

ALTA IRRIGATION DISTRICT

289 North L Street, Dinuba, CA (559) 591-0800

MINUTES

Per Executive Order N-29-20, which allows local and state legislative bodies to hold meetings via teleconference and to make meetings accessible electronically, this Regular Meeting of the Board of Directors of Alta Irrigation District

*was held via telephone conference call on
Thursday, July 09, 2020*

and was accessed as follows:

Teleconference Number (559) 823-8500

The public participated in the meeting as otherwise permitted under the Brown Act by calling into this telephone number.

1. CALL TO ORDER

1.1. Roll Call – The Regular Board meeting for Alta Irrigation District was called to order at 9:32 a.m. by President Jack Brandt. Members present were Daniel Astiasuain, Jerry Halford, John Kalendar, Tom Marshall, Marco Rinaldi, and Larry Tout. Others Present were General Manager Chad Wegley, Operations Manager Marc Limas, Engineer Jim Wegley, and attorneys Doug B. Jensen and Lauren D. Layne. There were three members of the public on the phone.

1.2. Potential Conflict(s) of Interest – None.

2. **PUBLIC COMMENT** – Dominic Fino mentioned he was concerned that the District did not have any information on its website regarding the lack of water deliveries to the east side of the District. The District will be releasing more information in the near future and will take this comment into consideration for future matters.

3. **ADDITIONS TO OR DELETIONS FROM AGENDA** – None.

4. COMMUNICATIONS

4.1. Wyatt Fulbright Annexation Request. It was M/S by Astiasuain/Tout to deny the annexation request. There was discussion about first developing a policy on annexations in light of SGMA. Vote was taken by roll call as follows Director Astiasuain aye, Director Tout aye, President Brandt aye, Vice President Marshall aye, Director Halford aye, Director Kalendar aye, Director Rinaldi aye. The motion passed unanimously. (Insert 4.1)

5. **CONSENT CALENDAR** – It was M/S by Astiasuain/Marshall that consent calendar items be approved as presented. Vote was taken by roll call: Director Astiasuain aye, Vice President Marshall aye, President Brandt aye, Director Halford aye, Director Kalendar aye, Director Rinaldi aye, and Director Tout aye. The motion passed unanimously.

5.1. Board Meeting Minutes for Regular Board Meeting of June 11, 2020.

5.2. Approve Payment of the June 2020 Warrants. (Insert 5.2)

5.3. Collector's Report for June 2020. (Insert 5.3)

5.4. DMK Ventures I LLC Encroachment 10432001 (Tout Ditch). Approve one (1) District standard encroachment agreement on Tout Ditch.

5.5. Compliance Certification and Hold Harmless Statement. Approve Compliance Certification and Hold Harmless Statement for Tulare County collections. (Insert 5.5)

6. ADMINISTRATIVE/FINANCIAL

- 6.1. LAIF Funds. It was M/S by Halford/Astiasuain to move District funds from LAIF to Mechanics Bank, leave LAIF account open with minimum funds, and explore other investment options. Vote was taken by roll call: Director Halford aye, Director Astiasuain aye, President Brandt aye, Vice President Marshall aye, Director Kalendar aye, Director Rinaldi aye, and Director Tout aye. The motion passed unanimously.

7. WATER MANAGEMENT – Review and take action as appropriate.

- 7.1. Water Run Update – General Manager Wegley reported the District is diverting about 355 cfs from the Kings River with another 75 cfs order today. Once this water reaches the Smith Mountain headgate, anticipated between 4 and 6 p.m., a temporary berm downstream of the the headgate will be breached to allow water down the East Branch. An additional water order will be placed on Friday June 10th and the system should be fully operational by the middle of next week.

8. OLD BUSINESS

- 8.1. Manager's Report. General Manager Wegley reported the Haymaker pipeline broke sometime in 2008 and the District found a letter sent to landowners in 2008 stating that the city of Dinuba road crews damaged this pipeline. No other documentation was found regarding the resolution of that issue. A landowner at the end of the pipeline contacted both current and former District staff regarding repair of this pipeline. To date, there is no record of any repairs. The District will investigate this pipeline and needed repairs once the irrigation system is fully operational.

The District's worker's compensation policy renewed on July 1, 2020; the new mod rate is 1.06, down from 1.34 last policy year, and 2.42 from two policy years prior.

Two (2) prefabricated turnouts were installed with the gates, meters and pipelines will be

installed next. The District is moving to a new process where landowners will install prefabricated turnouts using a contractor and the District will simply have a supervisory role. District standards will still apply.

9. ADJOURN TO CLOSED SESSION – President Jack Brandt adjourned to Closed Session 10:07 a.m. to confer with counsel and items listed below. There was no discussion on item 9.3

- 9.1. Conference with Legal Counsel Regarding Existing Litigation, Government Code §54956.9(d)(1). Board of Directors will confer with counsel for possible action regarding *Kings River Water Association, et al. v. James Verboon, et al.*
- 9.2. Conference with Legal Counsel Regarding Anticipated Litigation, Government Code §54956.9(d)(2). Board of Directors will confer with counsel for possible action on potential litigation arising out of claims by third parties to water rights on the Kings River. (1 case)
- 9.3. Conference with Legal Counsel Regarding Existing Litigation, Government Code §54956.9(d)(1). Board of Directors will meet in closed session to confer with counsel regarding *Kings River Water Association v. R.D. #761, et al.*
- 9.4. Conference with Legal Counsel Regarding Anticipated Litigation, Government Code §54956.9(d)(2). Board of Directors will confer with counsel for possible action on potential litigation arising out of unauthorized encroachment(s) into District canal. (1 case)
- 9.5. Conference with Legal Counsel Regarding Existing Litigation, Government Code §54956.9(d)(1). Board of Directors will confer with counsel for possible action regarding *Jesse Alvarado v. Alta Irrigation District Case # ADJ9776072*.
- 9.6. Conference with Legal Counsel Regarding Existing Litigation, Government Code §54956.9(d)(1). Board of Directors will confer with counsel for possible action regarding *James Irrigation District v. Kings River Water Association (Fresno Co. Case #19CECG00769)*.
- 9.7. Conference with Legal Counsel Regarding Threatened Litigation, Government Code §54956.9(d)(2). Board of Directors will confer with counsel for possible action on potential litigation. (1 case)

10. RECONVENE TO OPEN SESSION – The Board reconvened into open session 10:44 a.m. with no reportable action taken in closed session.

11. ADJOURNMENT – There being no further items to discuss the meeting was adjourned 10:44 a.m. until the next scheduled meeting on August 13, 2020.

Sincerely,

Chad B. Wegley, Secretary

CBW:ml