Minutes of the Regular Meeting of the Board of Directors of the Orange Cove Irrigation District held on Wednesday January 14, 2015. The Meeting was called to order by Chairman Bailey at 12:01 P.M., with the following Directors and Officers present:

Directors:

Harvey A. Bailey, Chairman

H.A. "Gus" Collin, III, Vice-Chairman

David Brown, Director Russell Katayama, Director Arlen Miller, Director

Officers:

Fergus A. Morrissey, Engineer-Manager/Secretary

Robert Ramirez, Controller, Treasurer

Others:

John Sanders, Operations Supervisor

Rodney Dever, Bee Sweet

William Paris, III, O'Laughlin & Paris, Counsel

(via teleconference)

NOTE: Meeting Action Items are noted in bold italicized font.

### 1. Call to order.

Chairman Bailey, called the regular Board of Directors meeting for January 2015 to order at 12:01 P.M., with all Directors in attendance.

# 2. Additions to and approval of the Agenda.

Manager Morrissey noted that no additions or modifications were made to the Agenda. Director Brown motioned to accept the Agenda. Director Katayama, seconded the motion and the Board voted unanimously in favor of approving the Agenda.

# 3. Public Comments.

No public comment was made.

## 4. Approval of Minutes

The Board considered for approval draft minutes from the Regular Board Meeting held in December 2014.

Director Miller noted that Alex Peltzer was noted as on officer in the listing of attendees. Manager Morrissey noted that he would make that correction to legal counsel. Director Miller motioned to approve the minutes as corrected. Vice-Chairman Collin, III seconded the motion and the Board voted unanimously in favor of approving the minutes as corrected.

### 5. Approval of Bills

Controller Ramirez noted net disbursements for the period December 11, 2014 through January 14, 2015 of \$345,403.02.

Controller Ramirez noted major and/or atypical expenditures.

Director Brown noted payment to Minasian firm for SWRCB protest letter and asked where that stood and if the District could submit the letter on its own behalf.

Manager Morrissey noted that he would check on that and unless there was some reason, the District would heretofore submit its own protest letter.

Payment to Michael Patrick George for billing going back to June of 2013 was discussed. Director Collin suggested Board consider a policy that the District not pay bills submitted by vendors, consultants or legal representative more than 90 days after the fact. No action was taken on this, however, Manager Morrissey will have this discussion with vendors as needed going forward. This position would likely result in the inability to have services provided by Keller-Wegley Engineering.

After general discussion on the bills in general, Director Katayama motioned to approve the bills and Vice-Chairman Collin III, seconded the motion. The Board voted unanimously in favor of the motion to approve payment of the Bills as presented.

# 6. Draft OCID Water Rates

The Board discussed water supply projections for next (2015) Contract Year and projections for carryover water from the 2014 Contract Year to the 2015 Contract Year. Although December had strong precipitation in the north of the state, the southern SJV continues to lag and the forecast is for January to be one of the driest Januarys on record. That said, the Board discussed the conservative need to base water rates under the assumption of another zero allocation for the Friant Division. Under that assumption and on the further assumption that 3,200 acre feet of carryover will be available to allocate among the District landowners, the rate will have to increase over last years rate, to approximately \$500 per acre foot. As such, a 218 public hearing will be necessary.

Manager Morrissey and the Board discussed the timing of this public hearing and determined that February 25, 2015 is the latest possible date. It is hoped that there will be more encouraging water supply information at that time, however in the mean time the District must give a 30 day notice that the rates will start off at approximately \$500 per acre foot.

Manager Morrissey will do the calculations based covering O&M and water purchase costs under the assumption of 0.12 acre feet per acre will be made available as of March 1, 2015.

A letter on draft water rates, notice of public hearing and protest form will be prepared and sent out to all District landowners by Friday January 16, 2015.

## 7. Monthly Report

Controller Ramirez covered Items A through L of the monthly report, including delinquent stand-by charges, excess water usage, water deliveries to date and various financial categories including power plant revenue, and return and CD's.

Of particular note, as of December 31 there were approximately 20 acre feet of water used over and above customer availability. Of this, transfers will cover the majority of the overage. At present, it is anticipated that there will be little water (on the order of 5 acre feet or so) subject to billing at a rate of \$2,500 per acre foot.

No action was taken by the Board.

# 8. Water Management

Manager Morrissey discussed with the Board the status of remaining District water supply. Through December, the District has delivered a total of 8,734 acre feet of water including 560 acre feet of Contract water supply rescheduled from 2013. There remains to be used, approximately 4,607 acre feet of unused Contract supply. This water may be carried over into next Contract year, pending use prior thereto.

No action was taken by the Board.

# 9. Electrical Power

Manager Morrissey discussed the QLPP project's revised cash flow schedule and District funds set aside to cover cost obligations. It appear that the necessary funds will be available to cover costs through development of the project.

The construction contractor was selected among two bids received. Syblon-Reid was the low bidder coming in at approximately 105% of the engineers estimate. It is expected that mobilization and construction activities will begin in mid to late February of 2015 and the project will require 16 months to complete. It was also noted that there is positive news in the pursuit of the Renewable Energy Certification being granted to the project by the CEC under their revised guidebook which is expected to be released for a 30 day public review in the next week or so. No other items to report.

No action was taken by the Board.

# 10. District Rules and Regulations

The Board discussed the draft 2015 District Rules and Regulations for a considerable period of time. Zero allocation for the 2014 Contract Year exposed the need to modify the 2014 Rules and Regulations in order to deal with complications heretofore not contemplated or realized.

After considerable discussion, it was determined by the Board that it was necessary to modify the current Rules and Regulations in the following primary ways:

- a. Landowners will no longer be permitted to transfer water allocated within the District to properties outside of the District, and
- b. When the Class 1 Water Supply Declaration (final) is less than or equal to a 50% allocation:

- 1. Spot Market water will be the last water used during the Contract Year,
- 2. Spot Market water **may be carried over** (acre feet not dollar credits) by the purchasing landowner into subsequent Contract Year(s) (subject to spill and payment of rescheduling fees,
- 3. Allocated water shall be the first water used (ahead of Spot Market water), and
- 4. Funds deposited for allocated water **will not be creditable** to the following Contract Year.

Manager Morrissey will make those changes to the 2014 Rules and Regulations, as well as other minor wording changes (non-substantive) to the draft 2015 Rules and Regulations and mail them out with the notice of public hearing mailing by Friday January 16, 2015.

# 11. Friant Water Authority Issues

The Board discussed general issues relative to the Friant Water Authority.

No action was taken by the Board.

### 12. Closed Session - OCID v. LMMWC

The Board discussed with legal counsel Paris, III the subject case.

# 13. Return to Open Session

The Board reported in open session that Counsel Paris, III shall prepare and file documents to appeal the Tehama County Superior Court's ruling on this matter, including the awarding of attorneys fees to defendant, LMMWC.

# 13. Adjourn

With no further business, *the Board adjourned at 4:50 P.M.* with the regular monthly Board of Directors meeting to be held on Wednesday February 11, 2015 at 11:30 A.M. at 1130 Park Boulevard, Orange Cove, California.

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Minutes of the Regular Meeting of the Board of Directors of the Orange Cove Irrigation District held on Wednesday February 11, 2015. The Meeting was called to order by Chairman Bailey at 12:53 P.M., with the following Directors and Officers present:

Directors: Harvey A. Bailey, Chairman

H.A. "Gus" Collin, III, Vice-Chairman

David Brown, Director Russell Katayama, Director Arlen Miller, Director

Officers:

Fergus A. Morrissey, Engineer-Manager/Secretary

Robert Ramirez, Controller, Treasurer

Others:

John Sanders, Operations Supervisor

Rodney Dever, Bee Sweet Michael McCray, Landowner

Alex Peltzer, Legal Counsel (via teleconference)

NOTE: Meeting Action Items are noted in bold italicized font.

### 1. Call to order.

Chairman Bailey, called the regular Board of Directors meeting for February 2015 to order at 12:53 P.M., with all Directors in attendance.

## 2. Additions to and approval of the Agenda.

Manager Morrissey noted that no additions or modifications were made to the Agenda. Vice-Chairman Collin, III motioned to accept the Agenda. *Director Katayama*, seconded the motion and the Board voted unanimously in favor of approving the Agenda.

#### 3. Public Comments.

No public comment was made.

### 4. Approval of Minutes

The Board considered for approval draft minutes from the Regular Board Meeting held in January 2015.

Vice-Chairman Collin, III motioned to approve the minutes as provided. Director Brown seconded the motion and the Board voted unanimously in favor of approving the minutes.

### 5. Approval of Bills

Controller Ramirez noted net disbursements for the period January 15, 2015 through February 10, 2014 of \$371,553.07.

Controller Ramirez noted major and/or atypical expenditures.

After general discussion on the bills in general, Director Katayama motioned to approve the bills and Vice-Chairman Collin III, seconded the motion. The Board voted unanimously in favor of the motion to approve payment of the Bills as presented.

# 6. Monthly Report

Controller Ramirez covered Items A through K of the monthly report, including delinquent stand-by charges, excess water usage, water deliveries to date and various financial categories including power plant revenue, and return and CD's.

Of particular note, as of December 31 there were approximately 2.9 acre feet of water used over and above customer availability. This water is subject to billing at a rate of \$2,500 per acre foot. Last months number was on the order of 20 acre feet and so landowner's are for the most part taking care of their obligations.

No action was taken by the Board.

# 7. Water Management

Manager Morrissey discussed with the Board the status of remaining District water supply. Through January, the District has delivered a total of 8,947 acre feet of water including 773 acre feet of Contract water supply rescheduled from 2013. There remains to be used, approximately 4,394 acre feet of unused Contract supply. This water may be carried over into next Contract year.

Manager Morrissey noted that there remains to be a wide range of declaration possibilities, anywhere from 0% to 100% Class 1. It is far too speculative at this point to assess the water supply outcome with anything but conjecture.

No action was taken by the Board.

### 8. Electrical Power

Manager Morrissey discussed the QLPP noting that the project should begin in March.

No action was taken by the Board.

#### 9. Closed Session

The Board went into Closed session at 1:15 to discuss with legal counsel Peltzer, anticipated litigation.

## 10. Return to Open Session

The Board returned to Open Session at 2:15 and reported that it authorized legal counsel and their broader legal team and their consultants to begin to prepare for litigating the case and to spend up to \$25,000 to provide the Board with more information prior to further resource committals or actual filing of litigation.

## 11. Friant Water Authority Issues

The Board discussed general issues relative to the Friant Water Authority.

No action was taken by the Board.

### 12. Even Year Elections

The Board considered adopting a resolution to switch to even year Director elections in the District in order to save costs payable to the Counties of Fresno and Tulare.

The following roll call vote resulted after consideration of Resolutions 2015-01/02 for Fresno and Tulare County, respectively.

In Favor: Chairman Bailey, Vice-Chairman Collin, III, Director Miller, Director Brown

Opposed: None

Abstain: Director Katayama

### 13. Adjourn

With no further business, *the Board adjourned at 4:50 P.M.* with the regular monthly Board of Directors meeting to be held on Tuesday March 17, 2015 at 11:30 A.M. at 1130 Park Boulevard, Orange Cove, California.

Minutes of the Regular Meeting of the Board of Directors of the Orange Cove Irrigation District held on Tuesday March 17, 2015. The Meeting was called to order by Chairman Bailey at 12:00 P.M., with the following Directors and Officers present:

Directors: Harvey A. Bailey, Chairman

H.A. "Gus" Collin, III, Vice-Chairman

David Brown, Director Russell Katayama, Director

Officers:

Fergus A. Morrissey, Engineer-Manager/Secretary

Others:

John Sanders, Operations Supervisor

Rodney Dever, Bee Sweet Michael McCray, Landowner

Bill Paris, Legal Counsel (via teleconference)

NOTE: Meeting Action Items are noted in bold italicized font.

#### 1. Call to order.

Chairman Bailey, called the regular Board of Directors meeting for March 2015 to order at 12:00 P.M., with Directors Bailey, Collin, III, Brown and Katayama in attendance. Director Miller was absent.

# 2. Additions to and approval of the Agenda.

Manager Morrissey noted that no additions or modifications were made to the Agenda.

### 3. Public Comments.

No public comment was made.

# 4. Approval of Minutes

The Board considered for approval draft minutes from the Regular Board Meeting held in February 2015.

Director Brown motioned to approve the minutes as provided. Director Katayama seconded the motion and the Board voted unanimously in favor of approving the minutes.

# 5. Approval of Bills

Manager Morrissey noted net disbursements for the period February 11, 2015 through March 17, 2014 of \$2,992,759.27.

Manager Morrissey noted major and/or atypical expenditures.

Vice Chair Collin, III questioned the savings of \$18 by having a deductible of \$5,000 on property insurance. Director Brown questioned the payment of over \$69,000 to FWA for SLDMWA costs when Friant is not getting a water supply. On the latter, FWA GM Jacobsma was called for a synopsis of the issues. After explanation and the clarity that not paying would be a breach of the District's perpetual contract, the Board had a better appreciation for the costs and the reasons to pay them. On the former, Controller Ramirez will be asked to look into the matter.

After general discussion on the bills, Vice-Chairman Collin III motioned to approve the bills and Director Brown, seconded the motion. The Board voted unanimously in favor of the motion to approve payment of the Bills as presented.

### 6. Monthly Report

Manager Morrissey covered Items A through K of the monthly report, including delinquent stand-by charges, excess water usage total for 2014/15 Contract Year (1.131 acre feet total), water deliveries for the 2014/15 Contract Year (9,020) and various financial categories including power plant revenue, and return and CD's. Supervisor Sanders discussed various activities of staff relating to O&M. Sanders provided a brief on work that Keith Clem is

performing at the Fishwater Hydro Plant. It was mentioned that Keith would give the Board a more thorough report when he is complete, which will be by the April 2015 Board Meeting.

No action was taken by the Board.

# 7. Water Management

Manager Morrissey discussed with the Board the status of the outlook for water supply for the 2015/16 Contract Year. At present, the Bureau has declared nothing for Friant Division Contractors. At present, there is very little in the way of supplies available to Friant from any source.

The Board discussed groundwater pump-in program both directly into the FKC and into the District infrastructure.

The Board reviewed the groundwater – District facility pump-in program Contract/Agreement.

The Board suggested changes to the previous year's Agreement parameters, including charging a wheeling fee of \$100 per acre foot and a 5% loss to groundwater pumped into the system. Also, the Board expressed that it did not want pumping to be encouraged and to that end instituted the following changes:

- not allowing the transfer of allocated water credits to those pumping-in, and
- requirement for a real time or close to real time take of the pump in, reconciling puts and takes on a monthly basis.

In this way, only groundwater that had a demonstrable use would be allowed to be pumped into the District facility.

Other changes include fines of \$1,000 levied on a Discharger for not calling in an order prior to discharging into the facilities.

The Board requested that a letter be sent to landowners informing them that "mining" of groundwater was discouraged and that a \$10,000 fine would be levied on a landowners property whose system had been tampered with in order to divert water without the ability for the District to properly account for it.

### 8. Electrical Power

Manager Morrissey discussed the QLPP noting that the turbine generator was on route from delivery to the Houston port.

The Board discussed the fact that FPA GM Carlisle would be retiring in June and was interested in staying on at a \$70 per hour rate through the completion of the QLPP.

No action was taken by the Board.

### 9. Closed Session

The Board went into Closed session at 3:00 to discuss litigation associated with the Mill Creek Water Right.

# 10. Return to Open Session

The Board returned to Open Session at 3:25 and reported that it authorized legal counsel to file an appeal on the Tehama County Superior Court Ruling that was adverse to the District's interest.

# 11. City of Orange Cove Annexation

The Board discussed the request by the City to annex approximately 23.72 acres of land on the border of the District. The Board discussed the fact that the policy of the District was that land wouldn't be detached without contemporaneous annexation of equivalent acreage. The Board discussed a policy exception in this case.

The Board found that a policy exception was warranted for this particular property on the following basis:

- When developed, the property will be on City water supply and will not burden the underlying groundwater table (this will be a requirement for detachment from the District imposed on the City, and
- The property will not be create an "island" of non-District land surrounded by District land, and
- The amount of acreage is small,

- Loss of acreage from the District has a de-minimis impact on Stand-by charges on District landowners, and
- Upon the next reorganization process undertaken by the District, if so desired, the Board may annex 23.72 acres more then is detached.

Manager Morrissey will inform the City, through their engineer Yamabe & Horn, that the District will not oppose annexation provided that groundwater beneath the property is not utilized.

# 12. Friant Water Authority Issues

The Board discussed general issues relative to the Friant Water Authority.

The Board considered modifications associated with the FWA JPA. The Board unanimously (excepting absence by Director Miller) adopted Resolution 2015-03 accepting the modifications to the existing JPA, as provided to the District by FWA. Those amendments will become adopted pursuant to at least a 75% concurrence from the FWA Membership.

# 13. Even Year Elections

The Board considered adopting amended Resolution 2015-02, the amendment to conform with the form required by the County of Fresno. There were no substantive changes to Resolution 2015-02.

The following roll call vote resulted after consideration of adopting Amended Resolution 2015-02 for Fresno County.

In Favor: Chairman Bailey, Vice-Chairman Collin, III, Director Brown

Opposed: None

Abstain: Director Katayama

Absent: Director Miller

# 14. Adjourn

With no further business, *the Board adjourned at 4:10 P.M.* with the regular monthly Board of Directors meeting to be held on Wednesday April 8, 2015 at 11:30 A.M. at 1130 Park Boulevard, Orange Cove, California.

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Minutes of the Regular Meeting of the Board of Directors of the Orange Cove Irrigation District held on Tuesday, April 8, 2015. Chairman Bailey called the meeting to order at 11:47A.M., with the following Directors and Officers present:

Directors:

Harvey A. Bailey, Chairman

H.A. "Gus" Collin, III, Vice-Chairman

David Brown, Director Russell Katayama, Director Arlen Miller, Director

Officers:

Fergus A. Morrissey, Engineer-Manager/Secretary

Others:

John Sanders, Operations Supervisor

Rodney Dever, Bee Sweet Michael McCray, Landowner

NOTE: Meeting Action Items are noted in bold italicized font.

## 1. Call to order.

Chairman Baileycalled the regular Board of Directors meeting for April 2015 to order at 11:47A.M., with all Directors in attendance.

# 2. Additions to and approval of the Agenda.

Manager Morrissey noted that no additions or modifications were made to the Agenda.

#### 3. Public Comments.

No public comment was made.

## 4. Approval of Minutes

The Board considered for approval draft minutes from the Regular Board Meeting held in March 2015.

Director Katayama motioned to approve the minutes as provided. Director Brown seconded the motion and the Board voted unanimously in favor of approving the minutes, with the exception of Director Miller who did not attend the March meeting.

# 5. Approval of Bills.

Manager Morrissey noted net disbursements for the period February 11, 2015 through March 17, 2014 of \$274,548.69.

Manager Morrissey noted major and/or atypical expenditures.

After general discussion on the bills, Director Miller motioned to approve the bills and Director Katayama, seconded the motion. The Board voted unanimously in favor of the motion to approve payment of the bills as presented.

# 6. Monthly Report.

Manager Morrissey covered Items A through K of the monthly report, including delinquent standby charges, excess water usage total for 2014/15 Contract Year(0.821 acre feet total) and including the month of March, 2.024, water deliveries to date for the water year of 148 (according to Friant Meter, OCID meter data not yet available) and various financial categories including power plant revenue, and return and CD's.

Supervisor Sanders discussed various activities of staff relating to O&M. *No action was taken by the Board.* 

# 7. Water Management.

Manager Morrissey discussed with the Board the status of the outlook for water supply for the 2015/16 Contract Year. At present, the Bureau has declared nothing for Friant Division Contractors. At present, there is very little in the way of supplies available to Friant from any source.

# 8. Warren Act Contract.

The Board considered Resolution 2015-04, approving execution of a Letter of Agreement with the United States to allow for the District landowners to introduce and take delivery of non-project water into and out of the FKC, respectively, for the 2015/16 Contract Year.

The following roll call vote was cast:

Director Katayama- Aye

Vice President Collin, III – Aye

Director Miller – Aye

Director Brown - Aye

President Bailey – Aye

Resolution 2015-04 was unanimously passed by the Board.

#### 9. Electrical Power.

Manager Morrissey discussed the QLPP noting that the turbine generator was delivered and construction activities would proceed in the next few weeks.

No action was taken by the Board.

# 10. Friant Water Authority Issues.

The Board discussed general issues relative to the Friant Water Authority. No action was taken by the Board.

# 11. Adjourn.

With no further business, *the Board adjourned at 3:10 P.M.* with the regular monthly Board of Directors meeting to be held on Wednesday May13, 2015 at 11:30 A.M. at 1130 Park Boulevard, Orange Cove, California.

Harvey A Bailey, Board Chairman

Minutes of the Regular Meeting of the Board of Directors of the Orange Cove Irrigation District held Tuesday May 13, 2015. Chairman Bailey called the meeting to order at 11:40 A.M., with the followir Directors and Officers present:

Directors: Harvey A. Bailey, Chairman

H.A. "Gus" Collin, III, Vice-Chairman

David Brown, Director Russell Katayama, Director Arlen Miller, Director

Officers:

Fergus A. Morrissey, Engineer-Manager/Secretary

Robert T. Ramirez

Others:

John Sanders, Operations Supervisor Keith Clem, Operations Technician

Michael McCray, Landowner

NOTE: Meeting Action Items are noted in bold italicized font.

### 1. Call to order.

Chairman Bailey called the regular Board of Directors meeting for May 2015 to order at 11:40 A.M., with all Directors in attendance.

# 2. Additions to and approval of the Agenda.

Manager Morrissey noted that no additions or modifications were made to the Agenda.

### 3. Public Comments.

No public comment was made.

# 4. Approval of Minutes

The Board considered for approval draft minutes from the Regular Board Meeting held in April 2015.

Director Miller motioned to approve the minutes as provided. Director Katayama seconded the motion and the Board voted unanimously in favor of approving the minutes.

# 5. Approval of Bills.

Controller Ramirez noted net disbursements for the period April 9, 2015 through May 10, 2015 of \$562,178.42.

Controller Ramirez noted major and/or atypical expenditures.

Director Brown asked why there was an upper and lower DMC cost. Manager Morrissey did not have an answer and noted that he would provide the answer to this question at the next Board Meeting.

After general discussion on the bills, Director Brown motioned to approve the bills and Vice-Chairman Collin, III, seconded the motion. The Board voted unanimously in favor of the motion to approve payment of the bills as presented.

# 6. Monthly Report.

Controller Ramirez covered Items A through K of the monthly report, including delinquent stand-by charges, excess water usage total for 2015/16 Contract Year (15 acre feet), water deliveries to date for the water year of 474 (according to Friant Meter, OCID meter data not yet available) and various financial categories including power plant revenue, and return and CD's.

Controller Ramirez provided the Board with a copy of the Financial Transaction and Compensation Report that is filed annually with the State Controllers Office.

Supervisor Sanders discussed various activities of staff relating to O&M activities over the previous month's time.

Operations Technician Clem provided the Directors with a summary report of his recent turnkey SCADA and Control System upgrade activities at the Fishwater Hydropower Plant. The upgrade activity undertaken was highly technical in nature and based on estimates for hiring of a qualified outside consultant / contractor, Technician Clem accomplished the work at approximately 50% of the cost had it been hired out. Direct savings to the District of \$20,000 was realized by this work. *The Board took no action.* 

# 7. Water Management.

Manager Morrissey discussed with the Board the status of the outlook for water supply for the 2015/16 Contract Year. There have been recent developments to try and make a deal to secure supplies that the Bureau of Reclamation stands resolute on them otherwise been released to the Exchange Contractors. Quantities and pricing and final deal points are not yet finalized, but Manager Morrissey is hopeful that he will ultimately be able to obtain supplies satisfactory to meet full spot market water requests, but as for the time being, there is about 2/3 of that in the works. *The Board took no action.* 

### 8. Electrical Power.

Manager Morrissey discussed the QLPP. *The Board took no action.* 

# 10. Friant Water Authority Issues.

The Board discussed general issues relative to the Friant Water Authority. *The Board took no action.* 

# 11. Adjourn.

With no further business, *the Board adjourned at 3:50 P.M*. with the regular monthly Board of Directors meeting to be held on Wednesday June 10, 2015 at 11:30 A.M. at 1130 Park Boulevard, Orange Cove, California.

Harvey A. Bailey, Board Chairman

Minutes of the Regular Meeting of the Board of Directors of the Orange Cove Irrigation District held on Wednesday June 10, 2015. Chairman Bailey called the meeting to order at 11:50A.M., with the following Directors and Officers present:

Directors: Harvey A. Bailey, Chairman

David Brown, Director Russell Katayama, Director Arlen Miller, Director

Officers:

Fergus A. Morrissey, Engineer-Manager/Secretary

Robert T. Ramirez, Controller/Treasurer

Others:

John Sanders, Operations Supervisor

Rodney Dever, Bee Sweet Michael McCray, Landowner

NOTE: Meeting Action Items are noted in bold italicized font.

### 1. Call to order.

Chairman Bailey called the regular Board of Directors meeting for June 2015 to order at 11:50A.M., with all Directors in attendance.

# 2. Additions to and approval of the Agenda.

Manager Morrissey noted that no additions or modifications to the Agenda were necessary.

#### 3. Public Comments.

No public comment was made.

# 4. Approval of Minutes

The Board considered for approval draft minutes from the Regular Board Meeting held in May 2015.

Director Miller motioned to approve the minutes as provided. Director Katayama seconded the motion and the Board voted unanimously in favor of approving the minutes.

# 5. Approval of Bills.

Controller Ramirez noted net disbursements for the period May11, 2015 through June 10, 2015 of \$1,793,217.34.

Controller Ramireznoted major and/or atypical expenditures. Expenditures included \$661,124.95 and \$628,814.80 for both the District's and AEWSD's share of Exchange Contractor fallow water and Westland's time shift water, respectively, under the deal made with the Exchange Contractors in May. Expenditures for the previous month also included \$112,341.34 to FPA for QLPP development.

Last month, Director Brown asked why there was an upper and lower DMC cost in payments made to SLDMWA for delivery of EC supply. The reason is that the upper rates are used when an Exchange Contractor takes delivery of the water in the upper portion of the delta Mendota canal. The upper DMC rate includes costs associated with the upper portion of the DMC, Jones pumping plant, O'Neil Forebay O&M& reserve components. Most of the water delivered to the EC's is taken in the lower DMC and that rate has all the above components in addition to the lower DMC and the Mendota pool component.

After general discussion on the bills, Director Miller motioned to approve the bills and Director Katayama, seconded the motion. The Board voted unanimously in favor of the motion to approve payment of the bills as presented.

# 6. Monthly Report.

Controller Ramirez covered Items A through O of the monthly report, including delinquent standby charges, excess water usage total for 2015/16 Contract Year(< 3.5 acre feet), water deliveries to date for the water year of 1,056 (according to Friant Meter, OCID meter data not yet available) and various financial categories including power plant revenue, and return and CD's, update on \$800 spot market water supply proration, and Audit letters from District legal counsels (O'Laughlin & Paris, Bolen, Fransen and Sawyers, and Minasian, Meith, Soares, Sexton & Cooper) to Cuttone & Mastro.

Supervisor Sanders discussed various activities of staff relating to O&M activities over the previous month's time.

No action was taken by the Board.

# 7. Water Management.

Manager Morrissey discussed with the Board the status of the outlook for water supply for the 2015/16 Contract Year. While it is hoped that the deal made with the Exchange Contractors comes to fruition, there are outstanding issues to be resolved to ensure that Reclamation makes this water available to the District.

Moreover, recent thunderstorms in the Upper SJR watershed have resulted in yield over and above that envisioned when the deal was struck with the Exchange Contractors which was crafted to "get them off of the River" for the balance of the calendar year.

Manager Morrissey noted that he was pursuing purchase of 1,500 acre feet from Fresno Irrigation District and with this supply, the \$800 spot market water requests would be very close to satisfied, presuming the "deal" with the Exchange Contractors is finalized, including transfer water received from AEWSD as part of that deal.

Manager Morrissey noted that the Shasta Temperature Control Plan (TCP) is in a state of flux, and it now appears there is insufficient cold-water pool necessary to comply with the operating rules established in the Salmon Biological Opinion. This will mean less Delta pumping through the summer and less delivery to the EC's. The EC's are indicating to Friant and Reclamation that this throttling of Delta delivery to them impacts the "deal" that Friant made with them on April 27. Friant, however, has a very different understanding of the "deal".

At this time, although it appears that there is at least 5% Class 1, that SHOULD be declared to Friant, Reclamation is hesitant to do so because of the Shasta TCP and their seemingly consistent acquiescence to the Exchange Contractors' perspective, notwithstanding Contracts and Agreements that suggest otherwise.

The Directors discussed interconnection costs associated with connecting District delivery systems 8 and 6. Should it be deemed necessary to make such a connection at this time, considering water supply conditions and needs of growers to move groundwater from one system to another, Director Brown made a motion that the District pay up to \$80,000 for such a connection and beneficiaries would pay an additional \$100 per acre foot surcharge to utilize the connection going forward. Director Miller seconded the motion. After discussion the Board voted unanimously in favor of paying for Systems 8-6 interconnection up to \$80,000 and imposing a \$100 surcharge, in addition to they existing surcharge to pump into the District's system.

It was noted that this method, incremental surcharge, would be instituted going forward for costs expended by the District to connect systems, to the extent it would be necessary, given the uncertainty of future need and future grant funding to accomplish similar interconnections.

# 8. Drought Contingency Funding

Manager Morrissey discussed a funding opportunity for a 50% cost share associated with drought resiliency funding from the Bureau of Reclamation, up to a total award of \$300,000. The proposed project would entail interconnection of the various District delivery systems. This project would, in addition to enhanced operational flexibility, allow for greater utilization of any recycled supply that could become available from the City of Orange Cove once they complete installation of a tertiary level wastewater treatment plant.

The Board considered Resolution 2015-05 whereby the District would be obligated to pay for project development costs, over and above the maximum grant award of \$300,000. At this time, it is estimated that the total project cost, much of it District labor, would be on the order of \$702,700 leaving the District with an obligation to fund the residual \$402,700 estimated cost.

The following roll call vote on Resolution 2015-05 was taken for the District staff to advance an application to the Bureau of Reclamation for grant funding in line with these financials:

Director Brown – Aye Director Katayama – Aye Director Miller – Aye President Bailey – Aye Vice President Collin, III – Absent

By roll call vote of the Board, Resolution 2015-05 passed unanimously.

Manager Morrissey will proceed with preparing and submitting an application for grant funding under Reclamation's drought resiliency program.

# 9. FWA Issues

Manager Morrissey discussed various issues pertaining to Friant Water Authority. No action taken.

# 10. Closed Session - Personnel

Manager Morrissey discussed personnel issues with the Board.

The Board approved a four percent increase for all staff, excluding Manager Morrissey.

In addition, the Board approved one time bonus payment to Supervisor Sanders and Technician Clem in recognition of their efforts and technical skills that have resulted in significant savings to the District.

# 11. Return to Open Session

The Board returned to open session and noted the above action.

# 12. Adjourn

With no further business, the Board adjourned the meeting at 3:55 P.Mwith the next regular monthly Board of Directors meeting to be held on Wednesday July 8, 2015 at 11:30 A.M. at 1130 Park Boulevard, Orange Cove, California.

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Minutes of the Regular Meeting of the Board of Directors of the Orange Cove Irrigation District held on Wednesday July 16, 2015. Chairman Bailey called the meeting to order at 11:50A.M., with the following Directors and Officers present:

Directors:

Harvey A. Bailey, Chairman

H.A. "Gus" Collin, III, Vice-Chairman

David Brown, Director Arlen Miller, Director

Officers:

Fergus A. Morrissey, Engineer-Manager/Secretary

Robert T. Ramirez, Controller/Treasurer

Others:

John Sanders, Operations Supervisor

Rodney Dever, Bee Sweet Leo McKinney, Landowner

NOTE: Meeting Action Items are noted in bold italicized font.

### 1. Call to order.

Chairman Bailey called the regular Board of Directors meeting for July 2015 to order at 12:00 P.M.

# 2. Additions to and approval of the Agenda.

Manager Morrissey noted that no additions or modifications to the Agenda were necessary.

#### 3. Public Comments.

Leo McKinney appeared before the Board concerning a \$1,000 fine levied by the District on him for not complying with pump-in procedural requirements. This fine was given following previous verbal notification of the requirement to coordinate timing with the District; verbal notification was given stemming from prior infractions of failure to coordinate. Mr. McKinney has failed to follow the established rules and repeated offenses compelled the fine. Mr. McKinney agreed that the fine got his attention and that he would heretofore comply with established rules.

The Board declined to refund the fine levied by the District on Mr. McKinney.

### 4. Approval of Minutes

The Board considered for approval draft minutes from the Regular Board Meeting held in June 2015.

Director Miller motioned to approve the minutes as provided. Director Brown seconded the motion and the Board voted unanimously in favor of approving the minutes.

### 5. Approval of Bills.

Controller Ramirez noted net disbursements for the period June 11, 2015 through July 15, 2015 of \$2,475,855.29.

Controller Ramireznoted major and/or atypical expenditures. Director Brown inquired as the legal bill for Bartkiewicz, et al and Manager Morrissey noted this was confidential and could only be discussed in closed session with legal counsel.

After general discussion on the bills, Director Miller motioned to approve the bills and Director Brown, seconded the motion. The Board voted unanimously in favor of the motion to approve payment of the bills as presented.

# 6. Monthly Report.

Controller Ramirez covered Items A through K of the monthly report, including delinquent stand-by charges, excess water usage total for 2015/16 Contract Year (zero that would not be rectified by landowner transfers across accounts), water deliveries to date for the water year of 2,219 (according to Friant Meter, OCID meter data not yet available) and various financial categories including power plant revenue, LAIF balance and performance and return and CD's.

Supervisor Sanders discussed various activities of staff relating to O&M activities over the previous month's time.

No action was taken by the Board.

# 7. Water Management.

Manager Morrissey discussed with the Board the status of the outlook for water supply for the 2015/16 Contract Year. Noteworthy was the reneging by the Exchange Contractors on the terms of the deal that were agreed to among them, Friant Contractors and the Bureau of Reclamation. It is clear the Bureau will not support Friant's position, while stating that those in the room agree with the deal from Friant's perspective. This reneging will cost Friant contractors upwards of 80,000 acre-feet, and has demonstrated to the Friant Division that the Exchange Contractors lack the integrity heretofore presumed.

It is also abundantly clear that the Bureau of Reclamation has abandoned the Friant Division in favor of providing the Exchange Contractors, who are not CVP contractors, with as much water as they can get them from any source, leaving Friant with zero, once again.

### 8. FWA Issues

Manager Morrissey discussed various issues pertaining to Friant Water Authority. No action taken.

# 9. Closed Session - Potential Litigation

Potential litigation was discussed with the Board in closed session.

# 10. Return to Open Session

The Board returned to open session noting that the Board approved recommendation of counsel to formally reject claims purported by Mr. Santoyo and Ms. Rodriquez relating to wrongful termination and to send a formal letter to their representing counsel for the record.

# 11. Investment Policy

Manager Morrissey discussed the 2015 update to the Investment Policy to the Board, noting that there were no changes outside of date changes. The Board approved the Policy as unsubstantively changed.

### 12. Capital Budget

This item was tabled until the next Board meeting. No action taken.

# 13. Certificates of Sale

A discussion was held regarding the pursuit of liens on parcels with delinquent balances. The Board considered adopting resolution 2015-06 to record a list of liens with the County Recorders on parcels with delinquent balances.

The following roll call vote on adopting Resolution 2015-06 transpired:

Director Brown – Aye

Director Katayama – Absent

Director Miller - Aye

President Bailey - Aye

Vice President Collin, III - Aye

By roll call vote of the Board, Resolution 2015-06 passed unanimously.

Controller Ramirez will proceed with recording the liens noted on the list provided to the Directors.

# 14. Adjourn

With no further business, the Board adjourned the meeting at 3:40 P.Mwith the next regular monthly Board of Directors meeting to be held on Wednesday August 19, 2015 at 11:30 A.M. at 1130 Park Boulevard, Orange Cove, California.

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Bailey, Board Chairman

Minutes of the Regular Meeting of the Board of Directors of the Orange Cove Irrigation District held on Wednesday July 16, 2015. Chairman Bailey called the meeting to order at 11:50A.M., with the following Directors and Officers present:

Directors:

Harvey A. Bailey, Chairman

H.A. "Gus" Collin, III, Vice-Chairman

David Brown, Director Arlen Miller, Director

Officers:

Fergus A. Morrissey, Engineer-Manager/Secretary

Robert T. Ramirez, Controller/Treasurer

Others:

John Sanders, Operations Supervisor

Rodney Dever, Bee Sweet Leo McKinney, Landowner

NOTE: Meeting Action Items are noted in bold italicized font.

### 1. Call to order.

Chairman Bailey called the regular Board of Directors meeting for July 2015 to order at 12:00 P.M.

# 2. Additions to and approval of the Agenda.

Manager Morrissey noted that no additions or modifications to the Agenda were necessary.

#### 3. Public Comments.

Leo McKinney appeared before the Board concerning a \$1,000 fine levied by the District on him for not complying with pump-in procedural requirements. This fine was given following previous verbal notification of the requirement to coordinate timing with the District; verbal notification was given stemming from prior infractions of failure to coordinate. Mr. McKinney has failed to follow the established rules and repeated offenses compelled the fine. Mr. McKinney agreed that the fine got his attention and that he would heretofore comply with established rules.

The Board declined to refund the fine levied by the District on Mr. McKinney.

### 4. Approval of Minutes

The Board considered for approval draft minutes from the Regular Board Meeting held in June 2015.

Director Miller motioned to approve the minutes as provided. Director Brown seconded the motion and the Board voted unanimously in favor of approving the minutes.

### 5. Approval of Bills.

Controller Ramirez noted net disbursements for the period June 11, 2015 through July 15, 2015 of \$2,475,855.29.

Controller Ramireznoted major and/or atypical expenditures. Director Brown inquired as the legal bill for Bartkiewicz, et al and Manager Morrissey noted this was confidential and could only be discussed in closed session with legal counsel.

After general discussion on the bills, Director Miller motioned to approve the bills and Director Brown, seconded the motion. The Board voted unanimously in favor of the motion to approve payment of the bills as presented.

# 6. Monthly Report.

Controller Ramirez covered Items A through K of the monthly report, including delinquent stand-by charges, excess water usage total for 2015/16 Contract Year (zero that would not be rectified by landowner transfers across accounts), water deliveries to date for the water year of 2,219 (according to Friant Meter, OCID meter data not yet available) and various financial categories including power plant revenue, LAIF balance and performance and return and CD's.

Supervisor Sanders discussed various activities of staff relating to O&M activities over the previous month's time.

No action was taken by the Board.

# 7. Water Management.

Manager Morrissey discussed with the Board the status of the outlook for water supply for the 2015/16 Contract Year. Noteworthy was the reneging by the Exchange Contractors on the terms of the deal that were agreed to among them, Friant Contractors and the Bureau of Reclamation. It is clear the Bureau will not support Friant's position, while stating that those in the room agree with the deal from Friant's perspective. This reneging will cost Friant contractors upwards of 80,000 acre-feet, and has demonstrated to the Friant Division that the Exchange Contractors lack the integrity heretofore presumed.

It is also abundantly clear that the Bureau of Reclamation has abandoned the Friant Division in favor of providing the Exchange Contractors, who are not CVP contractors, with as much water as they can get them from any source, leaving Friant with zero, once again.

### 8. FWA Issues

Manager Morrissey discussed various issues pertaining to Friant Water Authority. No action taken.

# 9. Closed Session - Potential Litigation

Potential litigation was discussed with the Board in closed session.

# 10. Return to Open Session

The Board returned to open session noting that the Board approved recommendation of counsel to formally reject claims purported by Mr. Santoyo and Ms. Rodriquez relating to wrongful termination and to send a formal letter to their representing counsel for the record.

# 11. Investment Policy

Manager Morrissey discussed the 2015 update to the Investment Policy to the Board, noting that there were no changes outside of date changes. The Board approved the Policy as unsubstantively changed.

### 12. Capital Budget

This item was tabled until the next Board meeting. No action taken.

# 13. Certificates of Sale

A discussion was held regarding the pursuit of liens on parcels with delinquent balances. The Board considered adopting resolution 2015-06 to record a list of liens with the County Recorders on parcels with delinquent balances.

The following roll call vote on adopting Resolution 2015-06 transpired:

Director Brown – Aye

Director Katayama – Absent

Director Miller - Aye

President Bailey - Aye

Vice President Collin, III - Aye

By roll call vote of the Board, Resolution 2015-06 passed unanimously.

Controller Ramirez will proceed with recording the liens noted on the list provided to the Directors.

# 14. Adjourn

With no further business, the Board adjourned the meeting at 3:40 P.Mwith the next regular monthly Board of Directors meeting to be held on Wednesday August 19, 2015 at 11:30 A.M. at 1130 Park Boulevard, Orange Cove, California.

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Bailey, Board Chairman

Minutes of the Regular Meeting of the Board of Directors of the Orange Cove Irrigation District held on Wednesday August 19, 2015. Chairman Bailey called the meeting to orderat 11:50A.M., with the following Directors and Officers present:

Directors:

Harvey A. Bailey, Chairman

H.A. "Gus" Collin, III, Vice-Chairman

David Brown, Director Arlen Miller, Director

Officers:

Fergus A. Morrissey, Engineer-Manager/Secretary

Robert T. Ramirez, Controller/Treasurer

Others:

John Sanders, Operations Supervisor

Rodney Dever, Bee Sweet Mark Hendrickson, Landowner

NOTE: Meeting Action Items are noted in bold italicized font.

### 1. Call to order.

Chairman Bailey called the regular Board of Directors meeting for August 2015 to order at 11:47 A.M.

# 2. Additions to and approval of the Agenda.

Manager Morrissey noted that no additions or modifications to the Agenda were necessary.

## 3. Public Comments.

No public comment.

# 4. Approval of Minutes

Tabled for action next month, as July 2015 minutes were not prepared.

## 5. Approval of Bills.

Controller Ramirez noted net disbursements for the period July 9, 2015 through August 10, 2015 of \$697,650.27.

Controller Ramirez noted major and/or atypical expenditures. Manager Morrissey noted that he had a question on the Minasian bill and would follow up with them.

After general discussion on the bills, Vice Chairman Collin, III motioned to approve the bills provided that Manager Morrissey follow up with Minasian on their bill. Director Miller seconded the motion. The Board voted unanimously in favor of the motion to approve payment of the bills pending further discussion on the noted item.

# 6. Recess for Board of Equalization.

At 12:00 P.M. the Board recessed from the regular meeting to the annual Board of Equalization Hearing.

No landowners voicing concern with the Assessment Roll were present. No changes to District Acreage transpired in the last 12 months. Changes were limited to landowner changes, as far as the assessment roll is concerned, with the exception of acreage owned by Steven Bradley is no longer assessed as it is to be detached from the District.

Director Brown motioned to approve the assessment roll as provided. Director Collin seconded the motion and the Board voted all in favor of accepting the property assessment prepared by the District Assessor.

No action was taken by the Board.

## 7. Return from Recess

The Board returned from recess at 12:08 P.M.

# 8. Monthly Report

Controller Ramirez covered Items A through K of the monthly report, including delinquent stand-by charges, excess water usage total for 2015/16 Contract Year (zero that would not be rectified by landowner transfers across accounts), water deliveries to date for the water year of 3,923 (according to Friant Meter, OCID meter data not yet available) and various financial categories including power plant revenue, LAIF balance and performance and return and CD's.

Supervisor Sanders discussed various activities of staff relating to O&M activities over the previous month's time.

Manager Morrissey and Controller Ramirez noted the S&P report on the operating and financial strength of the District with respect to ability to pay outstanding bonds and secure additional debt. S&P downgraded the District from an A+ to an A, based on extenuating challenges from previous years of drought and the prospect of prolonged drought. All in all, the downgrade was minimal and reflects the solid nature of the District, its administrative and operational policies and performance by staff given those extenuating circumstances.

Manager Morrissey noted that the District received a letter from the Bureau, notifying that it was not selected for a Drought Resiliency grant posted by the District on May 11, 2015.

No action was taken by the Board on any aspect of this Agenda item.

### 9. 2014 Financial Audit

Joe Mastro, 2014 Financial Statement Auditor, arrived to the District at 1:00 P.M. and reported to the Board of Directors.

In summary, no areas of concern were identified in the audit. Mr. Mastro found the District's financial statements, present fairly, in all material respects, the financial position of the District, as of December 31, 2014 and 2013 and the changes in financial position and its cash flows for the years then ended in accordance with accounting principles generally accepted in the United States.

Mr. Mastro summarized key aspects of the financial statement and the Board was comfortable with the audit and moreover, the financial position of the District under the extenuating hydrologic and detrimental policies of the Bureau of Reclamation relating to the Friant Division contractors.

Director Brown motioned to accept the above-described 2014 Financial Statement audit conducted by Mr. Mastro. Director Miller seconded the motion and the Board voted unanimously in favor of such.

### 10. Water Management

Manager Morrissey discussed the El Nino outlook, based on analysis of the Oceanic Nino Index. While things are looking promising, the hydrology for next year could be extremely dry notwithstanding current conditions and media hype. No other management (water) issues were discussed, as there is none.

### 11. FWA Issues

Manager Morrissey discussed various issues pertaining to Friant Water Authority. The reformulated Cost Allocation methodology ascribing FWA costs to both the O&M function of the Friant-Kern Canal and the General Member function, as discussed. The Board had no objections to the FWA Executive Committee's proposed percentages for distribution of leadership costs to O&M (25% CEO, 25% General Counsel, 50% Water Resources, 90% General Superintendent) with the balance to General Member. The Board was also agreeable to with the methodology to allocate staff costs among the administrative staff and fixed costs (% of labor hour basis).

Manager Morrissey discussed the process of hiring a General Superintendent and the current thinking of the Executive Committee regarding hiring of a CEO. At this point in time, a firm has been selected to undertake an executive search for a Policy focused CEO with a package compensation on the order of \$400,000 per year.

No formal action taken.

# 12. Closed Session - Potential Litigation

FWA v. SWRCB - Potential litigation was discussed with the Board in closed session.

# 13. Return to Open Session

The Board returned to open session with no reportable action.

14. Capital Budget

Staff discussed the 5-year capital budget projection. It was noted by Director Miller that next year may not be the appropriate time to install additional traveling trash screens on the District turnouts, however the monies could be budgeted and reevaluated next year.

The System 1A/B/N reservoir project was removed from the capital budget at this time.

Digital meter replacement program was added at a level of expenditure of \$10,000 per year for 2016-2019, to be installed in lieu of repair of existing meters.

Vice Chairman Collin, III motioned to approve the capital budget as noted above. Director Miller seconded the motion. The Board voted unanimously in favor of approving the capital budget with the noted input and changes.

15. Adjourn

With no further business, the Board adjourned the meeting at 3:50 P.M. with the next regular monthly Board of Directors meeting to be held on Wednesday September 9, 2015 at 11:30 A.M. at 1130 Park Boulevard, Orange Cove, California.

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Minutes of the Regular Meeting of the Board of Directors of the Orange Cove Irrigation District held on Wednesday September 9th, 2015. Chairman Bailey called the meeting to orderat 11:53A.M., with the following Directors and Officers present:

Directors: Harvey A. Bailey, Chairman

H.A. "Gus" Collin, III, Vice-Chairman

David Brown, Director Russell Katayama Arlen Miller, Director

Officers:

Fergus A. Morrissey, Engineer-Manager/Secretary

Robert T. Ramirez, Controller/Treasurer

Others:

John Sanders, Operations Supervisor

NOTE: Meeting Action Items are noted in bold italicized font.

#### 1. Call to order.

Chairman Bailey called the regular Board of Directors meeting for September 2015 to order at 11:53 A.M.

## 2. Additions to and approval of the Agenda.

Manager Morrissey noted that no additions or modifications to the Agenda were necessary.

### 3. Public Comments.

No public comment.

### 4. Approval of Minutes

By motion of Director Brown and second by Director Miller, the minutes for July and August 2015 were approved. The Board voted unanimously in favor of the motion and the minutes were approved as written.

# 5. Approval of Bills.

Controller Ramirez noted net disbursements for the period August 11, 2015 through September 2, 2015 of \$472,314.76.

Controller Ramirez noted major and/or atypical expenditures. Primary discussion focused on the Bureau of Reclamation's O&M deficit bill for the 2013/14 water year. The District received a bill for \$209,646.10 that reflect Reclamation's non-reimbursable costs that are put onto water delivered by the District that were above and beyond costs assumed and incorporated in the charges for water, based on normal deliveries throughout the CVP. Due to drought conditions in 2014/2015 water year, the District can expect the same general magnitude of deficit next year.

After general discussion on the bills, Director Miller motioned to approve the bills and Director Katayama seconded the motion. The Board voted unanimously in favor of the motion to approve payment of the bills as presented.

### 6. Monthly Report

Controller Ramirez covered Items A through J of the monthly report, including delinquent stand-by charges, excess water usage total for 2015/16 Contract Year (a few acre feet that would not be rectified by landowner transfers across accounts), water deliveries to date for the water year of 5,811 (according to Friant Meter, OCID meter data not yet available) and various financial categories including power plant revenue, LAIF balance and performance and return and CD's.

Supervisor Sanders discussed various activities of staff relating to O&M activities over the previous month's time. Manager Morrissey discussed the status of landowner water account balances and the fact that some water may be carried over and other water may not be carried over and if the latter is not used by March 1, 2016, it will no longer be available. This information was discussed with the Board and it was agreed that a summary should be given to each landowner regarding water balances; what must be used vs. what may be carried over so that they have adequate time to plan for efficient utilization of the resource.

This letter will be prepared and sent to all customers that ordered any water this year as soon as the accounting of the type of water balances are determined based on the end of August meter readings and what must be used first, second, etc.

Director Miller requested that the District accounting move toward a modern system, one capable of interfacing with the Internet so that all customers can better track their balances, financial and water account volumes. Manager Morrissey noted that he has started that process and will make it a priority to get something in place in the near future.

# 7. Water Management

Manager Morrissey discussed the El Nino outlook, based on analysis of the Oceanic Nino Index. While things are looking more and more promising, wet hydrology for next year is by no means guaranteed.

# 8. Hydropower Issues

Manager Morrissey discussed development of the QLPP and status of the KRSH Plant and the fact that in the next week the facility and its O&M and revenue, would flow to the District henceforth.

# 9. Account Based Health Plan Option

Manager Morrissey discussed with the Board the HSA health care option being considered to District employees. A summary of the program was discussed. Financial impacts to the District and the insured were discussed and it was noted that the ACWA JPIA senior program staff member (Ben Hayden) would be at the District to speak to staff and Directors as desired, on October 14<sup>th</sup>, the date of the next Board Meeting. For generally District cost neutrality, Manager Morrissey recommended that the District could reduce out of pocket premium costs and contribute \$1,500 to "employee only" coverage. Contribution to other levels of coverage (employee + 1 and employee + Family) was not recommended as the District would not save money on those premiums, although the employee would save considerable dollars on their out of pocket premium cost and if they so choose, they can direct those dollars, pre-tax, into a Health Savings Account.

# 10. FWA Issues

Manager Morrissey discussed various issues pertaining to Friant Water Authority.

No formal action taken.

# 11. Adjourn

With no further business, the Board adjourned the meeting at 3:24 P.M. with the next regular monthly Board of Directors meeting to be held on Wednesday October 14, 2015 at 11:30 A.M. at 1130 Park Boulevard, Orange Cove, California.

Minutes of the Regular Meeting of the Board of Directors of the Orange Cove Irrigation District held on Wednesday October 14, 2015. Chairman Bailey called the meeting to order at 11:49A.M., with the following Directors and Officers present:

Directors:

Harvey A. Bailey, Chairman

David Brown, Director Arlen Miller, Director

Officers:

Fergus A. Morrissey, Engineer-Manager/Secretary

Others:

John Sanders, Operations Supervisor

NOTE: Meeting Action Items are noted in bold italicized font.

#### 1. Call to order.

Chairman Bailey called the regular Board of Directors meeting for October 2015 to order at 11:49 A.M. with a quorum of Directors present.

### 2. Additions to and approval of the Agenda.

Manager Morrissey noted that Agenda Item 14a (personnel issues) would not be covered due to their being less than a full compliment of Directors, notwithstanding that a quorum was present. Manager Morrissey also noted that the Board Meeting would go into recess at approximately 2 P.M. for a presentation by ACWA JPIA Insurance representative, Ben Hayden, to cover CDHP options that are being made available employees next year. Director Brown motioned approval of the modified agenda and Director Miller seconded the motion. The Board voted unanimously in favor of the modified agenda.

#### 3. Public Comments.

No public comment.

#### 4. Approval of Minutes

Director Miller noted an error in the September minutes where he was referred to as Vice Director Miller. Manager Morrissey noted that he would make the correction. By motion of Director Brown and second by Director Miller, the minutes for September 2015 were approved, contingent on the aforementioned correction. *The Board voted unanimously in favor of the motion and the minutes were approved.* 

# 5. Approval of Bills.

Manager Morrissey went over the warrants for approval for the period September 10, 2015 through October 5, 2015.

Manager Morrissey noted major and/or atypical expenditures. Director Brown had a question on an unfamiliar purchase from Graybar. Staff explained and showed the Board the item purchased, a radio transmitter / receiver for communicating system Reservoir elevations back to the SCADA system in the District Office.

After general discussion on the bills, *Director Miller motioned to approve the bills and Director Brown seconded the motion. The Board voted unanimously in favor of the motion to approve payment of the bills as presented.* 

#### 6. Monthly Report

Manager Morrissey covered Items A through L of the monthly report, including delinquent stand-by charges, excess water usage total for 2015/16 Contract Year (a few acre feet that would not be rectified by landowner transfers across accounts), water deliveries to date for the water year of 7,827 (according to Friant Meter, OCID meter data is within 1.5 % of that value) and various financial categories including power plant revenue, LAIF balance and performance and return and CD's.

Supervisor Sanders discussed various activities of staff relating to O&M activities over the previous month's time.

No action resulted from the discussion on the Monthly Report.

### 7. Water Management

Manager Morrissey discussed the El Nino outlook, and the current water conditions in California's reservoirs and a summary of 2014 water year Delta Pumping. It was noted that the El Nino 1.2 region has cooled slightly and as a result the probability of the El Nino event persisting into spring of next year has dropped from 99% to 84%.

### 8. City of OC Recycled Water Draft Agreement

Manager Morrissey discussed a first draft agreement to the District to consider accepting OC tertiary treated wastewater into its delivery system. The Board is generally open to the idea although they consider there are challenges to implementing a program and details to be worked out. One idea advanced by the Board was for the District to acquire the "storage ponds" located east Hills Valley Road and south of Park Boulevard to utilize as a recharge site to bank surplus surface water including Recycled water that can not be assimilated into the District's delivery system.

Manager Morrissey will discuss some of the important considerations with the City's engineer on this project.

### 9. Temporary 215 Contracts.

The Board Considered Resolution 2015-08, for the approval of a forthcoming 215 Contract from Reclamation, provided that form and terms of the Contract are acceptable to Manager Morrissey and in the interest of the District.

The following Roll Call vote was had:

Director Miller – Aye

Director Brown – Aye Director Bailey – Aye

Director Katayama and Director Collin, III were absent.

Resolution 2015-08 was unanimously approved by the Board.

### 10. Hydropower Update

Manager Morrissey discussed the status of the various power projects.

Manager Morrissey suggested that the Board take a tour of the QLPP construction in the near future in addition to a tour of the KRSH power plant. Director Brown noted that the 21-26 of October was out of consideration as an appropriate time.

Manager Morrissey will follow up with the Directors and arrange for a tour of QLPP and KRSH.

#### 11. Board Recess

At 2:00 P.M. the Board recessed to discuss the CDHP with ACWA JPIA representative Ben Hayden. The Board returned to the meeting at 2:55 P.M.

#### 12. FWA JPA Consideration.

The Board revisited the amendments to the FWA JPA that were heretofore approved by the District Board, but failed at the FWA Board level. The District Board considered the following substantive changes:

- i. "...only elected directors of home boards (members who are serving an elected term on the governing board of the member agency) sit as alternate directors except for representatives of Cities with a Mayor-Council (strong mayor) form of government"; and
- ii. "A withdrawing member shall in all events remain liable for its proportionate share of any multi-year contract entered into by the Authority while it was a member. . . ."

the following roll call vote was taken with respect to approving these modifications to the existing FWA JPA:

Director Miller – Aye

Director Brown – Aye

Director Bailey - Aye

Director Katayama and Director Collin, III were absent.

The Board unanimously approved the noted JPA amendments.

#### 13. FWA Issues

Manger Morrissey generally discussed various issues confronting water users and the Friant Water Authority.

No action was taken.

### 14. Closed Session

The Board discussed input from Legal Counsel regarding--ANTICIPATED LITIGATION (Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of GC Section 54956.9: (One potential case).

### 15. Return to Open Session

The Board will return from Open Session and disclosed no reportable action taken in closed session.

#### 16. SGMA MOU Consideration

The Board considered executing the East Kings Groundwater Sustainability Agency MOU. After discussion of the issues the following roll call vote was taken relative to appropriateness of the District's execution of the MOU.

Director Miller – Aye Director Brown – Aye Director Bailey – Aye

Director Katayama and Director Collin, III were absent. The Board unanimously approved executing the subject MOU.

### 17. Adjourn

The Board adjourned the meeting at 4:45 P.M. with the next regular monthly Board of Directors meeting to be held on Tuesday November 10, 2015 at 11:30 A.M. at 1130 Park Boulevard, Orange Cove, California.

Harvey A. Bailey, Board Chairman

Minutes of the Regular Meeting of the Board of Directors of the Orange Cove Irrigation District held on Wednesday October 14, 2015. Chairman Bailey called the meeting to order at 11:49A.M., with the following Directors and Officers present:

Directors:

Harvey A. Bailey, Chairman

David Brown, Director Arlen Miller, Director

Officers:

Fergus A. Morrissey, Engineer-Manager/Secretary

Others:

John Sanders, Operations Supervisor

NOTE:

Meeting Action Items are noted in bold italicized font.

#### 1. Call to order.

Chairman Bailey called the regular Board of Directors meeting for October 2015 to order at 11:49 A.M. with a quorum of Directors present.

### 2. Additions to and approval of the Agenda.

Manager Morrissey noted that Agenda Item 14a (personnel issues) would not be covered due to their being less than a full compliment of Directors, notwithstanding that a quorum was present. Manager Morrissey also noted that the Board Meeting would go into recess at approximately 2 P.M. for a presentation by ACWA JPIA Insurance representative, Ben Hayden, to cover CDHP options that are being made available employees next year. Director Brown motioned approval of the modified agenda and Director Miller seconded the motion. The Board voted unanimously in favor of the modified agenda.

### 3. Public Comments.

No public comment.

#### 4. Approval of Minutes

Director Miller noted an error in the September minutes where he was referred to as Vice Director Miller. Manager Morrissey noted that he would make the correction. By motion of Director Brown and second by Director Miller, the minutes for September 2015 were approved, contingent on the aforementioned correction. *The Board voted unanimously in favor of the motion and the minutes were approved.* 

#### 5. Approval of Bills.

Manager Morrissey went over the warrants for approval for the period September 10, 2015 through October 5, 2015.

Manager Morrissey noted major and/or atypical expenditures. Director Brown had a question on an unfamiliar purchase from Graybar. Staff explained and showed the Board the item purchased a radio transmitter / receiver for communicating system Reservoir elevations back to the SCADA system in the District Office.

After general discussion on the bills, Director Miller motioned to approve the bills and Director Brown seconded the motion. The Board voted unanimously in favor of the motion to approve payment of the bills as presented.

#### 6. Monthly Report

Manager Morrissey covered Items A through L of the monthly report, including delinquent stand-by charges, excess water usage total for 2015/16 Contract Year (a few acre feet that

ponds" located east Hills Valley Road and south of Park Boulevard to utilize as a recharge site to bank surplus surface water including Recycled water that can not be assimilated into the District's delivery system.

Manager Morrissey will discuss some of the important considerations with the City's engineer on this project.

### 9. Temporary 215 Contracts.

The Board Considered Resolution 2015-08, for the approval of a forthcoming 215 Contract from Reclamation, provided that form and terms of the Contract are acceptable to Manager Morrissey and in the interest of the District.

The following Roll Call vote was had:

Director Miller – Aye Director Brown – Aye Director Bailey – Aye

Director Katayama and Director Collin, III were absent.

Resolution 2015-08 was unanimously approved by the Board.

## 10. Hydropower Update

Manager Morrissey discussed the status of the various power projects.

Manager Morrissey suggested that the Board take a tour of the QLPP construction in the near future in addition to a tour of the KRSH power plant. Director Brown noted that the 21-26 of October was out of consideration as an appropriate time.

Manager Morrissey will follow up with the Directors and arrange for a tour of QLPP and KRSH.

# 11. Board Recess

At 2:00 P.M. the Board recessed to discuss the CDHP with ACWA JPIA representative Ben Hayden. The Board returned to the meeting at 2:55 P.M.

### 12. FWA JPIA Consideration.

The Board revisited the amendments to the FWA JPA that were heretofore approved by the District Board, but failed at the FWA Board level. The District Board considered the following substantive changes:

- i. "...only elected directors of home boards (members who are serving an elected term on the governing board of the member agency) sit as alternate directors except for representatives of Cities with a Mayor-Council (strong mayor) form of government"; and
- ii. "A withdrawing member shall in all events remain liable for its proportionate share of any multi-year contract entered into by the Authority while it was a member. . . ."

The following roll call vote was taken with respect to approving these modifications to the existing FWA JPA:

Director Miller – Aye

Director Brown - Aye

Director Bailey – Aye Director Katayama and Director Collin, III were absent.

The Board unanimously approved the noted JPA amendments.

#### 13. FWA Issues

Manger Morrissey generally discussed various issues confronting water users and the Friant Water Authority.

No action was taken.

### 14. Closed Session

The Board discussed input from Legal Counsel regarding--ANTICIPATED LITIGATION (Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of GC Section 54956.9: (One potential case).

### 15. Return to Open Session

The Board will return from Open Session and disclosed no reportable action taken in closed session.

### 16. SGMA MOU Consideration

The Board considered executing the East Kings Groundwater Sustainability Agency MOU. After discussion of the issues the following roll call vote was taken relative to appropriateness of the District's execution of the MOU.

Director Miller – Aye Director Brown – Aye Director Bailey – Aye

Director Katayama and Director Collin, III were absent.

The Board unanimously approved executing the subject MOU.

#### 17. Adjourn

The Board adjourned the meeting at 4:45 P.M. with the next regular monthly Board of Directors meeting to be held on Tuesday November 10, 2015 at 11:30 A.M. at 1130 Park Boulevard, Orange Cove, California.

Harvey A. Bailey, Board Chairman

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Minutes of the Regular Meeting of the Board of Directors of the Orange Cove Irrigation District held on Tuesday November 10, 2015. Chairman Bailey called the meeting to order at 11:57A.M., with the following Directors and Officers present:

Directors:

Harvey A. Bailey, Chairman

H.A. "Gus" Collin, III, Vice Chairman

David Brown, Director Russell Katayama, Director Arlen Miller, Director

Officers:

Fergus A. Morrissey, Engineer-Manager/Secretary

Robert T. Ramirez, Controller

Others:

John Sanders, Operations Supervisor Scott Kuney, Young & Woolridge, LLP

Paul Adams, Booth Ranches Scott Carlisle, Booth Ranches

Rodney Dever, Bee Sweet Ranch Manager

NOTE: Meeting Action Items are noted in bold italicized font.

#### 1. Call to order.

Chairman Bailey called the regular Board of Directors meeting for November 2015 to order at 11:57 A.M. with a quorum of Directors present.

# 2. Additions to and approval of the Agenda.

Manager Morrissey noted no changes to the Agenda. Director Brown motioned approval of the agenda and Vice-Chairman Collin, III seconded the motion. The Board voted unanimously in favor of the agenda.

#### 3. Public Comments.

No public comment.

#### 4. General Counsel Consideration

Scott Kuney, Partner with Young & Wooldrige, LLP (Y&W) discuss his firms qualifications, clients, experience and expertise with the Board of Directors. Following Mr. Kuney's presentation the Board discussed the potential for Young & Wooldrige's to serve the District in the capacity of General Counsel. Following that discussion, by motion of Director Brown and a second by Director Miller, the Board voted unanimously to direct Manager Morrissey to execute a Legal Representation Agreement with Y&W.

#### 5. Approval of Minutes

Director Miller motioned, and following a second by Director Brown the Board voted unanimously in favor of the motion approving the minutes prepared for the October 2015 Board Meeting.

#### 6. Approval of Bills.

Controller Ramirez reviewed the warrants for approval for the period October 6, 2015 through November 10, 2015.

Controller Ramirez noted major and/or atypical expenditures. After general discussion on the bills, Director Miller motioned to approve the bills and Director Katayama seconded

the idea although they consider there are challenges to implementing a program and details to be worked out. One idea advanced by the Board was for the District to acquire the "storage ponds" located east Hills Valley Road and south of Park Boulevard to utilize as a recharge site to bank surplus surface water including Recycled water that can not be assimilated into the District's delivery system.

Manager Morrissey will discuss some of the important considerations with the City's engineer on this project.

10. Temporary 215 Contracts.

The Board Considered Resolution 2015-08, for the approval of a forthcoming 215 Contract from Reclamation, provided that form and terms of the Contract are acceptable to Manager Morrissey and in the interest of the District.

The following Roll Call vote was had:

Director Miller - Aye

Director Brown - Aye

Director Bailey - Aye

Director Katayama and Director Collin, III were absent.

Resolution 2015-08 was unanimously approved by the Board.

11. Hydropower Update

Manager Morrissey discussed the status of the various power projects.

Manager Morrissey suggested that the Board take a tour of the QLPP construction in the near future in addition to a tour of the KRSH power plant. Director Brown noted that the 21-26 of October was out of consideration as an appropriate time.

Manager Morrissey will follow up with the Directors and arrange for a tour of QLPP and KRSH.

#### 12. Board Recess

At 2:00 P.M. the Board recessed to discuss the CDHP with ACWA JPIA representative Ben Hayden. The Board returned to the meeting at 2:55 P.M.

### 13. FWA JPIA Consideration.

The Board revisited the amendments to the FWA JPA that were heretofore approved by the District Board, but failed at the FWA Board level. The District Board considered the following substantive changes:

- i. "...only elected directors of home boards (members who are serving an elected term on the governing board of the member agency) sit as alternate directors except for representatives of Cities with a Mayor-Council (strong mayor) form of government"; and
- ii. "A withdrawing member shall in all events remain liable for its proportionate share of any multi-year contract entered into by the Authority while it was a member. . . ."

the following roll call vote was taken with respect to approving these modifications to the existing FWA JPA:

Director Miller - Aye

Director Brown – Aye

Director Bailey - Aye

Director Katayama and Director Collin, III were absent.

The Board unanimously approved the noted JPA amendments.

#### 14. FWA Issues

Manger Morrissey generally discussed various issues confronting water users and the Friant Water Authority.

No action was taken.

#### 15. Closed Session

The Board discussed input from Legal Counsel regarding--ANTICIPATED LITIGATION (Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of GC Section 54956.9: (One potential case).

### 16. Return to Open Session

The Board will return from Open Session and disclosed no reportable action taken in closed session.

### 17. SGMA MOU Consideration

The Board considered executing the East Kings Groundwater Sustainability Agency MOU. After discussion of the issues the following roll call vote was taken relative to appropriateness of the District's execution of the MOU.

Director Miller – Aye Director Brown – Aye Director Bailey – Aye

Director Katayama and Director Collin, III were absent.

The Board unanimously approved executing the subject MOU.

## 18. Adjourn

The Board adjourned the meeting at 4:45 P.M. with the next regular monthly Board of Directors meeting to be held on Tuesday November 10, 2015 at 11:30 A.M. at 1130 Park Boulevard, Orange Cove, California.

Harvey A. Baikey, Board Chairman

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Minutes of the Regular Meeting of the Board of Directors of the Orange Cove Irrigation District held on Wednesday December 9, 2015. Chairman Bailey called the meeting to order at 11:59A.M., with the following Directors and Officers present:

Directors: Harvey A. Bailey, Chairman

H.A. "Gus" Collin, III, Vice Chairman

David Brown, Director Russell Katayama, Director Arlen Miller, Director

Officers:

Fergus A. Morrissey, Engineer-Manager/Secretary

Robert T. Ramirez, Controller

Others:

John Sanders, Operations Supervisor

Scott Kuney, Young & Wooldridge, LLP (via

teleconference - Closed Session)

NOTE: Meeting Action Items are noted in bold italicized font.

1. Call to order.

Chairman Bailey called the regular Board of Directors meeting for December 2015 to order at 11:59 A.M. with all Directors present.

2. Additions to and approval of the Agenda.

Manager Morrissey noted no changes to the Agenda.

3. Public Comments.

No public comment.

4. Approval of Minutes

Director Collin, III motioned, and following a second by Director Brown the Board voted unanimously in favor of the motion approving the minutes prepared for the November 2015 Board Meeting.

5. Approval of Bills.

Controller Ramirez reviewed the warrants for approval for the period November 11, 2015 through December 9, 2015.

Controller Ramirez noted major and/or atypical expenditures. Considerable discussion transpired regarding a bill from Reclamation associated with ARRA delinquencies.

Controller Ramirez will investigate further with Reclamation accounting staff, details of these charges. The bill includes interest on ARRA charges that appear as a result of delinquent payments seemingly incurred without the District ever being notified that there was a bill or a delinquency. Controller Ramirez will prepare a letter challenging interest charges, and requesting a complete accounting of the charge.

After general discussion on the bills, Director Collin, III motioned to approve the bills and Director Miller seconded the motion. The Board voted unanimously in favor of the motion to approve payment of the bills as presented.

6. Monthly Report

Controller Ramirez covered Items A through I of the monthly report, including delinquent

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9. Hydropower Update

Manager Morrissey discussed the status of the various power projects.

Manager Morrissey suggested that the Board take a tour of the QLPP construction in the near future in addition to a tour of the KRSH power plant. Something will be arranged in this regard prior to the January 2016 Board meeting.

10. FWA Issues

Manager Morrissey discussed various FWA issues. No action.

11. Mill Creek Water Right

Manager Morrissey discussed the Mill Creek water right and recent conversations with Mr. Gregg Werner of TNC. No action.

12. Closed Session

At 1:00 PM the Board entered into Closed Session with General Counsel Kuney on two potential litigation items.

13. Return to Open Session

At 1:30 the Board returned to Open Session, with no reportable action taken during Closed Session.

14. Adjourn

The Board adjourned the meeting at 4:01 P.M. with the next regular monthly Board of Directors meeting to be held on Wednesday January 13, 2016 at 11:30 A.M. at 1130 Park Boulevard, Orange Cove, California.

Harvey A. Bailey, Board Chairman