REGULAR MEETING OF THE BOARD OF DIRECTORS

ALTA IRRIGATION DISTRICT

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

Friday May 19, 2023

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 President Jack Brandt. Members present were Domenic Fino, John Kalender, Christopher "C.J." Myers, 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 Douglas B. Jensen.

   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 this item.

2. **PUBLIC COMMENT** – Landowner Karl TeVelde commented on a proposed project he would like to complete a project along the bank of Lakeland Canal that would pump water into Traver Canal to "backfeed" the system. Landowner Kristal Oliver commented on the East Reedley ditch that runs along her property. Landowners Jim Neufield, Jeff Penner, and Michael Huerta commented on leaky gates. Augustine Cardenas commented about burning weeds on the ditch along his property. Jarrod Barton commented about the weed program. Jeff Noorigian commented about a leaky gate serving his property. Joel Isaac commented about trees running along Montague ditch and that Chad has been great to work with – in one field visit, he solved a long-term, ongoing delivery problem with a cost-effective solution. Mike Ward commented about getting contractors to complete gate repairs. Dewayne Lamm commented about the water level in the ditch not being high enough for him to take water.

3. **ADDITIONS TO OR DELETIONS FROM AGENDA** – Item 11.1 is deleted from the agenda.

4. **COMMUNICATIONS** – None.

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.

   5.1. Board Meeting Minutes for Regular Board Meeting of April 13, 2023, and Special Board Meeting of May 03, 2023.

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

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

5.4. Collections from County of Fresno. Adopt Resolution R2023-0501 affirming an irrigation district's authority to fix, collect, and place charges on parcels on the 2023-2024 County of Fresno's tax roll. (Insert 5.4)

5.5. Collections from County of Tulare. Adopt Resolution R2023-0502 affirming an irrigation district's authority to fix, collect, and place charges on parcels on the 2023-2024 County of Tulare's tax roll. (Insert 5.5)

5.6. Collections from County of Kings. Adopt Resolution R2023-0503 affirming an irrigation district's authority to fix, collect, and place charges on parcels on the 2023-2024 County of King's tax roll. (Insert 5.6)

5.7. Encroachment (PG&E – Wilson, Dinuba Town, and Van Noy 10322102). Review and consider approving ten (10) standard District encroachments.

5.8. Encroachment (Warkentin & Hansen – Montague 10832301). Review and consider approving one (1) standard District encroachment.

6. ADMINISTRATIVE/FINANCIAL

6.1. Treasurer's Report. As of April 30, 2023, the cash balance is $6,095,637.37. Accounts Receivable and Inventory total approximately $1,003,892. The current year's revenue and expenses are approximately $5,559,217 and $2,143,746 respectively, resulting in a net cash flow of about $3,418,085 (Insert 6.1). It was M/S/C unanimously (Halford absent) on motion by Director Kalender, seconded by Director Myers, to accept the April 2023, 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 Rossotti, seconded by Director Kalender to accept the Monthly 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. Encroachment (City of Dinuba – Dinuba Town 10092201). No update.

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

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

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

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

7.6. Encroachment (PG&E – Wilson, Dinuba Town, & Van Noy 10322102). No update.

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

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

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

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

7.11. Encroachment (PG&E – Dinuba Town 10322302). No update.

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

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

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

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

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

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

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

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

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

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

7.22. Pipeline Development & Encroachments (Dinuba Unified School District – Dinuba Town & Burum 10682201). General Manager Wegley commented as to the status of the project and what portions of the project have been completed.

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

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

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

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

7.27. Encroachment (Warkentin & Hanson – Montague 10832301). 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. Extend Emergency Approval for facility repairs. It was M/S/C unanimously (Halford absent) on motion by Director Fino, seconded by Director Rossotti to extend the emergency approval for facility repairs.

9.2. Maintenance Ad Hoc Committee**.** President Brandt appointed Director Fino, Director Myers, and Director Rossotti to the Maintenance Ad Hoc Committee.

9.3. Public Relations Ad Hoc Committee. President Brandt appointed Director Halford, Director Kalender, and Director Myers to the Public Relations Ad Hoc Committee.

9.4. Encroachments. No action taken.

10. OLD BUSINESS

10.1. Manager's Report. Manger's report was added as an addendum to the minutes. (Insert 10.1)

10.2. Attorney's Report. No update.

President Brandt called a recess at 12:05 p.m.

President Brandt reconvened the meeting at 12:14 p.m.

11. **ADJOURN TO CLOSED SESSION** – President Brandt adjourned to closed session at 12:14 p.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 12:46 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: 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 1:10 p.m. with no reportable action taken during closed session.

13. **ADJOURNMENT** – There being no further business, President Brandt adjourned the meeting at 1:10 p.m. until the next scheduled meeting on June 8, 2023.

Sincerely,

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Chad B. Wegley, Secretary

CBW:ml