REGULAR MEETING OF THE BOARD OF DIRECTORS

ALTA IRRIGATION DISTRICT

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

Thursday, March 09, 2023

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 Domenic Fino, Jerry Halford, John Kalender, Christopher "C.J." Myers, Elliott Rossotti, and Larry Tout. Others present were General Manager Chad Wegley, Operations Manager Marc Limas, Engineer Jim Wegley, and Attorney Lauren D. Layne.

   1.2. Potential Conflict(s) of Interest – Director Fino declared a financial conflict of interest on item 11.6 and will leave the room for that item.

2. **PUBLIC COMMENT** – Landowner Anthony Balakian encouraged the District to work with landowners to utilize all surface water and streamline the process for turnout installation.

3. **ADDITIONS TO OR DELETIONS FROM AGENDA** – Item 5.1 tabled until the next meeting. Item 11.1 deleted from the agenda.

4. **COMMUNICATIONS** – None.

5. **CONSENT CALENDAR** – It was M/S/C unanimously on motion by Vice President Halford, seconded by Director Rossotti, 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 January 12, 2023, and February 9, 2023.

   5.2. Collector's Report for February 2023. (Insert 5.2)

   5.3. Approve Payment of the February 2023 Warrants. (Insert 5.3)

   5.4. Encroachment (Five Amigos Farming, LLC – Clements 10822301). Review and consider approving one (1) District standard encroachment agreement.

6. **ADMINISTRATIVE/FINANCIAL**

   6.1. Treasurer's Report. As of February 28, 2023, the cash balance is $8,136,958.89. Accounts Receivable and Inventory total approximately $1,776,713. Current year revenue and expenses are approximately $5,375,850 and $1,398,428 respectively, resulting in a net cash flow of about $3,979,206. (Insert 6.1). It was M/S/C unanimously on motion by Director

Fino, seconded by Director Myers, to accept the February 2023, 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 Kalender, seconded by Director Tout, to accept the Monthly Report of Reserve Accounts, Unrestricted Funds, and Status of Investments. (Insert 6.2)

6.3. Website Design, Development, & Hosting RFP. It was M/S/C unanimously on motion by Director Tout, seconded by Vice President Halford, to accept the Website Design, Development, & Hosting RFP submitted by Topograph. (Insert 6.3)

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

7.1. Encroachment (City of Dinuba – Dinuba Town 10092201). No Update.

7.2. Alternate Turnout (M&G Farms Inc. – Lovell 10102001). No Update.

7.3. Avenue 376 Bridge (Tulare County – Traver 10131901). No Update.

7.4. Avenue 430 Bridge (Tulare County - Buttonwillow 10132201). No Update.

7.5. Pipeline Development & Encroachments (Century Homes - Buttonwillow 10251901). No Update.

7.6. Bridge Crossing (James & Betty Spitze – Mt. Campbell 10402002). No Update.

7.7. Encroachment (PG&E – Wilson & Dinuba Town 10322102). No Update.

7.8. Encroachment (PG&E – Traver Canal 10322103). No Update.

7.9. Encroachment (PG&E – Floyd Canal 10322201). No Update.

7.10. Encroachment (PG&E – Traver Canal 10322202). No Update.

7.11. Encroachment (PG&E – Bump and Edmiston 10322301). No Update.

7.12. Encroachment (PG&E – Dinuba Town 10322302). No Update.

7.13. Bridge Crossing (Smith Mountain Estates, LLC – Smith Mountain 10502001). No Update.

7.14. Parlier Avenue Bridge (Fresno County – Traver 10532101). No Update.

7.15. Englehart Bridge (Fresno County – Reedley Main 10532102). No Update.

7.16. Alta Avenue Bridge (Fresno County – Traver 10532103). No Update.

7.17. Manning Avenue Bridge (Fresno County – Traver 10532104). No Update.

7.18. Lincoln Avenue Bridge (Fresno County – Traver 10532105). No Update.

7.19. Alternate Turnout (Cardenas Farms – California Vineyard Ditch 10582101). No Update.

7.20. Encroachment (Megalodon Properties LLC – Buttonwillow Pipeline 10642101). No Update.

7.21. Encroachment (MBN Homes LLC – Horseman Ditch 10652101). No Update.

7.22. Alternate Turnout (Red Wolf Farms, LLC – California Vineyard 10662201). No Update.

7.23. Pipeline Development & Encroachments (Dinuba Unified School District – Dinuba Town & Burum 10682201). General Manager Wegley reported that the District responded to submittals for flow meters, canal gates, water stops, etc., and provided an update on the progress of construction.

7.24. Encroachment (AT&T – Smith Mountain Pipeline 10692201). No Update.

7.25. Pipeline Development (Castle Rock Development – Nuss Ditch 10702201). No Update.

7.26. Alternate Turnout (Neil Zwart – Vannoy 10712201). No Update.

7.27. Encroachment (Sultana Community Services District – Carey – Hunter 10722201). No Update.

7.28. Encroachment (SoCalGas – Banks Ditch 10782201). No Update.

7.29. Encroachment (Five Amigos Farming, LLC – Clements Ditch 10822301). 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. Emergency Approval for facility repairs. It was M/S/C unanimously on motion by Director Fino, seconded by Director Kalender to declare an emergency for thirty (30) days for facility repairs.

9.2. FEMA Resolution. It was M/S/C unanimously on motion by Director Rossotti, seconded by Director Myers to approve FEMA Resolution to apply for federal funds for reimbursement of District costs for flood damage. (Insert 9.2)

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. It was M/S/C unanimously on motion by Vice President Halford, seconded by Director Tout, to issue a letter opposing AB 460, AB 676, AB 1337, and SB 389.

President Brandt called a recess at 10:54 a.m. President Brandt reconvened the meeting at 11:05 a.m.

11. ADJOURN TO CLOSED SESSION – President Brandt adjourned to closed session at 11:05 a.m. and conferred with counsel on items 11.2 through 11.6. Item 11.1 was deleted from the agenda. Director Fino declared a financial conflict of interest on item 11.6 and left the meeting at 11:35 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: Tulare County APN 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 12:24 p.m. with no reportable action taken during closed session.

13. **ADJOURNMENT** – There being no further business, President Brandt adjourned the meeting at 12:24 p.m. until the next scheduled meeting on April 13, 2023.

Sincerely,

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Chad B. Wegley, Secretary

CBW:ml