

ORANGE COVE IRRIGATION DISTRICT

1130 PARK BOULEVARD

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BOARD OF DIRECTORS

President

Harvey A. Bailey

Division 1

Vice-President

H. A. "Gus" Collin, III

Division 3

David A. Brown

Division 2

Arlen D. Miller

Division 4

Russell Katayama

Division 5

Officers

Engineer-Manager / Secretary /

Assessor / Collector

Fergus A. Morrissey

Controller / Treasurer

Robert T. Ramirez, CPA

General Legal Counsel

Scott Kuney, Esquire

Young Wooldridge, LLP

MEETING AGENDA

Regular Meeting of the Board of Directors

Orange Cove Irrigation District

September 9, 2020 @ 11:30 A.M.

Members of the public may directly address the Board of Directors on any item of interest to the public within the Board's subject matter jurisdiction before or during the Board's consideration of the item in accordance with Government Code Section 54954.3 (Brown Act). At the discretion of the District, all items appearing on the agenda, whether expressly listed for action, may be deliberated upon and may be subject to action by the District. The sequence of agenda items are subject to change.

- 1) Call to order
- 2) Additions / Modifications to Agenda
- 3) Public Comment
- 4) Consent Calendar

The following routine matters will be acted upon by one vote unless a Board Member requests separate discussion and consideration of an item. (**Actionable**)

- a) Approval of the Minutes – Board of Directors meeting of July 8, 2020.
- b) Opt-Out Recording – For "Opt-Out" requests that conform to the Board's eligibility policy of allowing parcels of 5 acres or less to "opt-out". (**Actionable**)

- 5) Financial Statement Audit Report for Fiscal Year Ending February 29, 2020 – The Board will consider accepting the Audit Report for Fiscal Year ending 2020 as conducted, prepared, and presented by Joe Mastro of Cuttone and Mastro (**Actionable**).
- 6) Liability Insurance Proposal – The Board will consider accepting a proposal for liability insurance coverage for the District through Allied Public Risk for the one-year period beginning October 1, 2020 (**Actionable**)
- 7) Ratification of Bills – The Board will consider ratification of warrants paid since the previous Board Meeting. (**Actionable**)

- 8) Monthly Report – A discussion pertaining to on-going District activities. (**Informational**)
- 9) Hydropower Facilities Update – The Board will discuss issues relating to the District's and FPA's facilities, including Fishwater Release and Kings River hydropower assets. The Board will discuss power purchase agreement / power utilization options for these resources. (**Informational**)
- 10) Friant Water Authority Issues – The Board will discuss Authority wide issues including the FKC Capacity Correction Project's status of design, funding and timeline. (**Informational**).
- 11) Initial Study / Negative Declaration on Water Transfer – The Board will discuss comments received by the District pertaining to its Initial Study / Proposed Negative Declaration for the Orange Cove Irrigation District-Dudley Ridge Water District Water Transfer Program. Comments that were received during the 30-day public comment period from:
 - a) United States Bureau of Reclamation
 - b) The Nature Conservancy
 - c) The California Department of Water Resources

along with appropriate comment responses will be discussed by the Board. The Board may take action adopting a Resolution approving a Negative Declaration for this transfer for the transfer disclosed for environmental review in the Initial Study that was published for 30 day period on July 30, 2020. (**Actionable**)

- 12) Alternate Friant Water Authority Director Appointment – The Board will discuss and take action to appoint an Alternate Director for the Friant Water Authority Board of Directors (*Actionable*).
- 13) Adjourn – The Board will adjourn, setting the time for the October 2020 Regular Board meeting. (*Actionable*)

A person with a qualifying disability under the Americans with Disabilities Act of 1990 may request the District to provide a disability-related modification or accommodation in order to participate in any public meeting of the District. Such assistance includes appropriate alternative formats for the agenda and agenda packets used for any public meetings of the District. Requests for such assistance and for agendas and agenda packets shall be made in person, by telephone, facsimile, or written correspondence to Fergus Morrissey at the District office, at least 48 hours before a public District meeting. Materials related to an item on this agenda submitted to the Board of Directors after distribution of the agenda packet are available for public inspection at OCID's office, 1130 Park Boulevard, Orange Cove, California, 95646, during normal business hours.

Minutes of the Regular Meeting of the Board of Directors of the Orange Cove Irrigation District held on Wednesday August 12, 2020. Chairman Bailey called the meeting to order at 11:58 A.M., with the following Directors and Officers present:

Directors Present: Harvey Bailey, Chairman
H.A. "Gus" Collin, III-Vice Chairman
David Brown
Arlen Miller
Russell Katayama

Officers: Fergus A. Morrissey, Engineer-Manager/Secretary
Robert T. Ramirez, Controller/Treasurer

Public: None

1. Call to order

Chairman Bailey called the meeting to order at 11:58 A.M., with a quorum of Directors present.

2. Recess for Board of Equalization Meeting

At 12:00 Noon, the Board opened the Board of Equalization meeting. No public or landowners were present at the meeting. Controller Ramirez noted that a request for adjustment of District acreage was requested by landowner Walter Hayhurst. The change requested would reduce APN 005-012-51 from 18.98 to 18.61 acres, a difference of 0.37 acreage. This adjustment was requested so as to match the County of Tulare Assessors acreage for said parcel, which was modified recently during a recalculation of assessed areas in the County. Following a motion of Director Brown and a second of Director Collin, III *the Board voted unanimously in favor of Mr. Hayhurst's request leading to a reduction of 0.37 acres and a corresponding decrease in allocation of available water supply from the District and adopting the Assessed Acreage delineation provided in the property roll report prepared by the District Assessor.*

3. Return to Regular Board Meeting

At 12:12 P.M. the Board resumed the regular Board meeting.

4. Approval of the Agenda

No alterations were suggested.

5. Public Comment

None

6. Consent Calendar

Following a thorough discussion of warrants by Controller Ramirez, *Director Katayama motioned and Director Collin, III seconded the motion to approve items a), b), c) of the Consent Calendar (July Minutes, July 2020 Bills, Cell Phone Policy), there was no request for Opt-Out under Item d). The Board voted unanimously in favor of the noted motion.*

7. Monthly Report

Controller Ramirez covered Items A through J of the monthly report; including delinquent stand-by charges categorized into “troubled assets” (foreclosures, hardship and no response) and late payments. Other items discussed were total water in-District deliveries in July of 5,995 acre feet. The sum of District landowner meters and FKC (Bureau) meters are in close alignment thus far into the Contract Year.

Also discussed were various financial categories including District power plant revenues and costs, Power Purchase Agreement status associated with the Districts assets, Friant Power Authority power plant revenues, LAIF balance and performance and return on CD’s. Legal expenses to date were summarized.

Manager Morrissey reviewed the Monthly O&M Report with the Board and a thorough discussion of operations of the Districts systems was had. *No action was taken by the Board on this topic.*

8. Hydropower Facilities

Manager Morrissey discussed the end of the PPA with PGE for both of the District hydro assets. The District is pursuing a short term PPA with PGE under the Pro Forma PURPA Contract option for a 6-month term and evaluate other opportunities, including Norther California Power Association and East Side Power Authority and ReMAT.

9. FWA Issues

General discussion of various activities undertaken on behalf of the Districts by Friant Water Authority were discussed. It was the Board’s consensus that no Zone 3 should be allowed in the FKC, i.e. no investor funding that creates a conveyance priority outside of the conveyance priority described in the Friant Operational Guidelines (FOG). *No action was taken by the Board on this topic.*

10. Closed Session

The Board went into Closed Session at 2:17 P.M. to discuss real property negotiations.

11. Return to Open Session

The Board returned to Open Session at 2:55 with no reportable action.

12. Adjourn

The meeting was adjourned by Chairman Bailey at 2:58 P.M. The next meeting was set for Wednesday September 9, 2020 at 11:30 at the District Office in Orange Cove.

Harvey A. Bailey, Board Chairman

Fergus A. Morrissey, Board Secretary