REGULAR MEETING OF THE BOARD OF DIRECTORS

ALTA IRRIGATION DISTRICT

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

Thursday, December 08, 2022

MINUTES

1. CALL TO ORDER

1.1. Roll Call – The Regular Board Meeting for Alta Irrigation District was called to order at 9:34 a.m. by President Jack Brandt. Members present were Daniel Astiasuain, Domenic Fino, John Kalender, Elliott Rossotti, and Larry Tout. Member Jerry Halford 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. Oath of Office – Oath of Office for Elliott Rossotti was administered. The District was still waiting for Fresno County to certify its election results, before seating new or incumbent directors.

1.3. 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 - None.

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 10:00 a.m. with no reportable action taken during closed session.

3. ADDITIONS TO OR DELETIONS FROM AGENDA – Items 5.1, 6.3, and 6.4 were tabled until the next meeting.

4. COMMUNICATIONS

4.1. ACWA JPIA President's Award. General Manager Wegley explained that this was the fourth consecutive recognition from ACWA JPIA regarding improvements to the District's liability, worker's compensation, or property insurance programs. In 2019, the District received its first ever President's Award. (Insert 4.1)

5. **CONSENT CALENDAR** – It was M/S/C unanimously (Halford absent) on motion by Director Tout, 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 Meeting of November 10, 2022.

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

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

5.4. Encroachment (PG&E – Traver Canal 10322202) Review and consider approving one (1) District standard encroachment agreement.

5.5. Encroachment (PG&E – Small Ditch 10322203) Review and consider approving one (1) District standard encroachment agreement.

5.6. Approve 2023 Meeting Calendar. (Insert 5.6)

6. **ADMINISTRATIVE/FINANCIAL**

6.1. Treasurer's Report. – As of November 30, 2022, the cash balance is $5,894,909.15. Accounts Receivable and Inventory total approximately $4,707,567. Current year revenue and expenses are approximately $5,278,647 and $469,329 respectively, resulting in a net cash flow of about $4,809,732. (Insert 6.1). It was M/S/C unanimously (Halford absent) on motion by Director Rossotti, seconded by Director Kalender to accept the November 2022, Treasurer's Report.

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

6.3. Board Officer Reorganization. Tabled until next meeting.

6.4. Bank Account Signature Cards. Tabled until next meeting.

6.5. Operating Line Renewal. It was M/S/C unanimously (Halford absent) on motion by Director Kalender, seconded by Director Tout, to renew operating line with Valley Strong Credit Union, name President Jack Brandt and Secretary Chad Wegley, as signers on the loan docs, also to authorize Treasurer Marc Limas to make advances and payments on the operating line.

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. Encroachment (City of Dinuba – Dinuba Town 10092201). No update.

7.4. Alternate Turnout (M&G Farms Inc. – Lovell 10102001). No update.

7.5. Avenue 376 Bridge (Tulare County – Traver 10131901). No update.

7.6. Avenue 430 Bridge (Tulare County - Buttonwillow 10132201). No update.

7.7. Pipeline Development & Encroachments (Century Homes - Buttonwillow 10251901). No update.

7.8. Bridge Crossing (James & Betty Spitze – Mt. Campbell 10402002). No update.

7.9. Encroachment (PG&E – Wilson & Dinuba Town 10322102). No update.

7.10. Encroachment (PG&E – Traver Canal 10322103). No update.

7.11. Encroachment (PG&E – Floyd Canal 10322201). No update.

7.12. Encroachment (PG&E – Traver Canal 10322202). No update.

7.13. Encroachment PG&E – Small Ditch 10322203). No update.

7.14. Bridge Crossing (Smith Mountain Estates, LLC – Smith Mountain 10502001). No update.

7.15. Parlier Avenue Bridge (Fresno County – Traver 10532101). No update.

7.16. Englehart Bridge (Fresno County – Reedley Main 10532102). No update.

7.17. Alta Avenue Bridge (Fresno County – Traver 10532103). No update.

7.18. Manning Avenue Bridge (Fresno County – Traver 10532104). No update.

7.19. Lincoln Avenue Bridge (Fresno County – Traver 10532105). No update.

7.20. Alternate Turnout (Cardenas Farms – California Vineyard Ditch 10582101). No update.

7.21. Encroachment (Megalodon Properties LLC – Buttonwillow Pipeline 10642101). No update.

7.22. Encroachment (MBN Homes LLC – Horseman Ditch 10652101). No update.

7.23. Alternate Turnout (Red Wolf Farms, LLC – California Vineyard 10662201). No update.

7.24. 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, also an update on the construction progress was provided.

7.25. Encroachment (AT&T – Smith Mountain Pipeline 10692201). No update.

7.26. Pipeline Development (Castle Rock Development – Nuss Ditch 10702201). No update.

7.27. Alternate Turnout (Neil Zwart – Vannoy 10712201). No update.

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

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

7.30. Encroachment (Rose Marie Margosian – Dinuba Town 10762201). No update.

7.31. 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.**

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 11:14 a.m. President Brandt reconvened the meeting at 11:20 a.m.

11. **ADJOURN TO CLOSED SESSION** – President Brandt adjourned to closed session at 11:20 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 12:49 p.m. with no reportable action taken during closed session.

13. **ADJOURNMENT** – There being no further business, President Brandt adjourned the meeting at 12:49 p.m. until the next scheduled meeting on January 12, 2023.

Sincerely,

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Chad B. Wegley, Secretary

CBW:ml