

ORANGE COVE IRRIGATION DISTRICT
1130 PARK BOULEVARD
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MEETING AGENDA

Regular Meeting of the Board of Directors
Orange Cove Irrigation District
July 13, 2022 @ 11:30 A.M.

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

Kevin Orlopp

Division 5

Officers

**Engineer-Manager / Secretary /
Assessor / Collector**

Fergus A. Morrissey

Controller

Roger Paine

General Legal Counsel

Scott Kunej, Esquire

Young Wooldridge, LLP

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. Agenda sequence is subject to change.

- 1) *Call to order*
- 2) *Additions / Modifications to Agenda*
- 3) *Public Comment*
- 4) *Minutes* – The Board will review and consider approval of the draft May 2022 Regular Board of Directors meeting minutes and the June Special Board meeting minutes. (**Actionable**)
- 5) *Opt-Out Recording* – the Board will review requests that conform to the Board's eligibility policy of allowing parcels of 5 acres or less to "Opt-Out". (**Actionable**)
- 6) *Appointment of District Treasurer* - The Board will consider appointing Controller Paine to assume the role of the District's Treasurer. (**Actionable**)
- 7) *Banking Security* – The Board will review and consider adding recommended features for improving the District's banking security. (**Actionable**)
- 8) *Ratification of Bills* – The Board will consider ratification of warrants paid since the previous Board Meeting. (**Actionable**)
- 9) *Monthly Report* – A discussion of on-going District activities including water supply status, water deliveries, hydropower plant operations, Friant Power Authority activities and revenue and financial position and Friant Water Authority issues. (**Informational**)
- 10) *Water Supply* – Manager Morrissey will discuss the current hydrology and Friant allocation. (**Informational**)
- 11) *Resolution 2022-04 Certificates of Sale* – A discussion will be held regarding the pursuit of liens (certificates of sale) on parcels with delinquent accounts. The Board will consider adopting Resolution 2022-04 to progress recovery of delinquent accounts as per the California Water Code and record liens with Fresno and Tulare County Records Offices. (**Actionable**)
- 12) *Investment Policy Statement* - The Board will consider adopting a draft Investment Policy document for the upcoming 12 month period. (**Actionable**)
- 13) *Purchasing Policy* - The Board will consider adopting a draft Purchasing Policy document. (**Actionable**)
- 14) *Closed Session* –
 - a) *Real Property Negotiations* – The Board will discuss real property issues with its Consultant in Closed Session.
 - b) *Potential Litigation*– The Board will discuss potential litigation to be undertaken by the Friant Water Authority.
- 15) *Return to Open Session* – The Board will return to Open Session and disclose reportable action taken in the above two items. (**Actionable**)

- 16) *Adjourn* – The Board will adjourn, setting the time for the August 2022 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, 93646, during normal business hours.

Minutes of the Regular Meeting of the Board of Directors of the Orange Cove Irrigation District held on Wednesday June 8, 2022. Director Collin, III called the meeting to order at 12:13 P.M., with the following Directors and Officers present:

Directors Present: Harvey Bailey, Chairman (by phone)
H.A. "Gus" Colin, III
David Brown
Arlen Miller
Kevin Orlopp

Staff: Fergus A. Morrissey, Engineer-Manager/Secretary
Keith Clem, Assistant Manager
Roger Paine, Controller

Public: Andrew Brown, District Landowner

1. Call to order

Director Collin, III called the meeting to order at 12:13 P.M., with a quorum of Directors in attendance.

2. Approval of the Agenda

No alterations were suggested.

3. Public Comment

None.

4. Minutes

Approval of draft May 2022 Regular Board meeting minutes and the June 2, 2022 Special Board meeting minutes were considered by the Board. *Director Brown motioned to approve the minutes as mailed. Director Miller seconded the motion and the Board voted unanimously in favor of the minutes' approval.*

5. Ratification of Bills

Controller Paine reviewed all expenditures between May 7, 2022 and June 3, 2022 for Board ratification. Disbursements from the period totaled \$425,185.04. 77% of the total expenditure was for Operation, Maintenance and Replacement (OM&R) charges by the Friant Water Authority for routine O&M and for the FKC MRCCP quarterly installment. There were no capital expenditures noted for the period. *Director Miller motioned, and Director Orlopp seconded the motion to ratify expenses for the period. The Board voted unanimously in favor of the motion.*

6. Monthly Report

Controller Paine noted additional progress in his efforts to collect delinquent Standby Charges. It was noted there was a small amount of water used in excess of available account balance totaling 6.652 af. It was noted that the charge for unsecured water at this time is based on the Rules & Regulations stipulation of 150% of spot market price, which computes to \$2,700 per af.

District owned power plant generation and revenue was discussed. Kings River is running at one unit at this time and should continue to run well into the fall period with at least one unit. Fishwater continues to produce energy reliably, generating revenue significantly above

previous years, due to a better payment rate under the new PPA which provides higher payment per kilowatt for *baseload* facilities.

Other items discussed and reviewed included return on cash reserves (LAIF primarily), Friant Power Authority revenue distribution for Hydro 1 and 2 and legal expensed by the District for the period.

Assistant Manager Clem covered the Operation and Maintenance Report, discussing the variety of issues dealt with by staff over the last month. ***No action was taken.***

7. Water Supply

Manager Morrissey discussed this Water Year's supply outlook. Manager Morrissey discussed the URF Exchange Proposal that the District submitted to the Restoration Program for consideration. The Board expressed alignment with the terms of the proposal and a strong desire to pursue the opportunity, should it avail itself. It was determined that any supply obtained under the URF Exchange Proposal be distributed among all growers at the Tier 1 rate. Manager Morrissey noted that he remains cautiously optimistic that there will be an increase in Friant allocation near the end of June. ***No action was taken.***

8. Adjournment

The Board considered Resolution 2022-03, for the upcoming Tulare County District Division elections (Divisions 3 and 5). The following roll call vote was taken after a motion and a second by Directors, Collin, III and Miller, respectively:

Director Bailey - Aye
Director Collin, III - Aye
Director Brown - Aye
Director Miller - Aye
Director Orlopp - Aye

9. Workers Compensation Insurance

Controller Paine reviewed with the Board proposals received by the District for workers compensation insurance coverage. A total of three proposals were received. ***After a motion by Director Orlopp and a second by Director Miller, the Board voted unanimously in favor of selecting the recommended carrier who was the low bidder and current carrier - AmTrust.***

10. Friant-Kern Canal Non-Project Water Quality Guidelines

Manager Morrissey provided the Board with the 5/23/2022 Draft of the Guidelines for Accepting Non Project Water into the Friant-Kern Canal, that were prepared by the Friant Water Authority. The general provisions of the plan were discussed including the mitigation for non-project water introduced with greater than baseline electrical conductivity. While no action was taken, the Board was appreciative and supportive of the outcome and effort by the FWA's ad hoc committee to arrive at a reasonable solution to a vexing problem that has thwarted Recirculation progress for more than a decade. ***No Action was taken.***

11. Closed Session – Real Property Negotiations and Personnel Evaluations

The Board went into closed session to discuss the two items.

12. Return to Open Session

There was no reportable action on Real Property Negotiations.

Staff, excluding Manager Morrissey, were provided with merit and or annual adjustments to salary depending on performance. Director Collin, III motioned to approve the salary

adjustments and Director Brown seconded the motion. The Board voted unanimously in favor of providing merit and annual adjustments to District Staff.

13. Adjourn

The next scheduled Board meeting at the District office is planned for July 13, 2022 at the District Office beginning at 11:30 A.M..

Harvey A. Bailey, Board Chairman

Fergus A. Morrissey, Board Secretary