

MINUTES

NAGLEE BURK IRRIGATION DISTRICT  
Board of Directors Special Meeting  
July 13, 2022

**DIRECTORS PRESENT:** Fagundes, Tosta, Vieira

**DIRECTORS ABSENT:** Ohlendorf, Wright

**OTHERS PRESENT:** Alexis K. Stevens (District Counsel)  
Joelle Smith (District Secretary)

The meeting was called to order by Director Vieira at 11:36 a.m.

**1. ROLL CALL**

Roll call was taken and Directors Fagundes, Tosta, and Vieira, were present when the meeting was called to order.

**2. PUBLIC COMMENT**

None.

**3. MINUTES**

Director Fagundes moved to approve the minutes for the May 5, 2022 Board Meeting. Director Vieira seconded the motion. The matter was put to a vote and votes were cast as follows:

Director Fagundes:	YES	Director Vieira:	YES
Director Ohlendorf:	ABSENT	Director Wright:	ABSENT
Director Tosta:	YES		

The motion to approve the minutes for the May 5, 2022 Board Meeting was carried.

**4. FINANCIAL STATEMENTS**

The Board reviewed and discussed the Financial Statements for June and July 2022, the Warrants, and the Delinquent List.

Director Vieira moved to approve the Financial Statements for June and July 2022 and the Warrants. Director Fagundes seconded the motion. The matter was put to a vote and votes were cast as follows:

Director Fagundes:	YES	Director Vieira:	YES
Director Ohlendorf:	ABSENT	Director Wright:	ABSENT
Director Tosta:	YES		

The motion to approve the Financial Statements for June and July 2022 and the Warrants was carried.

**5. ACTION ITEMS**

- a) Review and Execute Understanding Letter from Croce, Sanguinetti & Vander Veen to perform FYE 6/30/22 Audit

Director Vieira moved to approve the Understanding Letter from Croce, Sanguinetti & Vander Veen to perform FYE 6/30/22 Audit. Director Fagundes seconded the motion. The matter was put to a vote and votes were cast as follows:

Director Fagundes: YES  
Director Ohlendorf: ABSENT  
Director Tosta: YES

Director Vieira: YES  
Director Wright: ABSENT

The motion to approve the Understanding Letter from Croce, Sanguinetti & Vander Veen to perform FYE 6/30/22 Audit was carried.

## **6. COMMUNICATIONS**

The Board reviewed the following correspondence:

- a) Letter from SJC Ag Commissioner Re: Ag Pest Collection and Disposal Event
- b) Information from City of Tracy Rd: Extended Stay America Project
- c) Letter from Somach Simmons & Dunn Re: Hourly Billing Rate Increase
- d) Notice from Van De Pol Petroleum Re: Cancellation of Admin/Delivery Fee
- e) Letter from Edgewood Corporate Commercial Condo Association Re: Owner Retirement
- f) E-Mail from Christ Stump w/MLC/Meritage Homes Re: Tracy Project and District Irrigation Ditches

## **7. DISCUSS DITCHTENDER RAISE**

The Board discussed a potential pay increase in addition to the need for agreements covering employee housing arrangements. The Board instructed District Counsel to prepare a template rental agreement for employee housing and to confirm whether the District is required to charge employees rent. No action was taken on the matter, but the Secretary was instructed to include it as an agenda item for next month's meeting.

## **8. REVIEW UPDATED QUOTE FOR NON-INSERTION PULSAR METER FOR STATION 1**

District Counsel reviewed correspondence from the District Engineer regarding another option for a meter at the main pump. This item was informational only. No action was taken.

## **9. GENERAL COUNSEL REPORT**

General Counsel reported that the District's water rights are not currently curtailed, however, all post-1914 and some pre-1914 water rights in the Delta have been curtailed. General Counsel reported that she planned to attend a meeting held by the Delta Watermaster on July 14 and planned to participate/monitor the State Water Resources Control Board meeting on July 20 at which the SWRCB was scheduled to consider re-adoption of the Delta curtailment regulations. General Counsel also reported that a draft of the materials for the AB 1234 training have been prepared, but will need to be finalized. The Board discussed potentially have the training immediately preceding the August board meeting.

**10. OTHER BUSINESS**

None.

**11. CLOSED SESSION**

None.

**12. NEXT BOARD MEETING**

The next Board Meeting is scheduled for August 4, 2022 at 3:30 p.m.

**13. ADJOURNMENT**

There being no further business, Director Vieira adjourned the meeting at 12:26 p.m.