REGULAR MEETING OF THE BOARD OF DIRECTORS

ALTA IRRIGATION DISTRICT

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

Thursday, November 10, 2022

MINUTES

1. **CALL TO ORDER**

   1.1. Roll Call – The Regular Board Meeting for Alta Irrigation District was called to order at 9:32 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. Attorney Douglas B. Jensen joined the meeting via telephone for closed session items 11.2 through 11.6. 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.

2. **PUBLIC COMMENT** – Landowner Kristal Oliver discussed the trees along the canal bank, condition of the western O&M Road, and other encroachment activity. Landowner Elliott Rossotti discussed his background and the reason he ran for the Board.

President Brandt took item 11.1 out of order and adjourned to closed session at 9:39 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 item 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 9:59 a.m. with no reportable action taken during closed session.

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

4. **COMMUNICATIONS** – None.

5. **CONSENT CALENDAR** – It was M/S/C unanimously on motion by Director Tout, seconded by Director Astiasuain, that consent calendar items be approved as presented.

   5.1. Board Meeting Minutes for Regular Board Meetings of September 8, 2022 and October 13, 2022, Special Board Meetings of September 14, 2022 and September 30, 2022.

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

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

5.4. Review and take action to approve signing the Auditor's Engagement Letter. (Insert 5.4)

6. ADMINISTRATIVE/FINANCIAL

6.1. Treasurer's Report. As of October 31, 2022, the cash balance is $5,834,154.57. Accounts Receivable and Inventory total approximately $4,847,339. Current year revenue and expenses are approximately $5,240,074 and $207,185 respectively, resulting in a net cash flow of about $5,033,084. (Insert 6.1). It was M/S/C unanimously on motion by Vice President Marshall, seconded by Director Fino to accept the September and October 2022, Treasurer's Report.

6.2. Monthly Report of Reserve Accounts, Unrestricted Funds, and Status of Investments. It was M/S/C unanimously on motion by Director Halford, seconded by Director Kalender to accept the Monty Report of Reserve Accounts, Unrestricted Funds, and Status of Investments. (Insert 6.2)

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). 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. Encroachment (Sun Pacific et al – East Reedley Canal 10372201). No update.

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). 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 is working on submittals for the concrete pipeline. Dinuba Unified School District has deposited finds with the 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). No update.

7.30. Encroachment (Sultana Community Services District – Carey – Hunter 10722201). No update.

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 (SoCalGas – Banks Ditch 10782201). 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. RFQ – Project Construction Inspector. It was M/S/C unanimously on motion by Director Halford, seconded by Director Fino to approve Provost & Pritchard as the Project Construction Inspector. (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 various bills from the legislative session.

11. ADJOURN TO CLOSED SESSION - President Brandt adjourned to closed session at 11:02 a.m. and conferred with counsel on items 11.2 through 11.6.

President Brandt called a recess at 11:30 a.m. President Brandt reconvened closed session at 11:36 a.m.

Director Fino declared a financial conflict of interest on item 11.6 and left the meeting at 11:43 a.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 12:25 p.m. with no reportable action taken during closed session.

13. **ADJOURNMENT** – There being no further business, President Brandt adjourned the meeting at 12:25 p.m. until the next scheduled meeting on December 8, 2022.

Sincerely,

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Chad B. Wegley, Secretary

CBW:ml