REGULAR MEETING OF THE BOARD OF DIRECTORS

ALTA IRRIGATION DISTRICT

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

Thursday July 13, 2023

MINUTES

1. **CALL TO ORDER**

   1.1. Roll Call - The Regular Board Meeting for Alta Irrigation District was called to order at 9:31 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 11.5 and will leave the room for this item.

2. **PUBLIC COMMENT** – Andrew Hart of Booth Ranches requested assistance from the District in determining a flow rate available to a supply, during wet hydrologic years, a new basin sited on a 100-plus acre parcel north of Willow Creek. Jennifer Osborn, a business representative from IUOE Stationary Engineers, Local 39, commented on contract negotiations and requested the District to return to the bargaining table. Kristal Oliver commented on the East Reedley ditch adjacent to her property. Attorney Layne introduced Kaity Harr, an associate at Baker Manock & Jensen.

3. **WATER MANAGEMENT – Review and take action as appropriate.**

   3.1. Water Conditions Update. General Manager Wegley explained that Kings River runoff for this water year is projected to vary from 4.235 million acre-feet (MAF) to 4.645 MAF with an April -July runoff volume likely to exceed 3.14 MAF. Water conditions report was added as an addendum to the minutes. (Insert 3.1)

4. **ADDITIONS TO OR DELETIONS FROM AGENDA** – Item 6.1 tabled until the next meeting. No discussion on item 11.1.

5. **COMMUNICATIONS** – None.

6. **CONSENT CALENDAR** – It was M/S/C unanimously on motion by Vice President Halford, seconded by Director Kalender, that consent calendar items be approved as presented with the exception of item 6.1 which was tabled until the next meeting.

   6.1. Board Meeting Minutes for Regular Board Meetings of May 19, 2023, and June 8, 2023.

   6.2. Collector's Report for June 2023. (Insert 6.2)

6.3. Approve Payment of the June 2023 Warrants. (Insert 6.3)

6.4. Compliance Certification and Hold Harmless Statement. Review and consider approving Compliance Certification and Hold Harmless Statement for Tulare County Collections. (Insert 6.4)

6.5. Encroachment (CVIN, LLC – East Reedley Pipeline 10212301). Review and consider approving one (1) standard District encroachment.

6.6. Encroachment (WMJ Farms, Inc. – Kennedy School House 10842301). Review and consider approving four (4) standard District encroachments.

7. ADMINISTRATIVE/FINANCIAL

7.1. Treasurer's Report. As of June 30, 2023, the cash balance is $5,102,654.92. Accounts Receivable and Inventory total approximately $466,750. The current year's revenue and expenses are approximately $5,858,154 and $3,024,199 respectively, resulting in a net cash flow of about $2,837,590. (Insert 7.1). It was M/S/C unanimously on motion by Director Tout, seconded by Director Myers, to accept the June 2023, Treasurer's Report.

7.2. Monthly Report on Reserve Accounts, Unrestricted Funds, and Status of Investments. It was M/S/C unanimously on motion by Director Rossotti, seconded by Director Tout, to accept, the Monthly Report on Reserve Accounts, Unrestricted Funds, and Status of Investments. (Insert 7.2)

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

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

8.2. Avenue 376 Bridge (Tulare County – Traver 10131901). General Manager Wegley commented that the District is working with Tulare County on impacts of the bridge replacement project.

8.3. Avenue 430 Bridge (Tulare County - Buttonwillow 10132201). General Manager Wegley commented that Tulare County is in the process of designing the bridge crossing, as a result a new District check structure will be designed and moved upstream of the bridge crossing.

8.4. Encroachment (CVIN, LLC East Reedley Pipeline 10212301). No update.

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

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

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

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

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

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

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

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

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

8.14. Parlier Avenue Bridge (Fresno County – Traver 10532101). Division Director Mohamad Alimi from Fresno County Public Works provided a status update on the various bridge projects impacting District facilities or operations and explained that Fresno County desires to enter into a utility agreement with the District to help access federal monies for these projects (Parlier, Englehart, Alta, Manning, and Lincoln).

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

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

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

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

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

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

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

8.22. Pipeline Development & Encroachments (Dinuba Unified School District – Dinuba Town & Burum 10682201). General Manager Wegley provided an update on improvements that will be installed after the current water run.

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

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

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

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

8.27. Encroachment (Warkentin & Hanson – Montague 10832301). No update.

8.28. Encroachment (WMJ Farms, Inc. – Kennedy School House 10842301). No update.

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

9.1. ACWA State Legislative Committee and Legal Affairs Committee. It was M/S/C unanimously on motion by Director Rossotti, seconded by Director Myers, to appoint Lauren D. Layne as the District representative on the ACWA State Legislative Committee and Legal Affairs Committee.

9.2. Flood Water Conveyance Agreement. It was M/S/C unanimously on motion by Director Myers, seconded by Director Kalender to approve agreement with the TeVelde's for the conveyance of Kings River water during flood operations of Pine Flat Dam, subject to TeVelde obtaining an agreement with KRWA first.

9.3. County of Fresno Bridge Agreements. Mohammad Alimi from Fresno County spoke on the Fresno County Bridge Projects. No action taken.

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.

10.3. Ad-Hoc Committee Reports. Review and take action as appropriate.

10.3.1. Maintenance Ad-Hoc Committee – The Maintenance Ad-Hoc Committee provided a brief update on committee progress.

10.3.2. Public Relations Ad-Hoc Committee – The Public Relations Ad-Hoc Committee provided a brief update on committee progress.

President Brandt called a recess at 11:08 a.m. President Brandt reconvened the meeting at 11:30 a.m.

11. ADJOURN TO CLOSED SESSION – President Brandt adjourned to closed session at 11:30 a.m. and conferred with counsel on items 11.2 through 11.5. No discussion will be held on item 11.1. Director Fino declared a financial conflict of interest on item 11.5 and left the meeting at 12:06 p.m. President Brandt left the meeting at 11:41 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 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 12:34 p.m. with no reportable action taken during closed session.

13. ADJOURNMENT – There being no further business, Vice President Halford adjourned the meeting at 12:35 p.m. until the next scheduled meeting on August 10, 2023.

Sincerely,

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Chad B. Wegley, Secretary

CBW:ml