

August 9, 2023

The Board of Directors of the Terra Bella Irrigation District met this day in regular session, the meeting was also 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 and Martinez

DIRECTORS ABSENT: None

OTHERS PRESENT: Sean Geivet, General Manager
Albert Smith, District Operations Superintendent
Ann Nelms, District Secretary-Treasurer
Aubrey Mauritson, Legal Counsel
Douglas Jackson

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 12, 2023 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 and Local Agency Investment Fund, Friant power Authority revenues and expenditure summary worksheet. Delinquent water account report was reviewed.

TBID balance sheet as of June 30, 2023, as well as Income Statements for the same period, including a year to date statement, was reviewed.

Albert Smith, Operations Superintendent, presented his monthly operating activities report for July 2023. Mr. Smith stated there were no accidents or injuries to report.

Equipment maintenance and repair included repacked Pump #1 at Station #7 and repacked Pump #2 at station #9. Car #6 had the AC compressor and radiator replaced. Greased all pumps and motors at Staion #7, #8, and #9. Replaced the front tires on the 580 D backhoe. Operations maintenance and repair report included weeding and cleaned up at Stations #7, #8, and #9. Disc around the Treatment Plant. One main line leak at the south east corner of Avenue 96 and Road 264.

WTP average flow through the plant is around 630 gpm.

The total precipitation is 20.84 inches YTD. USA locates: 18. Back flow's Tested: 39

Manager Geivet presented his monthly report. Manager Geivet discussed TBID's current water delivery schedule and water year with the Board.

Fraint Water Authority: Jason Phillip emailing newsletter.

Friant Power Authority: Nothing new to report.

Status of Authorities; ESPA & AECA: Nothing new to report.

Eastern Tule GSA working on the getting their plan approved by the State.

Cooperative Agreement for the Friant-Kern Canal Water Quality Guidelines – Review and consider adopting a Resolution in support of the Cooperative Agreement for the Friant-Kern Canal Water Quality Guidelines.

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

RESOLUTION No. 2023-8-1

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE TERRA BELLA IRRIGATION DISTRICT APPROVING THE COOPERATIVE AGREEMENT FOR THE IMPLEMENTATION OF THE NEW GUIDELINES FOR ACCEPTING WATER INTO THE FRIANT-KERN CANAL

THE BOARD OF DIRECTORS OF THE TERRA BELLA IRRIGATION DISTRICT RESOLVES AS FOLLOWS:

SECTION 1. Resolution The Board of Directors finds as follows:

A. The United States Bureau of Reclamation (“Reclamation”) constructed and owns the facilities of the Friant Division of the Central Valley Project (“CVP” or “Project”), including the Friant Dam and the Friant-Kern Canal (“Canal” or “FKC”) which conveys water from Millerton Lake to municipalities and water agencies including the Terra Bella Irrigation District (collectively, “Contractors”) along the 152-mile length of the Canal that have water delivery contracts with Reclamation for Project water.

B. The Terra Bella Irrigation District (“District”) has entered into that certain *Contract Between the United States and the Terra Bella Irrigation District Providing for Project Water Service from Friant Division and for Facilities Repayment* (Contract No.2446D) (“Water Service Contract”).

C. In order to ensure the quality of water conveyed through the FKC , the Friant Water Authority (“FWA”), the District and other Contractors have cooperatively developed certain *Guidelines for Accepting Water into the Friant-Kern Canal* (“Guidelines”) that define certain water quality thresholds and the required mitigation associated with the introduction of Non-Millerton water into the FKC, as well as establish methodologies, procedures and tools for forecasting, monitoring and managing water quality in the FKC.

SECTION 2. Approval of the Cooperative Agreement. The Board of Directors approves the Cooperative Agreement attached hereto as Exhibit A and directs District staff to proceed with all necessary actions to execute and enter into the Cooperative Agreement with the participating Contractors and FWA in order to implement the Guidelines. The District does not waive or release any rights or obligations under its Water Service Contract as a result of the Cooperative Agreement, and expressly preserves its right to make any and all claims it may have now or in the future pursuant to the Water Service Contract. The District’s approval of the Cooperative Agreement shall in no way be used as a basis to modify, revise, amend or interpret the District’s Water Service Contract.

SECTION 3. Effective Date. This Resolution will take effect upon adoption.

APPROVED AND ADOPTED on August 9, 2023.

THE FOREGOING RESOLUTION was passed and adopted by the Terra Bella Irrigation District Board of Directors on this 9th day of August, 2023, by the following vote:

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

/s/ Edwin L Wheaton

Edwin L. Wheaton, President

/s/ Ann Nelms

Ann Nelms, Secretary

Douglas Jackson departed from the Boardroom at 9:36 a.m.

EMPLOYEE MATTERS – Closed Session, Government Code Section 54957, Personnel.
Discussion and potential action on the Employees’ performance and compensation

Adjourned into closed session at 9:36 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 10:13 a.m.

Mr. Geivet reviewed the Consumer’s Price Index for June 2023, showing an increase of 3.6% and recommended to the Board that they grant the employees a 3.6% cost of living increase. He also recommended step increases for Morgan Day, Alex Martinez and Patty Gutierrez.

M/S/C, Galloway, Martinez to approve the Manager's recommendation to grant employees of the District the CPI 3.6% cost of living increase and grant step increases for Morgan Day, Alex Martinez and Patty Gutierrez.

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 9:36 a.m.

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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 10:16 a.m. by President Wheaton.

Ann Nelms, Secretary