REGULAR MEETING OF THE BOARD OF DIRECTORS

ALTA IRRIGATION DISTRICT

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

Thursday September 14, 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 (left meeting at 11:15 a.m.), 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 items 11.1 and 11.6 and will leave the room for those items.

2. **PUBLIC COMMENT** - Homeowner Christina Luna inquired about a leak in front of her home on Huntsman Avenue in Reedley.

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

   3.1 Water Conditions Update. General Manager Wegley explained that the District had nearly 48,500 acre-feet in storage at Pine Flat as of September 10th and would not gain additional entitlement until October. The District already diverted over 203,000 acre-feet this calendar and is on pace to potentially break the 1969 headgate diversion record along with those records set in 2017 and 2019. These milestones are possible because of implementation of the function aquifer recharge management program and complete reoperation of the system. Water conditions report was added as an addendum to the minutes.

4. **ADDITIONS TO OR DELETIONS FROM AGENDA**– Item 6.1 revised, only minutes of Special Board Meeting of September 06, 2023, included for action.

5. **COMMUNICATIONS** – None.

6. **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 item 6.1 revised to only minutes of Special Board Meeting of September 06, 2023.

   6.1. Special Board Meeting of September 06, 2023.

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

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

6.4. Encroachment (PG&E Burum 10322303). Review and consider approving one (1) standard District encroachment.

6.5. Pipeline Development Agreement (Century Communities – Buttonwillow 10251901). Review and consider approving one (1) standard District Pipeline Development Agreement.

7. ADMINISTRATIVE/FINANCIAL

7.1. Treasurer's Report. As of August 31, 2023, the cash balance is $5,116,435. Accounts Receivable and Inventory total approximately $571,987. The current year's revenue and expenses are approximately $6,834,239 and $3,868,179 respectively, resulting in a net cash flow of about $2,970,624. (Insert 7.1). It was M/S/C unanimously on motion by Director Rossotti, seconded by Director Myers, to accept the August 2023, Treasurer's Report.

7.2. 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 Tout, to accept, the Monthly Report on Reserve Accounts, Unrestricted Funds, and Status of Investments. (Insert 7.2)

7.3. Claim submitted by Aiman – Smith & Marcy on behalf of Cari McCormick. Item moved to after closed session.

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). No update.

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

8.4. Pipeline Development & Encroachments (Century Homes - Buttonwillow 10251901). General Manager Wegley stated, that after a two (2) year stop on the project, Century Homes has revived the project. The District met with Century Homes and their engineer regarding status of plan revisions and timeline.

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

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

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

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

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

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

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

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

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

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

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

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

8.17. Pipeline Development & Encroachments (Dinuba Unified School District – Dinuba Town & Burum 10682201). General Manager Wegley explained there are a few outstanding submittal reviews that need to be completed for improvements that will be installed after water run. The city of Dinuba is having a preconstruction meeting for a proposed roundabout at the intersection of Alta and Kamm Avenues. The two-lane roundabout will require the city of Dinuba to obtain encroachment permits from the District. Total impact to the District is unknown given that roundabout plans relied upon offsite improvement plans for DUSD that were inadequate for bidding, which then required numerous field changes.

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

8.19. Encroachment (AT&T – Dinuba Town & Burum 10692301). No update.

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

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

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

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

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

9.1. Ratification of Emergency Repairs. It was M/S/C unanimously on motion by Director Rossotti, seconded by Director Fino to ratify hiring Bill Nelson General Engineering Contractor to perform emergency repair work on Hogan pipeline, Frey pipeline, Kennedy Schoolhouse pipeline, McBriar pipeline, and East Reedley pipeline because an emergency occurred and immediate action needed to be taken to make such repairs in order to operate the system.

9.2. Application for Installation of Canal Gates. It was M/S/C unanimously on motion by Director Fino, seconded by Director Myers to approve an application and standard dedication form for replacement canal gates.

Director Rossotti left the meeting at 11:15 a.m.

9.3 Encroachment (TeVelde Clough Ditch). Review and consider approving one (1) standard encroachment agreement for installation of a pipeline parallel to Clough Ditch. 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. No Report.

10.3.2. Public Relations Ad-Hoc Committee. The new website will be up within the next month.

President Brandt called a recess at 11:33 a.m. President Brandt reconvened the meeting at 11:48 a.m.

11. **ADJOURN TO CLOSED SESSION**– No discussion will be held on item 11.1. Director Fino declared a financial conflict of interest on item 11.6 and left the meeting at 12:12 p.m. President Brandt adjourned to closed session at 11:48 a.m.

    The Board reconvened into open session at 11:54 a.m. The Board discussed item 7.3 and it was M/S/C unanimously (Rossotti absent) on motion of Director Tout and second by Direct Kalender to deny the claim submitted by Aiman – Smith & Marcy on behalf of Cari McCormick and send a standard claim rejection letter.

President Brandt again adjourned to closed session at 11:51 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 from seepage along District canal. (2 cases)

11.3. 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)

11.4. 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).*

11.5. 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.

Director Fino left at 12:12 p.m.

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 October 12, 2023.

Sincerely,

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Chad B. Wegley, Secretary

CBW:ml