

SPECIAL MEETING OF THE BOARD OF DIRECTORS

ALTA IRRIGATION DISTRICT

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

Monday July 25, 2022

MINUTES

1. CALL TO ORDER

- 1.1. Roll Call – The Special Board Meeting for Alta Irrigation District was called to order at 9:43 a.m. by President Jack Brandt. Members present were Daniel 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. There were an additional 10 members of the public also present.
- 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. PROPOSITION 218 ELECTION

3.1. SPECIAL BENEFIT ASSESSMENT INCREASE PUBLIC HEARING – to receive comment on the proposed increase in the Special Benefit Assessment. (Upon completion of the public hearing, MK Elections will proceed with opening & tabulating the ballots, the results of which will be reported as soon as they become available.) President Brandt opened the Public Hearing at 9:47 a.m. General Manager Wegley provided an overview of the Proposition 218 Special Benefit Assessment Increase. Questions from landowners covered such topics as (i) comparison of District’s assessments to assessments in Fresno and Consolidated Irrigation Districts, (ii) benefits of the District’s system reoperations program, (iii) water supplies available to Fresno Irrigation District and utilization thereof, (iv) comparison of average Kings River water supplies available to Alta, Consolidated, and Fresno Irrigation Districts, (v) feasibility of on-farm recharge during wet hydrologic periods, and (vi) past rate increases within the District. The Public Hearing was closed at 10:53 a.m. Upon tabulation of the ballots by MK Elections it was reported that the Proposition 218 Special Benefit Assessment Increase passed with an 82.53% “yes” vote and a 17.47% “no” vote.

3.2. AGRICULTURAL WATER RATE INCREASE PUBLIC HEARING – to receive comment or protests on the proposed increase in the Agricultural Water Rate. President Brandt opened the Public Hearing at 10:53 a.m. General Manager Wegley provided an overview of the Proposition 218 Agricultural Water Rate Increase. Questions

from the public covered such topics as (i) comparison of the District's proposed water rate charge to similar charges levied by Fresno and Consolidated Irrigation Districts, (ii) proposed annual increase to water rate charge, (iii) process for future increases to the max water rate charge identified in the Proposition 218, and (iv) magnitude of change between current and proposed water rates. The Public Hearing was closed at 11:06 a.m. The District received two (2) protests to the Agricultural Water Rate Increase. As the District did not receive a majority protest, the Proposition 218 Election for the Agricultural Water Rate Increase passed.

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 except for item 5.1 that was tabled until the next meeting.

- 5.1. Board Meeting Minutes for Regular Board Meetings of April 14, 2022, May 12, 2022, June 9, 2022, and Special Board Meeting of May 20, 2022. Tabled until the next meeting.
- 5.2. Collector's Report for June 2022. (Insert 5.2)
- 5.3. Approve Payment of the June Warrants. (Insert 5.3)

6. ADMINISTRATIVE/FINANCIAL

- 6.1. Treasurer's Report. As of June 30, 2022, the cash balance is \$2,308,104.55. Accounts Receivable and Inventory total approximately \$225,136. Current year revenue and expenses are approximately \$2,656,494 and \$2,321,378 respectively, resulting in a net cash flow of about \$336,404 (Insert 6.1). It was M/S/C unanimously on motion by Director Kalender, seconded by Director Fino, to accept the June 30, 2022, Treasurer's Report.
- 6.2. Audit RFP. Staff noted that they sent out requests to four different accounting firms and Hudson Henderson & Company was the only one to respond. It was M/S/C on motion by Vice President Marshall, seconded by Director Astiasuain (Director Fino voting no) to approve agreement with Hudson Henderson & Company Inc. to provide audit services for the next five (5) fiscal years in the amount not to exceed \$13,980 per year.

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. Alternate Turnout (M&G Farms Inc. – Lovell 10102001). No update.
- 7.6. Avenue 376 Bridge (Tulare County – Traver 10131901). No update.
- 7.7. Avenue 430 Bridge (Tulare County - Buttonwillow 10132201). General Manager Wegley

reported the District is working with Tulare County on the replacement of the bridge on Avenue 430.

- 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 reported the District is working with Fresno County as this project moves forward.
- 7.20. Lincoln Avenue Bridge (Fresno County – Traver 10532105). No update.
- 7.21. Alternate Turnout (Cardenas Farms – California Vineyard Ditch 10582101). No update.
- 7.22. Encroachment (Megalodon Properties LLC – Buttonwillow Pipeline 10642101). No update.
- 7.23. Encroachment (MBN Homes LLC – Horseman Ditch 10652101). No update.
- 7.24. Alternate Turnout (Red Wolf Farms, LLC – California Vineyard 10662201). No update.
- 7.25. Pipeline Development & Encroachments (Dinuba Unified School District – Dinuba Town & Burum 10682201). General Manager Wegley reported the District is preparing comments on plan and profile drawings for Burum and Dinuba Town, and proposed roundabout at the intersection of Alta/Kamm Avenues.
- 7.26. Encroachment (AT&T – Smith Mountain Pipeline 10692201). No update.
- 7.27. Pipeline Development (Castle Rock Development – Nuss Ditch 10702201). No update.
- 7.28. Alternate Turnout (Neil Zwart – Vannoy 10712201). No update.
- 7.29. Encroachment (Sultana Community Services District – Carey – Hunter 10722201). General Manager Wegley reported the District is in the process of reviewing plans for comments.
- 7.30. Encroachment (Gravity Pull Enterprise Inc – Smith Mountain Pipeline 10752201). 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 9.1)

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

- 9.1. Fiscal Year 2022-2023 Budget. It was M/S/C unanimously on motion by Director Halford, seconded by Director Astiasuain to approve fiscal year 2022-2023 budget. (Insert 9.1)
- 9.2. Resolution 2022-0701. It was M/S/C unanimously on motion by Director Kalender, seconded by Director Astiasuain to adopt Resolution 2022-0701 setting the 2022-2023 water charge and assessments. (Insert 9.2)
- 9.3. Kings River Conservation District Water SMART Grants. It was M/S/C unanimously on motion by Director Fino, seconded by Director Astiasuain to issue a letter supporting Kings River Conservation District’s efforts to obtain grant funding from USBR to expand the existing power plant and to add additional energy generation during low flow conditions. (Insert 9.3)

10. OLD BUSINESS

- 10.1. Manager’s Report. Manager’s report was added as an addendum to the minutes. (Insert 10.1)
- 10.2. Attorney’s Report. Attorney Layne reported on progress of various bills from the legislative session.

President Brandt called a recess at 12:13 p.m.

The Board reconvened at 12:30 p.m. and went into closed session.

11. ADJOURN TO CLOSED SESSION – President Brandt adjourned to closed session at 12:30 p.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 1:10 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 *James Irrigation District v. Kings River Water Association* (Fresno Co. Case #19CECG00769).
- 11.3. 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. (1 Case)
- 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 1:31 p.m.

with no reportable action taken during closed session.

13. ADJOURNMENT – There being no further business, President Brandt adjourned the meeting at 1:31 p.m. until the next scheduled meeting on August 11, 2022.

Sincerely,

Chad B. Wegley, Secretary