

February 9, 2022

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 9:00 a.m.

ATTENDANCE participating in this meeting remotely and in person:

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

DIRECTORS ABSENT: None

OTHERS PRESENT: Sean P. Geivet, General Manager
Albert Smith, District Operations Superintendent
Ann Nelms, District Secretary-Treasurer
Aubrey Mauritsen, Legal Counsel
Nick Keller, Consulting Engineer
Steve Jackson
Fernando Rios
Renee Hendrick
Matt Hendrick

AGENDA – CONSIDER CHANGES OR ADDITIONS TO THE AGENDA

No changes were made to the posted agenda.

PUBLIC INPUT

President Wheaton asked for public input. Included in the board packet letter from Customer Chris Flowers.

CONTINUING SUSPENSION of Public Meeting Location Resolution No. 2022-02-01 – Consider approval of resolution continuing suspension of public meeting locations pursuant to AB 361.

Upon motion by Director Doyel, seconded by Director Galloway, the following Resolution was passed and adopted:
TERRA BELLA IRRIGATION DISTRICT

RESOLUTION 2022-02-01 RE CONTINUED SUSPENSION OF PUBLIC TELECONFERENCING LOCATIONS

WHEREAS, as modified by Assembly Bill 361, *Government Code* § 54953(e)(1) permits local agencies to dispense with the requirements for teleconference locations contained in *Government Code* § 54953(b)(3) under the conditions specified herein;

WHEREAS, the Board has reconsidered the state of emergency issued by the State of California in connection with COVID-19, and has found that the declared state of emergency remains in effect;

WHEREAS, local and state officials continue to recommend and, in some cases, require, social distancing measures;

NOW, THEREFORE, IT IS HEREBY RESOLVED, that the Board shall, consistent with *Government Code* 54953(e)(1), continue to operate without physical, public meeting or teleconference locations.

THE FOREGOING RESOLUTION was passed and adopted by the Terra Bella Irrigation District Board of Directors on this 9th day of February, 2022, by the following vote:

AYES: Wheaton, Doyel, Fowler, Galloway, Martinez
NOES: None
ABSTAIN: None
ABSENT: None

/s/ Edwin L. Wheaton
Edwin L. Wheaton, President

ATTEST:

/s/ Ann Nelms
Ann Nelms, Secretary
Certificate of Secretary

I do hereby certify that I am the Secretary of Terra Bella Irrigation District, a special district organized and existing under the laws of the State of California, and that the foregoing Resolution was duly adopted by the Board of Directors thereof at a meeting thereof duly and regularly held on the 9th day of February, 2022, at which meeting a quorum of the said Board of Directors was at all times present and acting, and that said Resolution has not been rescinded or amended in whole or any part thereof, and remains in force and effect.

IN WITNESS WHEREOF, I have signed this Certificate on this 9th day of February, 2022, Terra Bella, California.

/s/ Ann Nelms
Ann Nelms, Secretary

APPROVAL OF MINUTES

M/S/U.Galloway, Doyel to approve the minutes of the January 12, 2022 regular meeting as mailed.

AUTHORIZATION TO PAY BILLS Review and discuss outstanding bills.

M/S/U Doyel, Fowler 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; monthly statements from California Bank & Trust, Local Agency Investment Fund, Friant Power Authority revenues and expenditure summary worksheet. Delinquent water account report was reviewed and discussed.

TBID balance sheet as of December 31, 2022 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 January 2022 Mr. Smith stated no accidents or injuries to report.

Equipment maintenance and repair on Car #11 rebuilt the side boards. Flat fixed on the 580D Backhoe. Greased all pumps and motors at stations #7, #8, and #9. Serviced both backhoes. Operations maintenance and repair report included weeding and cleaned up at stations #7, #8, and #9. Received CCR information packet from Keller Wegley office. Disc around the treatment plant. Changed oil in all pump motors at all stations.

WTP average flow through the plant is around 300 gpm. Cleaned and scrubbed the clarifier.

The total precipitation is 5.84 inches YTD. USA locates: 24. Back flow's Tested: 50

Mr. Keller presented the monthly water report. TBID used 115 in January. Canal repairs and de-water in late November expected this year. No declaration from the Bureau for Faint Contractors yet. Discussion followed on upcoming water year prediction.

Fraint Water Authority Capacity correction project Contractor's starting work.

Friant Power Authority: Nothing to report

Status of Authorities; ESPA, DCTRA, ACWA & AECA: Mr. Keller updated the board on DCTRA dissolving progress.

Eastern Tule GSA: TBID has received customer complaints on the ETGSA billing process.

Deer Creek Water Co. Wheeling Agreement Public Hearing Review and consider approval of wheeling agreement

President Wheaton opened the meeting for public input regarding the wheeling water application of Deer Creek Water Company to move 600 a/f to Setton Pistachio. Included in the Board packet a letter from Deer Creek Landowners. Public comment was received from Tom Prescott, Joe Prescott, Paul Prescott, Matt Hendrick, Renee Hendrick, and Steve Jackson. Discussion followed as the Board took under review and consideration the wheeling agreement.

The Board agreed to move to Agenda Item Number 14 All guests departed from the Board room and teleconference meeting at 10:04 a.m.

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Government Code Section 54956.9 (d) (20 Number of Potential Cases: Three

Adjourned into closed session at 10:04 a.m.

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 adjourned from closed session at 10:12 a.m.

No reportable action taken during closed session.

The Board returned to Agenda Item Number 7. Guests returned to the Board room at 10:12 a.m.

Upon motion by Director Galloway, seconded by Director Doyel, to approve the Wheeling Agreement with Deer Creek Water Co

Ayes: Doyel, Galloway, Martinez, Wheaton

Noes: None

Absent: None

Abstain: Fowler

Rainbow Orchards V LLC Wheeling Agreement Public Hearing Review and consider approval of wheeling agreement

President Wheaton opened the meeting for public input regarding the wheeling water application for Rainbow Orchards wheeling application to move 200 a/f to Deer Creek Water Co.

Upon motion by Director Galloway, seconded by Director Doyel, to approve the Wheeling Agreement with Rainbow Orchards V LLC

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

J. Poonian Limited Partnership Wheeling Agreement Public Hearing Review and consider approval of wheeling agreement

Item was tabled until next month.

Francisco C. Perez Wheeling Agreement – Review and consider executing a 2022-23 Wheeling Agreement with Francisco C. Perez. and start the public review period.

Item was tabled until next month.

Tom Prescott, Paul Prescott, Joe Prescott, Steve Jackson, Fernando Rios departed the Boardroom 10:28 a.m.

TBID Borrow Site Easement Amendment Review and consider approval of TBID Borrow Site Easement Amendment

Ms Mauritsen reviewed the Amended TBID Borrow Site Easement included in the Board packet.

M/S/C. Galloway, Doyel to approve the amended TBID Borrow Site Easement Amendment.

CONSUMER CONFIDENCE REPORT – Consider authorizing Dennis R. Keller Consulting Civil Engineer, Inc to complete the 2021 Consumer Confidence Report.

M/S/C. Galloway, Doyel to authorize Dennis R. Keller Consulting Civil Engineer to complete the TBID 2021 Annual Water Quality Report as required, and to participate in the Title 22 water testing program.

2022 BUDGET & WATER RATES – Review and consider adopting the draft 2022 Budget and Water Rates, posting for public review, and setting a public hearing on said budget and rates for April 13, 2022.

The Board took under review and discussion the 2022 draft budget and water rates.

M/S/C. Galloway, Doyel to approve the 2022 TBID Budget as discussed; to approve the 2022 TBID Water Rates as follows; and to set a Public Hearing to review the water rates for April 13, 2022 at 9:00 a.m. at the District office, after which the budget and water rates will be adopted:

	Untreated Domestic & <u>Irrigation</u>	Untreated <u>M&I</u>
Zone 9	\$201.42	\$209.42
Zone 1	\$228.93	\$236.93
Zone 6 & 7	\$246.07	\$254.07
Zone 4 & 8	\$292.46	\$300.46
	<u>> 5 Acres</u>	<u>< 5 Acres</u>
WQIP Rates	\$411.40	\$416.44

(A copy of the 2022 Budget as approved is incorporated in the minutes by reference and is on file in the office of the District.)

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.

ADJOURNMENT

There being no further business before the Board of Directors, the meeting was adjourned at 10:48 a.m. by President Wheaton.

Ann Nelms, Secretary