REGULAR MEETING OF THE BOARD OF DIRECTORS

ALTA IRRIGATION DISTRICT

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

Thursday, November 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 Attorneys Douglas B. Jensen and Kaitlin S. Harr.

   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** – Landowner Michael Huerta commented on the damaged Elter pipeline and asked for an update on the status of repairs.

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

   3.1. Water Conditions Update. General Manger Chad Wegley explained that the May-August headgate diversion was the largest since 2000 and exceeded the 2019 total by nearly 13,000 acre-feet – top three years are 2023, 2019, and 2017. Mr. Wegley also explained that during each of the "wet" years since 2017, the District has surpassed the 200-day water run duration and 245,000 AF headgate diversion threasholds, a feat last achieved over half a century ago. 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 items 11.1 and 11.5.

5. **COMMUNICATIONS** – None.

6. **CONSENT CALENDAR** – It was M/S/C unanimously on a motion by Director Rossotti, seconded by Director Myers, that consent calendar items be approved as presented, except for item 6.1 which was tabled until the next meeting.

   6.1. Board Meeting Minutes for Regular Board Meeting of October 12, 2023.

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

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

6.4. Encroachment (Steve Boos - Buttonwillow 10872302). Review and consider approving one (1) standard District encroachment.

6.5. Encroachment (CVIN – Dinuba Town & Burum 10212302). Review and consider approving two (2) standard District encroachment.

6.6. Encroachment (PG&E – Dinuba Town 10322302). Review and consider approving one (1) standard District encroachment.

6.7. Review and take action to approve signing the Auditor's Engagement Letter. (Insert 6.7)

7. ADMINISTRATIVE/FINANCIAL

7.1. Treasurer's Report. As of October 31, 2023, the cash balance is $4,648,574.25. Accounts Receivable and Inventory total approximately $5,575,601. The current year's revenue and expenses are approximately $5,307,521 and $233,653 respectively, resulting in a net cash flow of about $5,074,554. (Insert 7.1). It was M/S/C unanimously on a motion by Director Rossotti, seconded by Director Myers, to accept the September and October 2023, Treasurer's Report.

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

7.3. LPL Financial/Valley Strong Credit Union Investment Account. It was M/S/C unanimously on a motion by Director Myers, seconded by Director Rossotti to open an Investment Account with LPL Financial/Valley Strong Credit Union and add President Jack Brandt, Vice President Jerry Halford, Secretary Chad Wegley, and Treasurer Marc Limas as signors on the account.

7.4. Flagstar Public Funding Corporation Equipment Lease-Purchase Agreement. It was M/S/C unanimously on a motion by Director Rossotti, seconded by Director Myers, to approve Flagstar Public Funding Corporation Lease-Purchase Agreement subject to legal review. (Insert 7.4)

7.5. Flagstar Public Funding Corporation Equipment Lease-Purchase Agreement Resolution R2023-1101. It was M/S/C unanimously on a motion by Vice President Halford, seconded by Director Fino to adopt Flagstar Public Funding Corporation Equipment Lease-Purchase Agreement Resolution R2023-1101. (Insert 7.5)

7.6. Revised Injury Illness and Prevention Plan. Review and consider approving the revised Injury Illness and Prevention Plan. Tabled until next meeting.

7.7. Rescind Covid-19 Prevention Plan. Review and consider rescinding the Covid-19 Prevention Plan. 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. Encroachment (CVIN – Dinuba Town & Burum 10212302). 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 – Dinuba Town 10322302). No update.

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

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

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

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

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

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

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

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

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

8.19. Pipeline Development & Encroachments (Dinuba Unified School District – Dinuba Town & Burum 10682201). No update.

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

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

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

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

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

8.25. City of Dinuba Recharge Basin Grant – General Manager Wegley stated the District began providing comments to and engaging with the city of Dinuba in 2019 on a grant to fund construction of a recharge basin to address the City's overdraft. The District participated in numerous discussions on this subject and recently inquired if the City's consultant considered capturing stormwater runoff generated within the City instead of discharging water into District infrastructure and recharging outside the city limit. The City was awarded a grant to construct a recharge basin. At this time, the District has committed any water supply to a City recharge basin.

8.26. Encroachment (Steven Boos – Buttonwillow 10872302). The District will be reaching out to Reedley Irrigation on the requirements of a discharge outlet into Buttonwillow Ditch. In general, any outlet discharging into an earthen channel must be surrounded by a concrete slab to prevent bank erosion.

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

9.1. Provost & Pritchard Proposed Amendment for the Recharge Basin Investigation. It was M/S/C unanimously on a motion by Director Fino, seconded by Director Rossotti to approve an amendment from Provost & Pritchard to provide professional services on a time and materials basis, not to exceed $50,000, for identifying, evaluating, and coordinating with landowners on property acquisition for future recharge basins. (Insert 9.1)

9.2. Excavator Purchase. It was M/S/C unanimously on a motion by Vice President Halford, seconded by Director Myers to purchase a new Caterpillar 308 Excavator from Quinn Caterpillar through Sourcewell cooperative purchasing contract number 032119-CAT. (Insert 9.2)

9.3. Truck Purchase. It was M/S/C unanimously on a motion by Director Fino, seconded by Director Rossotti to purchase one (1) new 2024 Ford F-150 crew cab truck, two (2) new 2024 Ford F-150 single cab trucks, and one (1) new 2024 Ford Maverick from National Auto Fleet Group under the Sourcewell cooperative purchasing contract 09121-NAF. (Insert 9.3)

9.4. Dump Truck Purchase. Review and consider approving the purchase of one (1) new 2024 Freightliner ten-yard dump truck under the Sourcewell cooperative purchasing agreement. Tabled until next meeting.

9.5. Prima Wawona Chapter 11 Bankruptcy Filing. Review and discuss potential impacts to Alta Irrigation District from the October 13th bankruptcy filing. Informational only, no action taken.

10. OLD BUSINESS

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

10.2. Attorney's Report. No update.

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

10.3.1. Maintenance Ad-Hoc Committee No update.

10.3.2. Public Relations Ad-Hoc Committee No update.

President Brandt called a recess at 11:46 a.m. President Brandt reconvened the meeting at 12:00 p.m.

11. ADJOURN TO CLOSED SESSION President Brandt adjourned to closed session at 12:00 p.m. and conferred with counsel on items 11.2 through 11.4 and item 11.6. No discussion occurred on items 11.1 and 11.5. Director Fino declared a financial conflict of interest on items 11.1 and 11.6 and left the meeting at 12:10 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 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 1:08 p.m. with no reportable action taken during closed session.

13. ADJOURNMENT – There being no further business, President Brandt adjourned the meeting at 1:08 p.m. until the next scheduled meeting on December 14, 2023.

Sincerely,

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Chad B. Wegley, Secretary

CBW:ml