REGULAR MEETING OF THE BOARD OF DIRECTORS

ALTA IRRIGATION DISTRICT

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

Thursday, October 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 "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. Attorney Douglas B. Jensen joined the meeting for closed session.

   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** – Machael Smith inquired about when water run would be ending and item 9.1 on the agenda.

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

   3.1. Water Conditions Update. General Manager Wegley explained that the District diverted over 240,000 acre-feet of water as of September 31st and total headgate diversion for the month of September was the largest in the District's 135 year history. Water run is scheduled to continue through October and will end sometime in November – an ending matching operations during the 2017 Water Run. The Water Conditions report was added as an addendum to the minutes.

4. **ADDITIONS TO OR DELETIONS FROM AGENDA –** None. The Chair reorganized the items on the agenda to move 9.1 to the beginning of the agenda.

5. **COMMUNICATIONS** – None

6. **CONSENT CALENDAR** – – It was M/S/C unanimously on motion by Director Tout, seconded by Director Kalender, that consent calendar items be approved as presented.

   6.1. Board Meeting Minutes for Regular Board Meetings of August 10, 2023, and September 14, 2023, Special Board Meetings of September 21, 2023, and September 25, 2023, and Board of Equalization Meeting of August 10, 2023.

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

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

6.4. Encroachment (PG&E Wilson, Dinuba Town, Van Noy 10322102). Review and consider approving eight (8) standard District encroachments.

6.5. Encroachment (PG&E – Dinuba Town 10322304). Review and consider approving one (1) standard District encroachment.

6.6. Encroachment (Megalodon Properties LLC – Buttonwillow 10642101). Review and consider approving four (4) standard District encroachments.

7. ADMINISTRATIVE/FINANCIAL

7.1. Treasurer's Report. – Tabled until next meeting.

7.2. Monthly Report of Reserve Accounts, Unrestricted Funds, and Status of Investments. – Tabled until next meeting.

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). Discussed under action item 9.1.

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). District staff met with the city of Dinuba regarding a proposed roundabout at the intersection of Alta and Kamm Avenues. The District explained to the City that palm trees would not be allowed within the District's right-of-way and that the District will provide comments on improvements plans. Also, the District reminded the City that development of improvement plans from DUSD's unapproved plans for the piping of Dinuba Town and relocating of the Burum pipeline may require numerous field

modifications to fix unresolved conflicts or to comply with District standards

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. Century Communities Pipeline Development – Buttonwillow Ditch. Review and consider taking action on a request from Century Communities for an exception to District policy regarding the piping of a ditch within an urban development. (Insert 9.1) – No action taken. The Board directed staff to follow the existing policy.

9.2. Alta Irrigation District Office Roof. - It was M/S/C unanimously on motion by Vice President Halford, seconded by Director Rossotti to award the bid for a new roof on the Alta Irrigation District Office to the apparent lowest bidder, On Top Roofing. (Insert 9.2)

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

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. Progress Report.

10.3.1. Maintenance Ad-Hoc Committee – The committee requested a list of jobs and status updates each Board meeting.

10.3.2. Public Relations Ad-Hoc Committee – There will be press releases in the near future to share the new website, the end of water run and a summary of District activities for 2023.

President Brandt called a recess at 11:20 a.m. President Brandt reconvened the meeting at 11:35 a.m.

11. ADJOURN TO CLOSED SESSION– President Brandt adjourned to closed session at 11:35 a.m. and conferred with counsel on items 11.2 through 11.6. No discussion will be held on item 11.1. Director Fino declared a financial conflict of interest on items 11.1 and 11.6 and left the meeting at 1:01 p.m. Jim Wegley left the meeting at 12:01 p.m., after discussing only item 11.3.

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.

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 1:19 p.m. with no reportable action taken during closed session.

1. **ADJOURNMENT** – There being no further business, President Brandt adjourned the meeting at 1:19 p.m. until the next scheduled meeting on November 9, 2023.

Sincerely,

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Chad B. Wegley, Secretary

CBW:ml