

REGULAR MEETING OF THE BOARD OF DIRECTORS

ALTA IRRIGATION DISTRICT

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

Thursday, October 13, 2022

MINUTES

1. CALL TO ORDER

- 1.1. Roll Call – The Regular Board Meeting for Alta Irrigation District was called to order at 9:33 a.m. by President Jack Brandt. Members present were Daniel Astiasuain, Domenic Fino, Jerry Halford, John Kalender, and Larry Tout. Member Tom Marshall was absent. Others present were General Manager Chad Wegley, Operations Manager Marc Limas, Engineer Jim Wegley, and Attorney Lauren D. Layne. Attorney Nicolas A. Jacobs joined via telephone for item 11.1.
- 1.2. Potential Conflict(s) of Interest – Director Fino declared a financial conflict of interest on items 11.1 and 11.6 and will leave the room for those items. Attorney Layne declared a conflict of interest on item 11.1 and will leave the room for that item.

President Brandt took item 11.1 out of order and adjourned to closed session at 9:33 a.m. to confer with counsel. Director Fino declared a financial conflict of interest on item 11.1 and left the room. Attorney Layne declared a conflict of interest on 11.1 and left the room. Attorney Nicolas A. Jacobs joined closed session via telephone for item 11.1.

The Board reconvened into open session at 9:52 a.m. with no reportable action taken during closed session.

2. **PUBLIC COMMENT** – None.

3. **ADDITIONS TO OR DELETIONS FROM AGENDA** – None.

4. **COMMUNICATIONS** – None.

5. **CONSENT CALENDAR** – It was M/S/C unanimously (Marshall absent) on motion by Director Astiasuain, seconded by Director Kalender, that consent calendar items be approved as presented, with the exception of item 5.1, which was tabled until the next meeting.

- 5.1. Board Meeting Minutes for Regular Board Meetings of September 8, 2022, Special Board Meetings of September 14, 2022, and September 30, 2022.
- 5.2. Collector's Report for September 2022. (Insert 5.2)
- 5.3. Approve Payment of the September Warrants. (Insert 5.3)

- 5.4. Approve one (1) Standard District Encroachment Agreement (Sun Pacific et. al – East Reedley Canal 10372201).

6. ADMINISTRATIVE/FINANCIAL

- 6.1. Treasurer's Report. Tabled until the next meeting.

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 has provided initial comments on a preliminary design for new bridge. Key concerns from the District centered on worker safety, access to O&M roads, and maintaining existing level of service to landowners. Tulare County will need to acquire land in order to maintain the District access to and use of O&M roads.
- 7.8. Pipeline Development & Encroachments (Century Homes - Buttonwillow 10251901). General Manager Wegley reported the District met with Century Homes and provided a timeline of events on this project, as well as discussion of the illegal encroachments on the Buttonwillow ditch. A pipeline development agreement was provided to Century in 2021 and the District has never received any comments or an executed agreement.
- 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. Encroachment (Sun Pacific et al – East Reedley Canal 10372201). General Manager Wegley reported Sun Pacific will be installing a ten (10) inch PVC line across the East Reedley Canal pursuant to District standards..
- 7.16. Bridge Crossing (Smith Mountain Estates, LLC – Smith Mountain 10502001). No update.
- 7.17. Parlier Avenue Bridge (Fresno County – Traver 10532101). No update.
- 7.18. Englehart Bridge (Fresno County – Reedley Main 10532102). No update.
- 7.19. Alta Avenue Bridge (Fresno County – Traver 10532103). No update.

- 7.20. Manning Avenue Bridge (Fresno County – Traver 10532104). No update.
- 7.21. Lincoln Avenue Bridge (Fresno County – Traver 10532105). No update.
- 7.22. Alternate Turnout (Cardenas Farms – California Vineyard Ditch 10582101). No update.
- 7.23. Encroachment (Megalodon Properties LLC – Buttonwillow Pipeline 10642101). General Manager Wegley reported the District is working with the developer on encroachments and requirements for crossing a segment of the Buttonwillow Pipeline with a drive approach to the proposed gas station.
- 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 is working on submittals for the concrete pipeline and waiting for Dinuba Unified School District to deposit funds with the District prior to issuing a Notice to Proceed with construction/installation of District facilities.
- 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). General Manager Wegley reported the District is working on comments for the latest set of plans submitted by Sultana Community Services District for the proposed water line to be installed in the District right-of-way.
- 7.31. Encroachment (Gravity Pull Enterprise Inc – Smith Mountain Pipeline 10752201). No update.
- 7.32. Encroachment (Rose Marie Margosian – Dinuba Town 10762201). No update.
- 7.33. Encroachment (Gerrit & Laura Griffioen – Wilson School House 10772201). No update.
- 7.34. Encroachment (SoCalGas – Banks Ditch 10782201). General Manager Wegley reported the District worked with SoCalGas regarding crossing/encroachment requirements for a new service line. The new gas line will be installed at a depth of eight (8) feet below the bottom of the canal for the entire length of the District right-of-way.

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. Pipeline Development Agreement. It was M/S/C unanimously (Marshall absent) on motion by Director Halford, seconded by Director Fino to approve revised standard Pipeline Development Agreement subject to legal counsel’s review. (Insert 9.1)

- 9.2. Construction Standards Pertaining to Urban Type Land Development Projects. It was M/S/C unanimously (Marshall absent) on motion by Director Halford, seconded by Director Fino to approve revised Construction Standards Pertaining to Urban Type Land development Projects subject to legal counsel's review. (Insert 9.2)
- 9.3. Encroachment SoCalGas 10782201. It was M/S/C unanimously (Marshall absent) on motion by Director Halford, seconded by Director Tout to approve one (1) non-District Standard Encroachment Agreement.

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 various bills from this legislative session.

President Brandt called a recess at 11:25 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 11.2 through 11.6. Director Fino declared a financial conflict of interest on item 11.6 and left the meeting at 12:20 p.m.

- 11.1. Conference with Legal Counsel Regarding Existing Litigation, Government Code §54956.9(d)(1). Board of Directors will meet in closed session to confer with counsel regarding *Kings River Water Association v. R.D. #761, et al.*
- 11.2. 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)
- 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 Labor Negotiations, Government Code §54957.6(a). Board of Directors will confer with counsel for possible action regarding Local 39 labor negotiations.
- 11.5. Conference with Real Property Negotiators.
 Property: 033-030-007
 Agency Negotiator: Chad Wegley
 Negotiating Parties: Ebiner Trust
 Under Negotiation: Price and terms of payment
- 11.6. 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 12:30 p.m.

with no reportable action taken during closed session.

13. **ADJOURNMENT** – There being no further business, President Brandt adjourned the meeting at 12:30 p.m. until the next scheduled meeting on November 10, 2022.

Sincerely,

Chad B. Wegley, Secretary

CBW:ml