

REGULAR MEETING OF THE BOARD OF DIRECTORS

ALTA IRRIGATION DISTRICT

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

Thursday, April 14, 2022

1. CALL TO ORDER

- 1.1. Roll Call – The Regular Board Meeting for Alta Irrigation District was called to order at 9:34 a.m. by President Jack Brandt. Members present were Daniel Astiasuain, Domenic Fino, Jerry Halford, John Kalendar, and Tom Marshall. Member Larry Tout was absent. Others present were General Manager Chad Wegley, Operations Manager Marc Limas, and Attorney Douglas B. Jensen. Member Daniel Astiasuain left the meeting at 10:31 a.m. Member Jerry Halford left the meeting at 11:45 a.m.
- 1.2. Potential Conflict(s) of Interest – Domenic Fino declared a financial conflict of interest on item 11.4 and will leave the room for that item.

2. PUBLIC COMMENT – None.

3. ADDITIONS TO OR DELETIONS FROM AGENDA – Item 5.1 was tabled until the next meeting.

4. COMMUNICATIONS

- 4.1. ACWAJPIA Presentation – Rob Greenfield from ACWAJPIA presented a refund check in the amount of \$77,277 from premium deposits based on the substantial improvement of the District's mod rate.

5. CONSENT CALENDAR – It was M/S/C unanimously (Tout absent) on motion by Director Halford, seconded by Vice President Marshall, that consent calendar items be approved as presented, except for item 5.1.

- 5.1. Tabled until the next meeting.
- 5.2. Collector's Report for March 2022. (Insert 5.2)
- 5.3. Approve Payment of the March 2022 Warrants. (Insert 5.3)
- 5.4. PG&E Encroachment 10322201 (Floyd Ditch). Approve one (1) District standard encroachment agreement on the Floyd Ditch.
- 5.5. AT&T Encroachment 10692201 (Smith Mountain Pipeline). Approve two (2) additional District standard encroachment agreements on the Smith Mountain Pipeline.
- 5.6. San Joaquin Valley Homes 10022201 (Horseman Pipeline). Approve seven (7) District

standard encroachment agreements.

6. ADMINISTRATIVE/FINANCIAL

- 6.1. Treasurer's Report. As of March 31, 2022, the cash balance is \$2,612,026.46. Accounts Receivable and Inventory total approximately \$631,686. Current year revenue and expenses are approximately \$2,562,601 and \$1,427,754 respectively, resulting in a net cash flow of about \$1,134,848 (Insert 6.1). It was M/S/C unanimously (Tout absent) on motion by Director Halford, seconded by Director Astiasuain, to accept the March 31, 2022, Treasurer's Report.
- 6.2. Valley Strong Credit Union. It was M/S/C unanimously (Tout absent) on motion by Director Halford, seconded by Director Fino, to open District general fund and project checking accounts at Valley Strong Credit Union and name authorized signers of President Jack Brandt, Vice President Tom Marshall, Secretary Chad Wegley, and Treasurer Marc Limas.
- 6.3. Mechanics Bank. It was M/S/C unanimously (Tout absent) on motion by Vice President Marshall, seconded by Director Astiasuain, to close District general fund check account, project checking account, and money market at Mechanics Bank.

7. CURRENT PROJECTS – Information Items Only; No Action Will be Taken – General Manager Wegley commented, a memorandum will be sent stating that all work within a District facility will not be allowed from May 15th, 2022, through the end of water run.

- 7.1. Avenue 416 Widening (Tulare County – Caesar 9922). No update.
- 7.2. Encroachment (San Joaquin Valley Homes – Horseman 10022201). No update.
- 7.3. City of Reedley Well #12 (City of Reedley – East Reedley 10082001). No update.
- 7.4. Encroachment (City of Dinuba – Dinuba Town 10092201). No update.
- 7.5. Bridge Crossing (M&G Farms Inc – Tout 10101901). No update.
- 7.6. Alternate Turnout (M&G Farms Inc. – Lovell 10102001). No update.
- 7.7. Avenue 376 Bridge (Tulare County – Traver 10131901). No update.
- 7.8. Pipeline Development & Encroachments (Century Homes - Buttonwillow 10251901). No update.
- 7.9. Bridge Crossing (James & Betty Spitze – Mt. Campbell 10402002). No update.
- 7.10. Encroachment (PG&E – Traver Canal 10322101). No update.
- 7.11. Encroachment (PG&E – Wilson & Dinuba Town 10322102). No update.
- 7.12. Encroachment (PG&E – Traver Canal 10322103). No update.
- 7.13. Encroachment (PG&E – Wilson Canal 10322104). No update.
- 7.14. Encroachment (PG&E – Floyd Canal 10322201). No update.
- 7.15. Bridge Crossing (Smith Mountain Estates, LLC – Smith Mountain 10502001). No update.

- 7.16. Parlier Avenue Bridge (Fresno County – Traver 10532101). No update.
- 7.17. Englehart Bridge (Fresno County – Reedley Main 10532102). No update.
- 7.18. Alta Avenue Bridge (Fresno County – Traver 10532103). No update.
- 7.19. Manning Avenue Bridge (Fresno County – Traver 10532104). General Manager Wegley commented that District legal counsel had commented on an agreement provided by Fresno County. Now,, the District is waiting to receive from Fresno County its response to those comments. Then, if there is an accord, the written agreement will be brought to the Board for approval.
- 7.20. Lincoln Avenue Bridge (Fresno County – Traver 10532105). No update.
- 7.21. Alternate Turnout (Creekside Farms – Banks Ditch 10542101). No update.
- 7.22. Alternate Turnout (Wonderful Citrus – Wilson Ditch 10562101). No update.
- 7.23. Alternate Turnout (Cardenas Farms – California Vineyard Ditch 10582101). No update.
- 7.24. Encroachment (Megalodon Properties LLC – Buttonwillow Pipeline 10642101). No update.
- 7.25. Encroachment (MBN Homes LLC – Horseman Ditch 10652101). No update.
- 7.26. Alternate Turnout (Red Wolf Farms, LLC – California Vineyard 10662201). No update.
- 7.27. Pipeline Development & Encroachments (Dinuba Unified School District – Dinuba Town & Burum 10682201). General Manager Wegley reported the District attended the ground breaking ceremony. The District is still waiting on plans for the roundabout design from 4Creeks Engineering. The School District proposed an addendum to the Pipeline Development Agreement. District, legal counsel is preparing comments on that proposed addendum.
- 7.28. Encroachment (AT&T – Smith Mountain Pipeline 10692201). No update.
- 7.29. Pipeline Development (Castle Rock Development – Nuss Ditch 10702201). No update.
- 7.30. Alternate Turnout (Neil Zwart – Vannoy 10712201). No update.
- 7.31. Encroachment (Sultana Community Services District – Carey – Hunter 10722201). No update.

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

- 8.1. Water Conditions Update. Water conditions report was added as an addendum to the minutes. (Insert 8.1)

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

- 9.1. Executive Order N-7-22. Potential impacts to constituents from Governor Newsom’s latest order signed on March 28, 2022 was discussed. (Insert 9.1)

10. OLD BUSINESS

- 10.1. Manager’s Report. General manager Wegley provided updates on Proposition 218 and recharge facility projects; manager’s report was added as an addendum to the minutes.

(Insert 10.1)

10.2. Attorney's Report. No update.

President Brandt called a recess at 11:20 a.m. President Brandt reconvened the meeting at 11:30 a.m.

11. ADJOURN TO CLOSED SESSION – President Brandt adjourned to closed session at 11:30 a.m. and conferred with counsel on items listed below. Director Fino declared a financial conflict of interest on item 11.4 and left the meeting at approximately 11:47 a.m.

- 11.1. 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)
- 11.2. 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*.
- 11.3. Conference with Legal Counsel Regarding Existing Litigation, Government Code §54956.9(d)(1). Board of Directors will confer with counsel for possible action regarding *James Irrigation District v. Kings River Water Association (Fresno Co. Case #19CECG00769)*.
- 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 claims by third parties to water rights on the Kings River. (2 cases)

12. RECONVENE TO OPEN SESSION – The Board reconvened into open session at 12:34 p.m. and reported only that all parties to *Jesse Alvarado v. Alta Irrigation District Case # ADJ9776072* had signed the settlement agreement concluding that case. There was no reportable action taken during closed session.

13. ADJOURNMENT – There being no further business, President Brandt adjourned the meeting at 12:34 p.m. until the next scheduled meeting on May 12, 2022.

Sincerely,

Chad B. Wegley, Secretary

CBW:ml