

## REGULAR MEETING OF THE BOARD OF DIRECTORS

### ALTA IRRIGATION DISTRICT

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

**Thursday, January 13, 2022**

#### 1. CALL TO ORDER

- 1.1. Roll Call – The Regular Board Meeting for Alta Irrigation District was called to order at 9:35 a.m. by President Jack Brandt. Members present were Daniel Astiasuain, Domenic Fino, and Larry Tout. Members absent were Jerry Halford, John Kalendar, and Tom Marshall. Others present were General Manager Chad Wegley, Operations Manager Marc Limas, Engineer Jim Wegley, and Attorney Lauren D. Layne. Attorney Douglas B. Jensen joined for closed session. Attorney Howard Sagaser joined the meeting for items 12.1 and 13.1 only.
- 1.2. Potential Conflict(s) of Interest – Director Fino declared a financial conflict of interest on item 13.5 and will leave the room for that item.

2. **PUBLIC COMMENT** – Engineer Jim Wegley announced his retirement after fifty and one half (50 ½) years.

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

#### 4. COMMUNICATIONS

- 4.1. City of Reedley Urban Water Management Plan Update. (Insert 4.1)

#### 5. FISCAL YEAR END SEPTEMBER 30, 2021, AUDIT

- 5.1. Fiscal Year End September 30, 2021, Audit. Item tabled until February 2022 meeting.

6. **CONSENT CALENDAR** – It was M/S/C unanimously (Halford, Kalendar, Marshall absent) on motion by Director Tout, seconded by Director Fino, that consent calendar items be approved as presented.

- 6.1. Board Meeting Minutes for Regular Board Meeting December 9, 2021.
- 6.2. Collector's Report for December 2021. (Insert 6.2)
- 6.3. Approve Payment of the December 2021 Warrants. (Insert 6.3)

#### 7. ADMINISTRATIVE/FINANCIAL

- 7.1. Treasurer's Report. As of December 31, 2021, the cash balance is \$2,419,032. Accounts Receivable and Inventory total approximately \$1,445,850. Current year revenue and expenses are approximately \$2,538,421 and \$679,781 respectively, resulting in a net cash flow

of about \$1,858,911 (Insert 7.1). It was M/S/C unanimously (Halford, Kalender, Marshall absent) on motion by Director Tout, seconded by Director Astiasuain to accept the December 31, 2021, Treasurer's Report.

## **8. CURRENT PROJECTS – Information Items Only; No Action Will be Taken**

- 8.1. Avenue 416 Widening (Tulare County – Caesar 9922). No update.
- 8.2. Dinuba High School (Dinuba Unified School District – Dinuba Town 9932). General Manager Wegley reported that the school district's consultant requested a meeting to discuss project fees and construction schedule.
- 8.3. City of Reedley Well #12 (City of Reedley – East Reedley 10082001). General Manager Wegley reported that the City has approval to proceed with six (6) encroachments across the East Reedley pipeline.
- 8.4. Bridge Crossing (M&G Farms Inc – Tout 10101901). No update.
- 8.5. Alternate Turnout (M&G Farms Inc. – Lovell 10102001). No update.
- 8.6. Avenue 376 Bridge (Tulare County – Traver 10131901). No update.
- 8.7. Century Homes Community (Century Homes 10251901). General Manager Wegley explained that the developer was proceeding with installation of a gas line, an approved encroachment, across Buttonwillow ditch. Also, the District has not approved plans for piping of Buttonwillow ditch along the eastern boundary of the project nor has the District received a signed Pipeline Development Agreement from the developer.
- 8.8. Bridge Crossing (James & Betty Spitze – Mt. Campbell 10402002). No update.
- 8.9. Bridge Crossing (Smith Mountain Estates, LLC – Smith Mountain 10502001). No update.
- 8.10. Encroachment (PG&E – Traver Canal 10322002). No update.
- 8.11. Encroachment (PG&E – Wilson & Dinuba Town 10322102). No update.
- 8.12. Encroachment (PG&E – Traver Canal 10322103). No update.
- 8.13. Encroachment (PG&E – Wilson Canal 10322104). General Manager Wegley reported the District is working with PG&E regarding placement of a new power pole outside the District's right-of-way. The District does not allow placement of improvements within its rights-of-way that impede operations, maintenance, or any other activities associated with operating an irrigation district.
- 8.14. Parlier Avenue Bridge (Fresno County – Traver 10532101). No update.
- 8.15. Englehart Bridge (Fresno County – Reedley Main 10532102). No update.
- 8.16. Alta Avenue Bridge (Fresno County – Traver 10532103). No update.
- 8.17. Manning Avenue Bridge (Fresno County – Traver 10532104). No update.
- 8.18. Lincoln Avenue Bridge (Fresno County – Traver 10532105). No update.
- 8.19. Alternate Turnout (Creekside Farms – Banks Ditch 10542101). No update.

- 8.20. Alternate Turnout (Wonderful Citrus – Wilson Ditch 10562101). No update.
- 8.21. Encroachment (ALG North Valley – California Vineyard Ditch 10572101). No update.
- 8.22. Alternate Turnout (Cardenas Farms – California Vineyard Ditch 10582101). No update.
- 8.23. Encroachment (Megalodon Properties LLC – Buttonwillow Pipeline 10642101). General Manager Wegley reported the developer will be constructing a gas station at the southwest corner of Dinuba and Buttonwillow Avenues with encroachments for a commercial drive approach and fire main.
- 8.24. Encroachment (MBN Homes LLC – Horseman Ditch 10652101). No update.

**9. WATER MANAGEMENT – Review and take action as appropriate.**

- 9.1. Water Run Update. Water run report was added as an addendum to the minutes. (Insert 9.1)

**10. NEW BUSINESS – Review and take action as appropriate.**

- 10.1. Sierra Resource Conservation District Letter of Agreement. It was M/S/C unanimously (Halford, Kalender, Marshall absent) on motion by Director Tout, seconded by Director Astiasuain, to approve a letter of agreement regarding stipulated limitations of SRCD authority within AID boundaries. (Insert 10.1)

**11. OLD BUSINESS**

- 11.1. Manager’s Report. General Manager Wegley explained the Proposition 218 and recharge facility progress; manager’s report was added as an addendum to the minutes. (Insert 11.1)
- 11.2. Attorney’s Report. Attorney Layne reported on progress of redistricting and various bills from this legislative session.

**12. STATIONARY ENGINEERS, LOCAL 39 GRIEVANCE HEARING – President Brandt took agenda items 12.1 and 13.1 out of order.**

- 12.1. Stationary Engineers, Local 39 Grievance. Conduct Hearing and consider taking action on Stationary Engineers, Local 39 grievance. President Brandt opened the hearing at 10:35 a.m. Jennifer Osborn from Local 39 presented the grievance to the Board. President Brandt closed the Hearing at 10:54 a.m.

President Brandt adjourned to closed session at 10:54 a.m. for discussion on item 13.1. The Board reconvened into open session at 11:11 a.m. with the following reportable action taken in closed session on item 13.1 It was M/S/C unanimously (Halford, Kalender, Marshall absent) on motion by Director Tout, seconded by Director Astiasuain, to deny grievance because the District's action was in compliance with the MOU, which allowed for a determination in the sole discretion of the District, and to direct Attorney Howard Sagaser to write a formal decision for the Board.

President Brandt called a recess at 12:08 p.m. President Brandt reconvened the meeting at 12:18 p.m.

**13. ADJOURN TO CLOSED SESSION – President Brandt adjourned to closed session at 12:18 p.m. and conferred with counsel on items listed below. Director Fino declared a financial conflict of interest on item 13.5 and left the meeting at approximately 12:30 p.m.**

- 13.1. Conference with Legal Counsel Regarding Labor Negotiations, Government Code §54957.6(a). Board of Directors will confer with counsel for possible action regarding Local 39 labor negotiations.
- 13.2. 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 unauthorized encroachment(s) into District canal. (2 cases)
- 13.3. 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.
- 13.4. 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).
- 13.5. 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. (2 cases)

**14. RECONVENE TO OPEN SESSION** – The Board reconvened into open session at 1:22 p.m. with no reportable action taken during closed session.

**15. ADJOURNMENT** – There being no further business, President Brandt adjourned the meeting at 1:22 p.m. until the next scheduled meeting on February 10, 2022.

Sincerely,

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Chad B. Wegley, Secretary

CBW:ml