

March 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 9:02 a.m.

ATTENDANCE participating in this meeting remotely and in person:

DIRECTORS PRESENT: Wheaton, Fowler, Doyel, Galloway
DIRECTORS ABSENT: Martinez
OTHERS PRESENT: Sean P. Geivet, General Manager
Albert Smith, District Operations Superintendent
Ann Nelms, District Secretary-Treasurer
Nick Keller, Consulting Engineer
Steve Jackson
Fernando Rios

AGENDA – CONSIDER CHANGES OR ADDITIONS TO THE AGENDA

No changes were made to the posted agenda.

PUBLIC INPUT

President Wheaton asked for public input.

CONTINUING SUSPENSION of Public Meeting Location Resolution No. 2022-03-01 – Consider approval of resolution continuing suspension of public meeting locations pursuant to AB 361.

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

**TERRA BELLA IRRIGATION DISTRICT
RESOLUTION 2022-03-01 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 March, 2022, by the following vote:

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

/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 March, 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 March, 2022, Terra Bella, California.

/s/ Ann Nelms
Ann Nelms, Secretary

APPROVAL OF MINUTES

M/S/U. Fowler, Doyel to approve the minutes of the February 9, 2022 regular meeting as mailed.

AUTHORIZATION TO PAY BILLS Review and discuss outstanding bills.

M/S/U Galloway, 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 January 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 February 2022 Mr. Smith stated no accidents or injuries to report.

Equipment maintenance and repair included pulling pumps #9 and #8 at station #9, replacing fuses at station #4, for pump motors #1 and #2, greased all pumps and motors at stations #1, #2 and #4, serviced both backhoes, installed pump motors #3, and #4 at station #1, had front brakes changed on car #3. Operations maintenance and repair report included weeding and cleaned up at stations #1, #2, and #4. Replaced all c12 tubing, and plumbing at station #9, and disc around wells.

WTP average flow through the plant is around 300 gpm. Pulled first quarter THM samples, removed trees from the backwash ponds.

The total precipitation is 6.32 inches YTD. USA locates: 33. Back flow's Tested: 22

Mr. Keller presented the monthly water report. Announcing the initial declaration from the Bureau for Frait Contractors Class I water is 15%, which equals to 4,350 acre feet for TBID. Discussion followed on the water year allocation and possible increase from the last storm.

Frait Water Authority Capacity correction project Contractor has been working not anticipating any shut down until de-water in the fall.

Friant Power Authority: will replacing the transformer when the canal de-waters.

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

Eastern Tule GSA: Is working on the sub-management plan for the state to sign off on.

J. POONIAN LIMITED PARTNERSHIP WHEELING AGREEMENT Review and consider approval of 2022-23 wheeling agreement.

The Board reviewed the wheeling and transfer agreement for 500 acre feet for 2022-23 water year from J. Poonian Limited Partnership.

M/S/C, Galloway, Doyel, to approve 2022-23 wheeling agreement with J. Poonian Limited Partnership and authorize manager to sign the agreement.

FRANCISCO C. PEREZ. WHEELING AGREEMENT – Review and consider executing a 2022-23 Wheeling Agreement with Francisco C. Perez.

The Board reviewed the wheeling and transfer agreement for 4 acre feet for 2022-23 water year from Francisco C. Perez.

M/S/C, Galloway, Doyel, to approve 2022-23 wheeling agreement with Francisco C. Perez and authorize manager to sign the agreement.

INVESTMENT POLICY – Review and consider affirming the TBID Guidelines for Local Agency Investments.

Mr. Geivet explained the Board is required to annually adopt “Guidelines for Local Agency Investments”. The current policy was reviewed.

M/S/U, Galloway, Doyel to adopt the “Guidelines for Local Agency Investments” as follows:

TERRA BELLA IRRIGATION DISTRICT GUIDELINES FOR LOCAL AGENCY INVESTMENTS ADOPTED MARCH 10, 2021

I. PURPOSE AND GOALS

This statement is intended to outline the policies for maximizing the efficiency of the District's Cash Management System, for prudent investment of the District's funds, and to provide guidelines for suitable investments.

The ultimate goal is to enhance the economic status of the District while protecting its funds.

The District's Cash Management System is designed to accurately monitor and forecast expenditures and revenues, thus enabling the District to invest funds to the fullest extent possible. The District shall attempt to obtain the highest yield, provided that all investments meet the criteria established for safety and liquidity.

The investment policies and practices of the District are based upon Federal, State and Local law and prudent money management. The primary goals of these policies are:

1. To assure compliance with all Federal, State and Local laws governing the investment of monies under the control of the District's Treasurer or chief financial officer.
2. To protect the principal monies entrusted to this office.
3. To generate the maximum amount of investment income within the parameters of this Statement of Investment Policy and the guidelines for suitable investments.

II. SCOPE

All monies entrusted to the District will be pooled in an actively managed portfolio. The Investment Pool or "Portfolio" will be referred to as the "Fund" throughout the remainder of this document.

III. OBJECTIVES

A. Safety of Principal

Safety of principal is the foremost objective of the District. Each investment transaction shall seek to preserve the principal of the portfolio, whether from institutional default, broker-dealer default or erosion of market value of securities. The District shall seek to preserve principal by mitigating the two types of risk: credit risk and market risk.

Investments shall be undertaken in a manner which first seeks to ensure the preservation of principal in the Fund. The Treasurer or chief financial officer shall evaluate or cause to have evaluated each potential investment, seeking both quality in issuer and in underlying security or collateral and shall diversify the portfolio to reduce exposure to loss.

1. Credit Risk

Credit risk, defined as the risk of loss due to failure of an issuer of a security, shall be mitigated by investing in only very safe institutions and by diversifying the Fund so that the failure of any one issuer would not unduly harm the District's cash flow.

2. Market Risk

The risk of market value fluctuations due to overall changes in the general level of interest rates shall be mitigated by limiting the weighted average maturity of the District's Fund to five years or less. It is explicitly recognized herein, however, that in a diversified portfolio, occasional measured losses are inevitable, and must be considered within the context of the overall investment return.

B. Liquidity

Liquidity is the second most important objective. Investments shall be made whose maturity date is compatible with cash flow requirements and which can be easily and rapidly converted into cash without substantial loss of value.

C. Return on Investment

Investments shall be undertaken to produce an acceptable rate of return after first considering safety of principal and liquidity.

IV. PROHIBITED INVESTMENTS

Government Code 53601, as amended in 1995 by SB 866, Chapter 784 of the 1995 Statutes, prohibits a local agency from investing in any of the following:

"Inverse floaters, range notes, or interest only strips." Note: These are not defined in the Code.

Securities that could result in zero interest accrual if held to maturity. However, this limitation does not apply to shares of beneficial interest issued by diversified management companies registered under the Investment Company Act of 1940 (15 U.S.C. Sec. 80a-1).

V. REPORTING REQUIREMENTS (Government Code Sec. 53646 as amended by SB 564, Chp. 783 of 1995 statutes)

If the District has placed all of its investments in the Local Agency Investment Fund, created by Section 16429.1 through 16429.3 of the Government Code, or in Federal Deposit Insurance Corporation-insured accounts in a bank or savings and loan association, or any combination of these, the Treasurer or chief fiscal officer will comply with Government Code Section 53646 by supplying to the governing body, chief executive officer and the auditor of the District the most recent statement or statements received by the District. For any other combination of investments, the requirements below apply.

- The report must be given quarterly, within 30 days after quarter end. However, the governing body of the District may elect to require the report specified in Sec. 53646 to be made on a monthly basis instead of quarterly.
- Contents of the report must include type, issuer, maturity date, par and dollar amount invested in all securities, market value weighted average, investments and monies held by the District. This includes any funds, investments or programs, including loans, that are under the management of contracted parties. The report must also state compliance of the Fund with the statement of investment policy, or the manner in which the Fund is not in compliance.
- Include a statement denoting the ability of the District to meet its expenditure requirements for the next six months or an explanation as to why sufficient money will not or may not be available. A subsidiary ledger of investments may be used in accordance with accepted accounting practices.
- The Treasurer or chief financial officer shall report whatever additional information or data may be required by the governing body of the District.

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

No closed session was required.

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 9:43 a.m. by President Wheaton.

Ann Nelms, Secretary