

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 Ring Central on Thursday, December 10, 2020, and was accessed as follows:

<https://meetings.ringcentral.com/j/4925808335?pwd=RHpWU01pSHN2SzQ4QTZMdEQvWXk2QT09>

Meeting ID: 492-580-8335

Password: 12102020

Or by Phone (623) 404-9000

The public participated in the meeting as otherwise permitted under the Brown Act by logging into Ring Central or calling the number above.

1. CALL TO ORDER

- 1.1. Roll Call – The Regular Board meeting for Alta Irrigation District was called to order at 9:44 a.m. by President Jack Brandt. Members present were Daniel Astiasuain, Domenic Fino, Jerry Halford, John Kalender, and Larry Tout. Tom Marshall joined the meeting at 9:50 a.m. Others present were General Manager Chad Wegley, Operations Manager Marc Limas, Engineer Jim Wegley, Attorneys Doug B. Jensen and Lauren D. Layne, and one (1) member of the public was present. Attorney Nick Jacobs joined the meeting for closed session.
- 1.2. Potential Conflict(s) of Interest – None.

2. PUBLIC COMMENT – None.

3. ADDITIONS TO OR DELETIONS FROM AGENDA – None.

4. COMMUNICATIONS

- 4.1. Notice of Pre-Hearing Conference and Public Hearing on Pending Petitions of Consolidated, Fresno, and Alta Irrigation Districts and Semitropic Improvement District of Semitropic Water Storage District to Revoke/Revise Declaration of Fully Appropriated Stream System with respect to the Kings River System (Insert 4.1.)

5. DIRECTOR ROLES AND RESPONSIBILITIES OVERVIEW – Attorney Layne gave a short presentation on Director roles and responsibilities.

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

6.1. Board Meeting Minutes for Regular Board Meeting November 12, 2020.

6.2. Approve Payment of the November 2020 Warrants. (Insert 6.2)

6.3. Collector’s Report for November 2020. (Insert 6.3)

6.4. Approve 2021 Meeting Calendar. (Insert 6.4)

7. **ADMINISTRATIVE/FINANCIAL**

7.1. Treasurer’s Report. As of November 30, 2020, the cash balance is \$3,157,856.74. Accounts Receivable and Inventory total approximately \$1,535,086. Current year revenue and expenses are approximately \$2,036,674 and 474,939 respectively, resulting in a net cash flow of about \$1,561,875. (Insert 7.1) It was M/S by Astiasuain/Fino to accept the November 30, 2020 Treasurer’s Report. Vote was taken by roll call as follows: Director Astiasuain, aye; Director Fino, aye; President Brandt, aye; Vice President Marshall, aye; Director Halford, aye; Director Kalender, aye; and Director Tout, aye. The motion passed unanimously.

7.2. Mechanics Bank Operating Line Renewal. It was M/S by Astiasuain/Fino to renew the Mechanic’s Bank Operating Line for \$400,000 and designate President Jack Brandt and Secretary Chad Wegley as authorized signers. Vote was taken by roll call as follows: Director Astiasuain, aye; Director Fino, aye; President Brandt, aye; Vice President Marshall, aye; Director Halford, aye; Director Kalender, aye; and Director Tout, aye. The motion passed unanimously.

7.3. Board Officer Reorganization. President Brandt handed control of the meeting to General Manager Wegley. Vice President Marshall nominated Jack Brandt for President, with no further nominations received, vote was taken by roll call as follows: Vice President Marshall, aye; President Brandt, aye; Director Astiasuain, aye; Director Fino, aye; Director Halford, aye; Director Kalender, aye; and Director Tout, aye. Jack Brandt was elected President unanimously. Director Astiasuain nominated Tom Marshall for Vice President, with no further nominations received, vote was taken by roll call as follows: Director Astiasuain, aye; President Brandt, aye; Vice President Marshall, aye; Director Fino, aye; Director Halford, aye; Director Kalender, aye; and Director Tout, aye. Tom Marshall was elected Vice President unanimously. Director Halford nominated Chad Wegley for Secretary, with no further nominations received, vote was taken by roll call as follows: Director Halford, aye; President Brandt, aye; Vice President Marshall, aye; Director Fino, aye; Director Kalender, aye; and Director Tout, aye. Chad Wegley was elected Secretary unanimously. Director Halford nominated Marc Limas for Treasurer, with no further nominations received, vote was taken by roll call as follows: Director Halford, aye; President Brandt, aye; Vice President Marshall, aye; Director Fino, aye; Director Kalender, aye; and Director Tout, aye. Marc

Limas was elected Treasurer unanimously.

7.4. Annexation Policy. Item tabled until the next meeting.

7.5. Alta Irrigation District 457 Retirement Plan. (Insert 7.5)

7.5.1. Adoption Agreement. It was M/S by Astiasuain/Fino to adopt Resolution 2020-12-02 approving Alta Irrigation District 457 Retirement Plan Adoption Agreement. Vote was taken by roll call as follows: Director Astiasuain, aye; Director Fino, aye; President Brandt, aye; Vice President Marshall, aye; Director Halford, aye; Director Kalender, aye; and Director Tout, aye. The motion passed unanimously. (Insert 7.5.1)

7.5.2. 2012 Required Amendment. It was M/S by Fino/Tout to adopt Resolution 2020-12-03 approving 2012 Required Amendment to Alta Irrigation District 457 Retirement Plan. Vote was taken by roll call as follows: Director Fino, aye; Director Tout, aye; President Brandt, aye; Vice President Marshall, aye; Director Astiasuain, aye; Director Halford, aye; and Director Kalender, aye. The motion passed unanimously. (Insert 7.5.2)

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

8.1. Water Run Update. – No water running in District's facilities at this time.

9. NEW BUSINESS

9.1. Miscellaneous Fee Schedule.

9.1.1. PUBLIC HEARING regarding adoption of 2021 Miscellaneous Fee Schedule. President Brandt opened the Public Hearing at 10:21 a.m. General Manager Wegley commented on the 2021 Miscellaneous Fee Schedule. There being no public comment during the hearing, President Brandt closed the Public Hearing at 10:22 a.m.

9.1.2. 2021 Miscellaneous Fee Schedule. It was M/S by Astiasuain/Marshall to adopt Miscellaneous Fee Schedule and Resolution 2020-12-01 setting the 2021 miscellaneous fees. Vote was taken by roll call as follows: Director Astiasuain, aye; Vice President Marshall, aye; President Brandt, aye; Director Fino, aye; Director Halford, aye; Director Kalender, aye; and Director Tout, aye. The motion passed unanimously. (Insert 9.1.2)

9.2. Common Use Agreement with Fresno County. It was M/S by Astiasuain/Halford to approve Common Use Agreement with Fresno County for Traver Canal. Vote was taken by roll call as follows: Director Astiasuain, aye; Director Halford, aye; President Brandt, aye; Vice President Marshall, aye; Director Fino, aye; Director Kalender, aye; and Director Tout, aye. The motion passed unanimously. (Insert 9.2)

10. OLD BUSINESS

10.1. Manager's Report. General Manager Wegley announced the District received the President's Award from ACWA/JPIA for having the past three (3) years of claims being less than twenty percent (20%) of annual premiums paid in all three (3) insurance programs; Property, Liability, and Worker's Compensation; this is the second year in a row the District has received this recognition. General Manager Wegley also mentioned the District has gone four (4) years without a worker's compensation claim, a new record for the District. Also, General Manager Wegley reported on the District's annual precipitation from 2015 through

2020 and historical diversions from Kings River for the years 1978-2019. General Manager Wegley also reported on ongoing maintenance activities occurring throughout the District, displaying pictures of before and after plow efforts of ditches, rehabilitated structures on the Parks Ditch, and examples of failing structures, which will be the focus of 2021 maintenance efforts.

11. ADJOURN TO CLOSED SESSION – President Brandt adjourned to closed session at 10:42 a.m. to confer with counsel on the items listed below. There will be no discussion on item 11.3. Attorney Nick Jacobs attended for discussion on item 11.2 only.

- 11.1. 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.*
- 11.2. 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)
- 11.3. 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.*
- 11.4. 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)
- 11.5. 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*.
- 11.6. 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)*.
- 11.7. 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)
- 11.8. 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 *County of Fresno v. Alta Irrigation District, et al.*

12. RECONVENE TO OPEN SESSION

- 12.1. Announcement(s) from Closed Session. – The Board reconvened into open session at 11:45 a.m. with no reportable action taken in closed session.

13. ADJOURNMENT – There being no further items to discuss the meeting was adjourned at 11:45

a.m. until the next scheduled meeting on January 14, 2021.

Sincerely,

Chad B. Wegley, Secretary

CBW:ml