REGULAR MEETING OF THE BOARD OF DIRECTORS

ALTA IRRIGATION DISTRICT

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

Thursday, January 12, 2023

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 Domenic Fino, Jerry Halford, John Kalender, Christopher Myers, Elliott Rossotti, and Larry Tout. Others present were General Manager Chad Wegley, Operations Manager Marc Limas, Engineer Jim Wegley, and Attorney Douglas B. Jensen.

1.2. Oath of Office – Oath of Office for Jack Brandt and Christopher Myers was administered.

1.3. Potential Conflict(s) of Interest – Director Fino declared a financial conflict of interest on item13.6 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.

3. ADDITIONS TO OR DELETIONS FROM AGENDA

– Item 7.6 will be tabled until the next meeting. No discussion will be held on item 13.1.

4. COMMUNICATIONS

– None.

5. RETIRED BOARD MEMBER RESOLUTIONS

5.1. Tom Marshall Resolution. It was M/S/C unanimously, on motion by Director Fino, seconded by Director Halford to adopt a resolution honoring Tom Marshall for his years of service as a Director. (Insert 5.1)

5.2. Dan Astiasuain Resolution. It was M/S/C unanimously, on motion by Director Tout, seconded by Director Rossotti to adopt a resolution honoring Dan Astiasuain for his years of service as a Director. (Insert 5.2)

6. FISCAL YEAR END SEPTEMBER 30, 2022, AUDIT

6.1. Fiscal Year End September 30, 2022, Audit. Kip Hudson, a CPA with Hudson Henderson & Company Inc., reviewed the fiscal year end September 30, 2022, audit. It was the opinion of Hudson Henderson & Company, Inc., the financial statements present fairly, in all material respects. It was M/S/C unanimously on motion by Director Fino, seconded

by Director Kalender to accept the fiscal year end September 30, 2022, Audit. (Insert 6.1)

7. **CONSENT CALENDAR** – It was M/S/C unanimously on motion by Director Kalender, seconded by Director Halford, that consent calendar items be approved as presented, except for item 7.6, which was tabled until the next meeting.

   7.1. Board Meeting Minutes for Regular Board Meeting of November 10, 2022, and December 8, 2022.

   7.2. Collector's Report for December 2022. (Insert 7.2)

   7.3. Approve Payment of the December Warrants. (Insert 7.3)

   7.4. Encroachment (PG&E – Bump and Edmiston 10322301. Review and consider approving one (1) District standard encroachment agreement.

   7.5. Encroachment (Sultana Community Services District – Carey Hunter 10722201). Review and consider approving twenty-three (23) District standard encroachment agreements.

   7.6. Encroachment (City of Dinuba – Burum 10092202). Review and consider approving one (1) District standard encroachment agreement for a storm drain.

8. **ADMINISTRATIVE/FINANCIAL**

   8.1. Treasurer's Report. As of December 31, 2022, the cash balance is $7,345,889.08. Accounts Receivable and Inventory total approximately $3,028,477. Current year revenue and expenses are approximately $5,298,658 and $829,638 respectively, resulting in a net cash flow of about $4,469,736. (Insert 8.1). It was M/S/C unanimously on motion by Director Tout, seconded by Director Fino to accept the December 2022, Treasurer's report.

   8.2. Monthly Report of Reserve Accounts, Unrestricted Funds, and Status of Investments. It was M/S/C unanimously on motion by Director Rossotti, seconded by Director Kalender to accept the Monthly Report of Reserve Accounts, Unrestricted Funds, and Status of Investments. (Insert 8.2)

   8.3. Board Officer Reorganization. President Brandt handed control of the meeting to General Manager Wegley. Director Halford nominated Jack Brandt for President, with no further nominations received, vote was taken by roll call as follows: Director Halford, yes, Director Tout, yes, President Brandt, abstain, Director Myers, yes, Director Kalender, yes, Director Fino, yes, Director Rossotti, yes. Jack Brandt was elected President. Director Kalender nominated Jerry Halford for Vice President. Director Rossotti nominated Domenic Fino for Vice President, with no further nominations received vote was taken by roll call for Jerry Halford as follows: Director Halford, yes, Director Tout, yes, President Brandt, yes, Director Myers, no, Director Kalender, yes, Director Fino, no, Director Rossotti, no. Jerry Halford was elected Vice President by a majority vote. President Brandt nominated Chad Wegley for Secretary, with no further nominations received, vote was taken by roll call as follows: President Brandt, yes, Director Myers, yes, Director Kalender, yes, Director Fino, yes, Director Rossotti, yes, Vice President Halford, yes, Director Tout, yes. Chad Wegley was elected Secretary unanimously. Vice President Halford nominated Marc Limas for Treasurer,

with no further nominations received, vote was taken by roll call as follows: Vice President Halford, yes, Director Tout, yes, President Brandt, yes, Director Myers, yes, Director Kalender, yes, Director Fino, yes, Director Rossotti, yes. Marc Limas was elected Treasurer unanimously.

8.4. Valley Strong Credit Union Bank Account Signature Cards. It was M/S/C unanimously on motion by Director Kalender, seconded by Director Myers to name President Jack Brant, Vice President Jerry Halford, Secretary Chad Wegley, and Treasurer Marc Limas as signers on the Valley Strong Credit Union Bank Accounts.

9. CURRENT PROJECTS – Information Items Only; No Action Will be Taken

9.1. Avenue 416 Widening (Tulare County – Caesar 9922). No update.

9.2. Encroachment (San Joaquin Valley Homes – Horseman 10022201). No update.

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

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

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

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

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

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

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

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

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

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

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

9.14. Encroachment PG&E – Bump and Edmiston 10322301). No update.

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

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

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

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

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

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

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

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

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

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

9.25. Pipeline Development & Encroachments (Dinuba Unified School District – Dinuba Town & Burum 10682201). No update.

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

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

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

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

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

9.31. Encroachment (SoCalGas – Banks Ditch 10782201). No update.

10. WATER MANAGEMENT – Review and take action as appropriate.

10.1. Water Conditions Update. Water conditions report was added as an addendum to the minutes. (Insert 10.1)

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

11.1. Encroachment (SoCalGas – Banks Ditch 10782201). It was M/S/C unanimously on motion by Vice President Halford, seconded by Director Tout to approve one (1) non-District standard encroachment agreement. (Insert 11.1)

11.2. USA Staffing, Inc. It was M/S/C unanimously on motion by Director Fino, seconded by Director Rossotti, to approve USA Staffing, Inc. Staffing Services Agreement. (Insert 11.2)

11.3. Alternate Delivery Policy. It was M/S/C unanimously on motion by Vice President Halford, seconded by Director Kalender to approve revised Alternate Delivery Policy. (Insert 11.3)

11.4. Century Homes Illegal Encroachments. It was M/S/C unanimously on motion by Director Tout, seconded by Director Myers to send a Notice to Remove Letter to Century Homes for installation of illegal encroachments on the Buttonwillow Ditch.

12. OLD BUSINESS

12.1. Manager's Report. Manager's report was added as an addendum to the minutes. (Insert 12.1)

12.2. Attorney's Report. Attorney Jensen gave an update on Brown act and Board member duties and obligations.

President Brandt called a recess at 12:10 p.m. and reconvened the meeting at 12:20 p.m.

13. ADJOURN TO CLOSED SESSION – President Brandt adjourned to closed session at 12:20 p.m. and conferred with counsel on items 13.2 through 13.6. No discussion was held on item 13.1. Director Fino declared a financial conflict of interest on item 13.6 and left the meeting at 1:48 p.m.

13.1. 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.*

13.2. 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)

13.3. 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).*

13.4. 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.

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

13.6. 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)

14. **RECONVENE TO OPEN SESSION** – The Board reconvened into open session at 2:33 p.m. with no reportable action taken during closed session.

15. **ADJOURNMENT** – There being no further business, President Brandt adjourned the meeting at 2:33 p.m. until the next scheduled meeting on February 9, 2023.

Sincerely,

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Chad B. Wegley, Secretary

CBW:ml