

REGULAR MEETING OF THE BOARD OF DIRECTORS

ALTA IRRIGATION DISTRICT

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

Thursday, June 9, 2022

1. CALL TO ORDER

- 1.1. Roll Call – The Regular Board Meeting for Alta Irrigation District was called to order at 9:37 a.m. by Vice President Tom Marshall. Members present were Daniel Astiasuain, Domenic Fino, Jerry Halford, John Kalender, and Larry Tout. President Jack Brandt was absent. Others present were General Manager Chad Wegley, Operations Manager Marc Limas, Engineer Jim Wegley, and Attorneys Douglas B. Jensen (by phone) and Lauren D. Layne.
- 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 – None.

4. COMMUNICATIONS – None.

5. CONSENT CALENDAR – It was M/S/C unanimously (Brandt absent) on motion by Director Fino, seconded by Director Astiasuain, that consent calendar items be approved as presented, with the exception of item 5.1.

- 5.1. Board Meeting Minutes for Regular Board Meetings of April 14, 2022, May 12, 2022, and Special Board Meeting of May 20, 2022. Tabled until next meeting.
- 5.2. Collector's Report for May 2022. (Insert 5.2)
- 5.3. Approve Payment of the May Warrants. (Insert 5.3)
- 5.4. Compliance Certification and Hold Harmless Statement. Approve Compliance Certification and Hold Harmless Statement for Tulare County Collections. (Insert 5.4)

6. ADMINISTRATIVE/FINANCIAL

- 6.1. Treasurer's Report. As of May 31, 2022, the cash balance is \$2,430,477.42. Accounts Receivable and Inventory total approximately, \$358,384. Current year revenue and expenses are approximately \$2,653,736 and \$1,997,529 respectively, resulting in a net cash flow of about \$656,995. (Insert 6.1). It was M/S/C unanimously (Brandt absent) on motion by Director Astiasuain, seconded by Director Tout to accept the May 31, 2022, Treasurer's Report.

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). 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). No update.
- 7.20. Lincoln Avenue Bridge (Fresno County – Traver 10532105). No update.
- 7.21. Alternate Turnout (Creekside Farms – Banks Ditch 10542101). General Manager Wegley reported the turnout was initially installed at the wrong location. The District will work with the landowner on relocating this turnout to the correct location.
- 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 that Dinuba Unified School District is working through supply chain issues for concrete pipe. Legal counsel is revising the District's standard Pipeline Development Agreement to address issues raised by Dinuba Unified School District.

- 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). General Manager Wegley reported the District is working with the landowner on the design of the new turnout as siting may be impacted by an illegal encroachment (concrete pipeline) installed on the Vannoy.
- 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. Landowner Basins. Discuss and provide direction to General Manager regarding development of a recharge program between the District and Landowner basins. No direction was given. This will be discussed with landowners at the Prop 218 workshops.
- 9.2. City of Dinuba Letter of Support. It was M/S/C unanimously (Brandt absent) on motion by Director Halford, seconded by Director Fino to approve Letter of Support for the City of Dinuba’s proposed recharge basin Project, subject to legal review. (Insert 9.2)

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. It was M/S/C unanimously (Brandt absent) on motion by Director Tout, seconded by Director Astiasuain to send a letter to Governor Newsom and Assembly Member Bennett addressing concerns over Governor’s Executive Order No. N-7-22 and AB 2201. (Insert 10.2)

Vice President Marshall called a recess at 11:39 a.m. Vice President Marshall reconvened the meeting at 11:47 a.m.

11. ADJOURN TO CLOSED SESSION – Vice President Marshall adjourned to closed session at 11:47 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 12:14 p.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 12:26 p.m. with no reportable action taken during closed session.

13. ADJOURNMENT – There being no further business, Vice President Marshall adjourned the meeting at 12:26 p.m. until the next scheduled meeting on July 14, 2022.

Sincerely,

Chad B. Wegley, Secretary

CBW:ml