

# REGULAR MEETING OF THE BOARD OF DIRECTORS

## ALTA IRRIGATION DISTRICT

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

**Thursday, May 12, 2022**

### MINUTES

#### 1. CALL TO ORDER

- 1.1. Roll Call – The Regular Board Meeting for Alta Irrigation District was called to order at 9:31 a.m. by President Jack Brandt. Members present were Danial 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, and Attorney Lauren D. Layne. Attorney Douglas B. Jensen joined the meeting by phone for closed session.
- 1.2. Potential Conflict(s) of Interest – Director 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 9.2 will be deleted from the agenda.

#### 4. COMMUNICATIONS – None.

#### 5. 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.

- 5.1. Board Meeting Minutes for Regular Board Meetings of February 10, 2022, and March 10, 2022.
- 5.2. Collector's Report for April 2022. (Insert 5.2)
- 5.3. Approve Payment of the April 2022 Warrants. (Insert 5.3)
- 5.4. County Elections Resolution R2022-0501. Adopt Resolution R2022-0501 ordering even-year Board of Directors election, consolidation of elections, and specifications of the election order. (Insert 5.4)
- 5.5. Collections from the County of Fresno. Adopt Resolution R2022-0502 affirming an irrigation district's authority to fix, collect, and place charges on parcels one hundred (100) acres or less and parcels that previously had delinquent assessments on the 2022-2023 County of Fresno's tax roll. (Insert 5.5)
- 5.6. Collections from the County of Tulare. Adopt Resolution R2022-0503 affirming an irrigation

district's authority to fix, collect, and place charges on parcels one hundred (100) acres or less and parcels that previously had delinquent assessments on the 2022-2023 County of Tulare's tax roll. (Insert 5.6)

- 5.7. Collections from County of Kings. Adopt Resolution R2022-0504 affirming an irrigation district's authority to fix, collect, and place charges on parcels on the 2022-2023 County of King's tax roll. (Insert 5.7)

## 6. ADMINISTRATIVE/FINANCIAL

- 6.1. Treasurer's Report. As of April 30, 2022, the cash balance is \$2,762,441.90. Accounts Receivable and Inventory total approximately \$410,857. Current year revenue and expenses are approximately \$2,650,470 and \$1,698,833 respectively, resulting in a net cash flow of about \$952,285. (Insert 7.1). It was M/S/C unanimously on motion by Vice President Marshall, seconded by Director Kalender, to accept the April 30, 2022, Treasurer's Report.
- 6.2. Valley Strong Credit Union Credit Card. It was M/S/C unanimously on motion by Director Astiasuain, seconded by Director Fino to open a District credit card account at Valley Strong Credit Union and issue credit cards for Chad Wegley with a limit of \$9,000, Marc Limas with a limit of \$7,500, Steve Barnett with a limit of \$2,000 and Jaime Montes with a limit of \$1,000.
- 6.3. Mechanics Bank Credit Card. It was M/S/C unanimously on motion by Director Astiasuain, seconded by Director Kalender to close District credit card account at Mechanics Bank.

Items 6.4 and 6.5 will be moved to the end of closed session.

- 6.4. Mark Terry Claim. It was M/S/C unanimously on motion by Director Astiasuain, seconded by Vice President Marshall to reject claim filed April 11, 2022, by Mark Terry based on claim not being filed within the timeline stipulated by the Government Code. (Insert 6.4)
- 6.5. Jose Martinez Claim. It was M/S/C unanimously on motion by Director Kalender, seconded by Director Fino to reject claim filed by Jose Martinez May 9, 2022, and submit said claim to ACWA JPIA. (Insert 6.5)

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

- 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). General Manager Wegley reported illegal encroachments are being installed on the

Buttonwillow Ditch. The District will send a letter to the developer to cease and desist installation of encroachments, until proper agreements are executed between the developer and the District.

- 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). No update.
- 7.20. Lincoln Avenue Bridge (Fresno County – Traver 10532105). No update.
- 7.21. Alternate Turnout (Creeside Farms – Banks Ditch 10542101). No update.
- 7.22. Alternate Turnout (Cardenas Farms – California Vineyard Ditch 10582101). No update.
- 7.23. Encroachment (Megalodon Properties LLC – Buttonwillow Pipeline 10642101). No update.
- 7.24. Encroachment (MBN Homes LLC – Horseman Ditch 10652101). No update.
- 7.25. Alternate Turnout (Red Wolf Farms, LLC – California Vineyard 10662201). No update.
- 7.26. Pipeline Development & Encroachments (Dinuba Unified School District – Dinuba Town & Burum 10682201). General Manager Wegley reported the District met with 4Creeks and the School District, the School District anticipates beginning installation of the new Dinuba Town pipeline in October 2022, with completion sometime in May 2023. General Manager Wegley also explained that while abandonment of the existing alignment of Dinuba Town ditch would improve construction logistics for the School District it is unlikely the District would entertain such an action given the District's obligations to the city of Dinuba regarding stormwater conveyance. The District is working with legal on revisions to the Standard Pipeline Development Agreement to incorporate issues pertinent to the School District's project.
- 7.27. Encroachment (AT&T – Smith Mountain Pipeline 10692201). No update.
- 7.28. Pipeline Development (Castle Rock Development – Nuss Ditch 10702201). No update.
- 7.29. Alternate Turnout (Neil Zwart – Vannoy 10712201). No update.
- 7.30. 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. Pitman Farms. The Board provided direction to General Manager to send a letter regarding the illegal repair of a District pipeline and notify Pitman Farms of their liability to downstream water users.
- 9.2. Proposition 218 Engineer’s Report. Item deleted from the agenda.

**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. Attorney Layne commented on various bills introduced this legislative session.

**11. ADJOURN TO CLOSED SESSION –** President Brandt adjourned to closed session at 11:11 a.m. and conferred with counsel on items listed below. The Board reconvened into open session at 11:24 a.m. and took action on items 6.4 and 6.5.

Director Fino left the meeting at 11:26 a.m.

President Brandt called a recess at 11:26 a.m. President Brandt reconvened the meeting at 11:35 a.m.

President Brandt adjourned to closed session at 11:35 a.m. and conferred with counsel on the items listed below.

- 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 12:07 p.m.

with no reportable action taken during closed session.

13. **ADJOURNMENT** – There being no further business, President Brandt adjourned the meeting at 12:07 p.m. The Board will hold a special meeting on Friday, May 20<sup>th</sup> at 10:00 a.m. to review the Engineer's Report for the Proposition 218 assessment. The next scheduled regular meeting is on June 9, 2022.

Sincerely,

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Chad B. Wegley, Secretary

CBW:ml