REGULAR MEETING OF THE BOARD OF DIRECTORS

ALTA IRRIGATION DISTRICT

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

Thursday, September 08, 2022

MINUTES

1. **CALL TO ORDER**

   1.1. Roll Call – The Regular Board Meeting for Alta Irrigation District was called to order at 9:30 a.m. by Vice President Tom Marshall. Members present were Daniel Astiasuain, Domenic Fino, Jerry Halford, John Kalender, and Larry Tout. Board Member Jack Brandt was absent. Others present were General Manager Chad Wegley, Operations Manager Marc Limas, Engineer Jim Wegley, and Attorney Lauren D. Layne. There were also four (4) members of the public present.

   1.2. Potential Conflict(s) of Interest – Domenic Fino declared a financial conflict of interest on item 11.5 and will leave the room for that item.

2. **PUBLIC COMMENT** – Landowners Mike & Jana Yeager discussed the condition of the East Reedley Ditch that runs along the western edge of their property. Landowners James & Krystal Oliver discussed the condition of the same ditch that runs along the eastern edge of their property. Discussion centered around the trees along the canal bank, condition of the western O&M road, and other encroachment activity.

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

4. **COMMUNICATIONS**

   4.1. Two Public Records Act Requests. (Insert 4.1)

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.

   5.1. Board Meeting Minutes for Regular Board Meetings of August 11, 2022, Special Board Meetings of May 20, 2022 and July 25, 2022, and BOE Meeting of August 11, 2022.

   5.2. Collector's Report for August 2022. (Insert 5.2)

   5.3. Approve Payment of the August Warrants. (Insert 5.3)

   5.4. Approve three (3) Standard District Encroachment Agreements (Gravity Pull Enterprise Inc – Smith Mountain Pipeline).

6. ADMINISTRATIVE/FINANCIAL

6.1. Treasurer's Report. As of August 31, 2022, the cash balance is $1,899,815.12. Accounts Receivable and Inventory total approximately $281,220. Current year revenue and expenses are approximately $2,798,163 and $2,855,958 respectively, resulting in a net deficit of about $56,017 (Insert 6.1). It was M/S/C unanimously (Brandt absent) on motion by Director Astiasuain, seconded by Director Kalender to accept the July and August 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). General Manager Wegley reported that the District is working with the developer on the installation of the encroachments.

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). 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 (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 another version of the plan and profile drawings for the proposed realignments of 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). No update.

7.30. Encroachment (Gravity Pull Enterprise Inc – Smith Mountain Pipeline 10752201). No update.

7.31. Encroachment (Rose Marie Margosian – Dinuba Town 10762201). 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. Pipeline Development Agreement. It was M/S/C unanimously (Brandt absent) on motion by Director Halford, seconded by Director Astiasuain, to approve the Pipeline Development Agreement with Dinuba Unified School District, subject to Dinuba Unified School District signing the agreement and the General Manager's approval of exhibits to the agreement. (Insert 9.1)

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

Vice President Marshall called a recess at 11:38 a.m.

The Board reconvened at 11:50 a.m. and went into closed session.

11. ADJOURN TO CLOSED SESSION – Vice President Marshall adjourned to closed session at 11:51 a.m. and conferred with counsel on items listed below. Director Fino declared a financial conflict of interest on item 11.5 and left the meeting at approximately 12:06 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 Labor Negotiations, Government Code §54957.6(a). Board of Directors will confer with counsel for possible action regarding Local 39 labor negotiations.

11.4. Conference with Real Property Negotiators.
Property: 033-030-007
Agency Negotiator: Chad Wegley
Negotiating Parties: Ebiner Trust
Under Negotiation: Price and terms of payment

11.5. 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 12:19 p.m. with no reportable action taken during closed session.

13. **ADJOURNMENT** – There being no further business, Vice President Marshall adjourned the meeting at 12:19 p.m. until the next scheduled meeting on October 13, 2022.

Sincerely,

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Chad B. Wegley, Secretary

CBW:ml