

October 12, 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 9:01 a.m.

ATTENDANCE participating in this meeting remotely and in person:

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

DIRECTORS ABSENT: None

OTHERS PRESENT: Sean P. Geivet, General Manager
Albert Smith, District Operations Superintendent
Ann Nelms, District Secretary-Treasurer
Doug Jackson
Matt Hendrick
Tom Prescott
Levi Paulin

AGENDA – CONSIDER CHANGES OR ADDITIONS TO THE AGENDA

No changes were made to the posted agenda.

CONTINUING SUSPENSION of Public Meeting Location Resolution No. 2022-10-01 – Consider approval of resolution continuing suspension of public meeting locations pursuant to AB 361.

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

**TERRA BELLA IRRIGATION DISTRICT
RESOLUTION 2022-09-01 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 12th day of October, 2022, by the following vote:

AYES: Wheaton, Doyel, Galloway, Fowler, 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 12th day of October, 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 12th day of October, 2022, Terra Bella, California.

/s/ Ann Nelms

Ann Nelms, Secretary

PUBLIC INPUT

President Wheaton asked for public input. Mr. Hendrick and Mr. Prescott addressed the Board regarding their position against wheeling water from the Deer Creek river area on well applications on the agenda.

APPROVAL OF MINUTES

M/S/U, Fowler, Doyel to approve the minutes of the September 14, 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 revenue and expenditure summary worksheet. Delinquent water account report was reviewed and discussed.

A preliminary TBID balance sheet as of August 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 September 2022. Mr. Smith stated there were no accidents or injuries to report.

Equipment maintenance and repair included replacing the hydraulic pump on the 580L backhoe, discussion followed on bids for a new backhoe. Greased all pumps and motors at stations #7, #8, and #9. Repaired Station #7 pump #3 swing check. Replaced the VFD capacitors at station #1. Replaced wiring at Tank #8 Station #8. Operations maintenance and repair report included weeding and cleaned up at Stations #7, #8, and #9. Discussion followed on the brief untreated water smells and organics in the canal. Still waiting for Edison to hook up the power to the the upper wells. All the wells are ready for winter use.

WTP average flow through the plant is around 550 gpm. Water test pulled at a residence due to customer complaint and the sample returned negative. Third quarter DPB sample at 23267 Avenue 96 was over the MCL, the results where 85.4 (ppb), the MCL is 80 (ppb) our average is 70.6 (ppb).

The total precipitation is 8.38 inches YTD. USA locates: 32. Back flow's Tested: 21

Manager Geivet presented the monthly water report and reviewed the monthly water schedule with the Board. The canal will de-watered from Novemeber 2nd to February 1st, 2023 for repairs, discussion followed on the canal repairs and the new canal work in progress. M&I water will be available from wells when the canal is turned off.

Fraint Water Authority is working on the retreat coming up and the subsidence capacity correction.

Friant Power Authority FPA will be scheduling the transformer to be installed.

Status of Authorities; ESPA, DCTRA, ACWA & AECA: DCTRA is working finalizing

Eastern Tule GSA is working on their business practice and policies for collections.

REPAYMENT AGREEMENT – Review and consider executing a Repayment Agreement for Recapture of Restoration Flows in the Lower San Joaquin River.

The Board reviewed and considered the Repayment Agreement for the Recapture of the Restoration Flows in the Lower San Joaquin River.

M/S/C, Fowler, Doyel to approve the Repayment Agreement for the Recapture of Restoration Flows in the Lower San Joaquin River.

SHANNON LEASE – Review and consider renewing the Shannon Lease with the Shannon Brothers.

Mr. Geivet reviewed the grazing lease for Bill and John Shannon that expires on December 31, 2022 with the Board.

M/S/C. Fowler, Doyel to approve the grazing lease with Bill and John Shannon for another 10 years.

BEE SWEET CITRUS INC.; and GC GALLOWAY LLC., MIKE RILEY, BRENT DOYEL, CHAD MATTOCK, TIM PELTZER WITH BILL SHANNON WHEELING AGREEMENTS – Review and consider executing a Wheeling Agreements with the following customers Bee Sweet Citrus Inc.; and GC Galloway, Mike Riley, Brent Doyel, Chad Mattock, Tim Peltzer with Bill Shannon

Discussion followed as the Board took under review and consideration the wheeling agreements. The Board reviewed the wheeling and transfer agreement for 2022-23 water year from Bee Sweet Citrus Inc., GC Galloway LLC, Mike Riley, Brent Doyel, Chad Mattock, Tim Peltzer with Bill Shannon.

M/S/C. Fowler, Martinez to approve 2022-23 wheeling agreement and authorize manager to sign the agreement.

Doug Jackson, Levi Paulin, Tom Prescott, Matt Herdrick departed from the Board room and teleconference at 9:41 a.m.

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.*

Adjourned into closed session at 9:41 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 10:06 a.m.

Report Action Taken in Closed Session Required by Government Code 54957.1

No reportable action taken during closed session.

**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 10:06 a.m. by President Wheaton.

Ann Nelms, Secretary