

REGULAR MEETING OF THE BOARD OF DIRECTORS

ALTA IRRIGATION DISTRICT

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

Thursday, February 10, 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, Jerry Halford, John Kalendar, Tom Marshall, and Larry Tout. Others present were General Manager Chad Wegley, Operations Manager Marc Limas, Engineer Jim Wegley, Attorneys Douglas B. Jensen and Lauren D. Layne. Attorney Howard Sagaser joined the meeting by telephone for items 13.1 and 14.1 only. There were six (6) members of the public present.
- 1.2. Potential Conflict(s) of Interest – Director Fino declared a financial conflict of interest on item 14.5 and will leave the room for that item.
- 1.3. Remote Teleconference Board Meeting Resolution – It was M/S/C unanimously on motion by Director Halford, seconded by Director Fino to adopt resolution consistent with AB 361. (Insert 1.3)

2. PUBLIC COMMENT – None.

3. ADDITIONS TO OR DELETIONS FROM AGENDA – None.

4. COMMUNICATIONS

- 4.1. ACWAJPIA Presidents Special Recognition Award in the Liability, Workers' Compensation, and Property Programs. (Insert 4.1)

5. FISCAL YEAR END SEPTEMBER 30, 2021 AUDIT

- 5.1. Fiscal Year End September 30, 2021 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/C unanimously on motion by Director Fino, seconded by Director Halford to accept the fiscal year end September 30, 2021 Audit. (Insert 5.1)

6. 2022 REDISTRICTING

- 6.1. 2022 PUBLIC HEARING #1 to receive input and testimony on proposed redistricting maps. President Brandt opened the Public Hearing at 9:44 a.m. Sarah Sieloff, Senior

Planner with Maul Foster & Alongi, Inc., commented on the redistricting process and three (3) proposed plans for redistricting. Landowner Tony Dragt asked if the proposed boundary plans changed the land and water rights in the District. The answer was no. An anonymous individual on Zoom asked if non-residents of the District, specifically large corporate landowners, were able to provide input and vote on the redistricting. Legal Counsel explained the difference between voting for directors in the District and a Proposition 218 election regarding assessments. There being no further comment during the hearing, President Brandt closed the Public Hearing at 10:29 a.m. No action taken.

Zoom Link for Public Hearing #1:

Join Zoom Meeting

<https://us02web.zoom.us/j/84054548105?pwd=SWpwS29sQWJocHFyMWVtRndaT0ptdz09>

Meeting ID: 840 5454 8105

Passcode: 348604

One tap mobile

+13462487799,,84054548105#,,,,*348604# US (Houston)

+16699006833,,84054548105#,,,,*348604# US (San Jose)

Dial by your location

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 312 626 6799 US (Chicago)

+1 929 436 2866 US (New York)

+1 301 715 8592 US (Washington DC) Meeting ID: 840 5454 8105

Passcode: 348604

Find your local number: <https://us02web.zoom.us/u/kb0qTwFcEu>

7. CONSENT CALENDAR – It was M/S/C unanimously on motion by Director Halford, seconded by Director Tout, that consent calendar items be approved as presented, with the exception of item 7.1.

- 7.1. Board Meeting Minutes for Regular Board Meeting January 13, 2022. Tabled until next meeting.
- 7.2. Collector’s Report for January 2022. (Insert 7.2)
- 7.3. Approve Payment of the January 2022 Warrants. (Insert 7.3)
- 7.4. Approve Records Destruction in Accordance with Records Retention and Destruction Policy. (Insert 7.4)
- 7.5. CVIN, LLC Encroachment 10212201 (Traver & California Vineyard). Approve two (2) District standard encroachment agreements on the Traver & California Vineyard.

8. ADMINISTRATIVE/FINANCIAL

- 8.1. Treasurer’s Report. As of January 31, 2022, the cash balance is \$2,686,288.50. Accounts

Receivable and Inventory total approximately, \$900,338. Current year revenue and expenses are approximately \$2,551,524 and \$906,059 respectively, resulting in a net cash flow of about \$1,645,794 (Insert 8.1). It was M/S/C unanimously on motion by Director Astiasuain, seconded by Director Kalender to accept the January 31, 2022, Treasurer's Report.

- 8.2. Procurement and Purchasing Policy. It was M/S/C unanimously on motion by Director Tout, seconded by Director Astiasuain to approve revisions to the Procurement and Purchasing Policy. (Insert 8.2).

9. CURRENT PROJECTS – Information Items Only; No Action Will be Taken

- 9.1. Avenue 416 Widening (Tulare County – Caesar 9922). No update.
- 9.2. City of Reedley Well #12 (City of Reedley – East Reedley 10082001). General Manager Wegley reported that he discussed the matter of backwash discharge with the city of Reedley and explained that the District had a discussion with the City of Reedley, that the District does not have an interest in receiving the backwash water from the granular activated carbon filters into the East Reedley Ditch.
- 9.3. Bridge Crossing (M&G Farms Inc – Tout 10101901). No update.
- 9.4. Alternate Turnout (M&G Farms Inc. – Lovell 10102001). No update.
- 9.5. Avenue 376 Bridge (Tulare County – Traver 10131901). No update.
- 9.6. Encroachment (CVIN, LLC – Traver & California Vineyard 10212201). No update.
- 9.7. Century Homes Community (Century Homes 10251901). No update.
- 9.8. Bridge Crossing (James & Betty Spitze – Mt. Campbell 10402002). No update.
- 9.9. Bridge Crossing (Smith Mountain Estates, LLC – Smith Mountain 10502001). No update.
- 9.10. Encroachment (PG&E – Traver Canal 10322002). No update.
- 9.11. Encroachment (PG&E – Wilson & Dinuba Town 10322102). No update.
- 9.12. Encroachment (PG&E – Traver Canal 10322103). No update.
- 9.13. Encroachment (PG&E – Wilson Canal 10322104). No update.
- 9.14. Parlier Avenue Bridge (Fresno County – Traver 10532101). No update.
- 9.15. Englehart Bridge (Fresno County – Reedley Main 10532102). No update.
- 9.16. Alta Avenue Bridge (Fresno County – Traver 10532103). No update.
- 9.17. Manning Avenue Bridge (Fresno County – Traver 10532104). No update.
- 9.18. Lincoln Avenue Bridge (Fresno County – Traver 10532105). No update.
- 9.19. Alternate Turnout (Creekside Farms – Banks Ditch 10542101). No update.
- 9.20. Alternate Turnout (Wonderful Citrus – Wilson Ditch 10562101). No update.
- 9.21. Encroachment (ALG North Valley – California Vineyard Ditch 10572101). No update.

- 9.22. Alternate Turnout (Cardenas Farms – California Vineyard Ditch 10582101). No update.
- 9.23. Encroachment (Megalodon Properties LLC – Buttonwillow Pipeline 10642101). No update.
- 9.24. Encroachment (MBN Homes LLC – Horseman Ditch 10652101). No update.
- 9.25. Dinuba High School (Dinuba Unified School District – Dinuba Town 10682201). General Manager Wegley reported that the District is scheduled to meet with Dinuba Unified School District Friday, February 11th to discuss the handling of potential storm water runoff into Dinuba Town Ditch during construction of the high school.

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

- 10.1. Water Conditions Update. General Manager Wegley explained that no entitlement was generated in the month of January. Water conditions report was added as an addendum to the minutes. (Insert 10.1)

11. NEW BUSINESS – Review and take action as appropriate.

- 11.1. Provost & Pritchard Agreements. It was M/S/C unanimously on motion by Director Halford, seconded by Director Fino to approve the Consultant Services Agreement and Task Order 22-1 with a revision to the scope of work to include the volume metric surcharge Prop 218 election. (Insert 11.1)

12. OLD BUSINESS

- 12.1. Manager’s Report. General Manager Wegley highlighted steps being taken to address deferred maintenance of structures, updates on a surface water utilization project, and the Prop 218 election; manager’s report was added as an addendum to the minutes. (Insert 12.1)
- 12.2. Attorney’s Report. No update.

13. EMPLOYEE EVALUATION APPEALS – President Brandt took agenda items 13.1 and 14.1 out of order.

- 13.1. Employee Evaluation Appeals. Employees Rudy Veloz, Michael Atkinson, Christine Fenton, Jaime Montes, Greg Mello, Raul Hernandez, and Raul Guzman addressed the Board regarding their employee evaluation appeals.

President Brandt adjourned to closed session at 11:12 a.m. for discussion on item 14.1. The Board reconvened into open session at 11:46 a.m. with the following reportable action taken in closed session on item 14.1 It was M/S/C unanimously on motion by Director Kalendar, seconded by Director Asturiasain, the Board listened to all statements, although most involved opinions, the employee evaluation appeals are denied, but General Manager Wegley is directed to reaffirm he is available to meet one on one with employees outside the union representative because the employee evaluations do not involve disciplinary action. Attorney Sagaser will also prepare a formal response from the Board.

President Brandt called a recess at 1:03 p.m. President Brandt reconvened the meeting at 1:15 p.m.

14. ADJOURN TO CLOSED SESSION – President Brandt adjourned to closed session at 1:15 p.m. and conferred with counsel on items listed below. Director Fino declared a financial conflict of interest

on item 14.5 and left the meeting at approximately 1:40 p.m.

- 14.1. Conference with Legal Counsel Regarding Labor Negotiations, Government Code §54957. PUBLIC EMPLOYEE PERFORMANCE EVALUATION – TITLE: Maintenance I, Maintenance II, Equipment Operator, Mechanic.
- 14.2. 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)
- 14.3. 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.*
- 14.4. 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).*
- 14.5. 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)

15. RECONVENE TO OPEN SESSION – The Board reconvened into open session at 2:10 p.m. with no reportable action taken during closed session.

16. ADJOURNMENT – There being no further business, President Brandt adjourned the meeting at p.m. until the next scheduled meeting on March 10, 2022.

Sincerely,

Chad B. Wegley, Secretary

CBW:ml