolution authorizing the Board President to enter into contract with the United States Bureau of Reclamation to allow a temporary easement on TBID property APN 302-170-011.**

The Board reviewed and discussed the Temporary Construction Easement Purchase Contract from the Bureau for purchase of the excavation and removal of all necessary fill soil for the project from property APN 302-170-011 as needed over a five (5) year period leaving the ground suitable for a recharge basin for the sum of \$1,170,097.

M/S/C. Fowler, Doyel to authorize the Board President to sign the Temporary Construction Easement Purchase Contract and Easement as written in the amount of \$1,170,097 for purchase of the excavation and removal of all necessary fill soil for the project from property APN 302-170-011 a five (5) year contract which will leave the ground suitable for a recharge basin

**AGREEMENT TO SELL PROPERTY TO THE UNITED STATES OF AMERICA– Consider Authorizing Board President to sign the Agreement for the sale of 11.20 acres of APN 302-170-011 Property for the Friant-Kern Canal Middle Reach Capacity Correction Project to the Friant Water Authority at purchase price of \$502,000.00.**

The Board reviewed the purchase offer from the United States Bureau for the acquisition of 11.2 acres of property APN 302-170-011 for the Friant Kern Canal Capacity Correction Project in coordination with Friant Water Authority for the offer of \$502,000 for land and current recharge basin. The Terra Bella Irrigation District Pump Station #10 will be replaced by Friant-Kern Canal Middle Reach Capacity Correction Project in accordance with the Memorandum dated April 14, 2021. Any costs incurred by the District to replace the existing recharge basin will be reimbursed by the Bureau.

M/S/C. Fowler, Doyel to approve the Land Purchase Contract, Temporary Construction Easement and Warranty Deed as written for the United States acquisition of 11.2 acres of TBID's APN 302-170-011 property.

**EMPLOYEE MATTERS- Discussion and potential action on the Employees' performance and compensation.**

The Board of Directors met while in closed session pursuant to Government Code Section 54956.9(d)(1) to discuss the above-entitled action. Report Action Taken in Closed Session Required by Government Code Section 54957.1

The Board reviewed the Consumer Price Index for June 2021 at 6.0% and the salary schedule for TBID employees at 8/11/2021.

M/S/U Doyel, Fowler to grant a 6.0% cost of living increase to employees and a Step increase for employee Justin Duran at his five-year Anniversary.

**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.**

Item was tabled until next month.

**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 11:15 a.m. by President Wheaton.

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Ann Nelms, Secretary