

# LINDMORE IRRIGATION DISTRICT

## MINUTES OF THE BOARD MEETING

December 13, 2022

### Roll Call and Acknowledgement of Visitors

Vice-President DePaoli called the meeting to order @ 2:00 p.m.

Directors Present: Arnold (Emergency Zoom), Brownfield, DePaoli, Milanesio, Reynolds

Directors Absent:

Others present: Hagman (GM), Bennett (Senior Analyst), Aubrey Mauritsen, (Counsel), Rachele Berglund, (Special Counsel), members of the public.

### Approval of the Agenda

The agenda for the meeting was presented and the following action was taken:

**Motion: To approve the agenda for December 13, 2022, Lindmore Irrigation Board meeting as provided - 1<sup>st</sup> Reynolds and 2<sup>nd</sup> Milanesio – Motion passed by unanimous vote of those present.**

### Public Comment

No public comment.

### Minutes

Staff presented the minutes for the November 8, 2022, Lindmore Irrigation District Regular Board meeting. After discussion, the following actions were taken:

**Motion: To approve the minutes of the November 8, 2022, Regular Board meeting– 1<sup>st</sup> Reynolds and 2<sup>nd</sup> Brownfield – Motion passed by unanimous vote of those present.**

### Oath of Offices for Directors

MarLo Badillo (Notary) administered the Oath of Offices for Directors Reynolds and Brownfield who were appointed by the Board of Supervisors in lieu of election.

### Nomination and Appointment of Officers for the District

The Following slate of officers was nominated, and the following motions were made to approve the slate of officers. **Motions passed by unanimous vote of those present.**

President: John A. Arnold (1<sup>st</sup> Brownfield/2<sup>nd</sup> Reynolds)

Vice President: Mike Brownfield (1<sup>st</sup> Milanesio/2<sup>nd</sup> Reynolds)

Secretary/Treasurer: Michael D. Hagman (1<sup>st</sup> Brownfield/2<sup>nd</sup> Milanesio)

Assessor-Collector: Michael D. Hagman (1<sup>st</sup> Brownfield/2<sup>nd</sup> Milanesio)

## CLOSED SESSION:

- EMPLOYEE EVALUATION – GENERAL [Government Code Section 54957.9]
- CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION [Government Code Section 54956.9(d)(1)] City of Fresno, et al. v. United States of America, Court of Federal Claims, Case No. 16-1276L
- CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION [Government Code Section 54956.9 (d) (2)] - Number of Potential Cases: One.
- CONFERENCE WITH LEAD NEGOTIATOR Michael Hagman – Avenue 208 North side alignment easement, right of way or purchase of property. [Government Code Section 54957.6].

Vice-President DePaoli called the Board into closed session at 2:38 pm and the Board came out of closed session at 2:51 pm. It was announced that there was no reportable action taken in closed session.

## Prior/New Action Items

### **A. Report on Prior Board actions/discussions**

*Operation and Maintenance Report:* Hagman reported 5<sup>th</sup> Avenue will be off and on during the winter.

*Water Supply Report:* Hagman noted staff is working with Friant to resolve the high meter readings they are reporting, compared to district totals.

*District Water Recharge Projects:* Hagman provided updates to the district recharge projects. A couple Board members had asked how recharge water delivered to a landowner would be credited with regard to East Kaweah GSA groundwater credits.

*Staffing & Office Space Update:* Hagman noted staff is in the process of finding someone to fill the vacancy of management analyst/engineering tech. He explained that an offer was given to another individual, however she accepted another offer at Tulare Irrigation District.

Additionally, Hagman reported to the Board that we accidentally omitted a section from the MOU. Rachele Berglund, Special Counsel, asked the Board to approve two changes to the memorandum of understanding with the IBEW Local 1245 approved by the Board at the November 8, 2022 meeting. This would be to correct paragraph 18.4 and put Paragraph 18.3 back in. She noted that these are not additional benefits to the prior agreement, they are current practice or were already in the MOU. After some discussion the following action was taken:

**Motion: To approve the addition of Paragraph 18.4 and put back in Paragraph 18.3 in the MOU with the IBEW Local 1245 – 1<sup>st</sup> Arnold and 2<sup>nd</sup> Brownfield – Motion passed by unanimous vote of those present.**

*Staffing: Year-round Operation and no shutdown:* Hagman reported on the challenges and successes of year round operation. He noted that 10<sup>th</sup> Avenue will be off till late January and that this was not previously noticed by FWA to the contractors. Additionally, Hagman explained that we have some 1<sup>st</sup> Avenue mainline leaks and may need to shut down 1<sup>st</sup> Avenue after the testing of the new connection at the Mariposa Basin.

## **B. New Action Items**

*Consider Adoption of RESOLUTION 2022-05 – Resolution of the Lindmore Irrigation District Board Directors, withdrawing from and terminating the amended JPA – Upper San Joaquin River Water and Power Authority:* After discussion, the following action was taken:

**Motion: To adopt Resolution No. 2022-05: Resolution of the Lindmore Irrigation District Board of Directors Withdrawing from and Terminating the Joint Powers Agreement – Uppers San Joaquin River Water and Power Authority - 1<sup>st</sup> Milanesio and 2<sup>nd</sup> Arnold – Motion passed by unanimous vote of those present.**

*Year End Maintenance and Year-Round Operations presentation:* Hagman noted the district may need to hire outside contractors to keep lines repaired.

*Kaweah Subbasin surface water purchasing:* Hagman discussed a meeting he and Aaron Fukuda convened with other Kaweah Subbasin water purveyors to create a group to share in the cost of hiring a basin surface water coordinator/buyer. No dollars or staffing has yet been discussed by this group but most folks in the group felt it would be a really good idea. No action was needed from the Board. Hagman explained he would come back with ideas at a subsequent meeting.

*Filing vacant Board seat:* Counsel discussed Tulare County guidelines for filling a vacant board seat and the required posting requirements. Staff was directed to post the board vacancy per county requirements.

*Miscellaneous Administrative Items:* Nothing to report.

## **C. Finance Issues**

Review accounts payable listing and request by staff that the Board ratify the payments made to pay the bills:

**Motion: To ratify the payments made to pay the bills as follows: A/P Checks (#15743 – 15812) November 9, 2022 to December 13, 2022 in the amount of \$1,081,975.25 and payroll for November 2022 in the amount of \$102,948.15 for a total disbursement of \$1,184,923.40. 1<sup>st</sup> Arnold and 2<sup>nd</sup> Brownfield - Motion passed by unanimous vote of those present.**

Bennett reviewed the financial statements and reports, noting a few items of interest and answered questions from the Board.

## **Reports and Discussion on meetings attended or other water related business reports:**

*FWA Issues* – Director Brownfield and GM Hagman updated the Board on the activities at Friant Water Authority noting most was in closed session.

*Friant Power Authority (FPA)* – President Arnold reported that there was no FPA meeting in November.

*East Kaweah Groundwater Sustainability Agency (EKGSa)* – GM Hagman reported on current EKGSa activities.

*Temperance Flat MOU* – Nothing to report

*Report on Other Meetings/Issues:* Nothing to report

*Review upcoming Meetings Calendar:* All upcoming meetings are covered.

**Correspondence Report:**

No action.

**Other Items to be Discussed per 54954.2 (Items not appearing on the agenda)**

No action.

**Adjourn**

There being no further business to come before the Board, Vice-President DePaoli adjourned the meeting at 4:01 pm.

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Michael D. Hagman  
District Secretary