

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, January 14, 2021, and was accessed as follows:

<https://meetings.ringcentral.com/j/4925808335?pwd=SG9aRW1EZjRkQmVFbm8ycDR6aDVkUT09>

Meeting ID: 492 580 8335

Password: 01142021

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 9:33 a.m. by President Jack Brandt. Members present were Daniel Astiasuain, Domenic Fino, Jerry Halford, John Kalender, Tom Marshall, and Larry Tout. 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 – None.

5. FISCAL YEAR END SEPTEMBER 30, 2020 AUDIT

5.1. Fiscal Year End September 30, 2020 Audit. Kip Hudson, a CPA with Hudson Henderson & Company, Inc., reviewed the fiscal year end September 30, 2020 audit. It was the opinion of Hudson Henderson & Company, Inc., the financial statements present fairly, in all material respects. It was M/S by Astiasuain/Kalender to accept the fiscal year end

September 30, 2020 audit. Roll call vote of directors were: Director Astiasuain, aye; Director Kalender, aye; President Brandt, aye; Vice President Marshall, aye; Director Fino, aye; Director Halford, aye; and Director Tout, aye. The motion passed unanimously. (Insert 5.1)

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

6.1. Board Meeting Minutes for Regular Board Meeting December 10, 2020.

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

6.3. Collector's Report for December 2020. (Insert 6.3)

6.4. Approve Records Destruction in Accordance with Records Retention and Destruction Policy. (Insert 6.4)

6.5. PG&E Encroachment 10322002 (Alta Main). Approve one (1) District standard encroachment agreement on the Alta Main.

7. ADMINISTRATIVE/FINANCIAL

7.1. Treasurer's Report. As of December 31, 2020, the cash balance is \$3,279,231.10. Accounts Receivable and Inventory total approximately \$709,422. Current year revenue and expenses are approximately \$2,096,206 and \$710,665 respectively, resulting in a net cash flow of about \$1,386,094. (Insert 7.1) It was M/S by Halford/Marshall to accept the December 31, 2020 Treasurer's Report. Roll call vote of directors were: Director Halford, aye; Vice President Marshall, aye; President Brandt, aye; Director Astiasuain, aye; Director Fino, aye; Director Kalender, aye; and Director Tout aye. The motion passed unanimously.

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

7.3. Investment Policy. It was M/S by Astiasuain/Kalender to approve revised District Investment Policy. Roll call vote of directors were: Director Astiasuain, aye; Director Kalender, aye; President Brandt, aye; Vice President Marshall, aye; Director Fino, aye; Director Halford, aye; and Director Tout, aye. The motion passed unanimously. (Insert 7.3)

7.4. COVID-19 Prevention Plan. It was M/S by Halford/Astiasuain to approve District COVID-19 Prevention Plan. Roll call vote of directors were: Director Halford, aye; Director Astiasuain, aye; President Brandt, aye; Vice President Marshall, aye; Director Fino, aye; Director Kalender, aye; and Director Tout, aye. The motion passed unanimously. (Insert 7.4)

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

- 8.1. Water Run Update. – No update as the District is not diverting water from the Kings River.

9. NEW BUSINESS

- 9.1. Urban Water Use Ad-Hoc Committee. President Brandt appointed Director Halford, Director Kalender, and Vice President Marshall to the Urban Water Use Ad-Hoc Committee.
- 9.2. Selection of Board Member and Alternate for Kings River East GSA Board of Directors. Director Halford nominated President Jack Brandt for the Kings River East GSA Board of Directors and Director John Kalender as the Alternate for Kings River East GSA Board of Directors. There being no further nominations, it was M/S by Astiasuain/Halford to approve nominations. Roll call vote of directors were: 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.

10. OLD BUSINESS

- 10.1. Manager's Report. General Manager Wegley reported on the District's annual precipitation and Kings River diversions from 2016 through 2020 and explained how those annual values compared to key historical markers for average, wet, and dry hydrologic conditions. General Manager Wegley also reported on maintenance efforts planned for 2021 such as new canal gate installations (20), pre-emergent program, and repairing failing structures.

11. ADJOURN TO CLOSED SESSION – President Brandt adjourned to closed session at 10:31 a.m. to confer with counsel on 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 11:14 a.m. with no reportable action taken in closed session.

13. ADJOURNMENT – There being no further items to discuss the meeting was adjourned at 11:14 a.m. until the next scheduled meeting on February 11, 2021.

Sincerely,

Chad B. Wegley, Secretary

CBW:ml