REGULAR MEETING OF THE BOARD OF DIRECTORS

ALTA IRRIGATION DISTRICT

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

Thursday, February 08, 2024

MINUTES

1. CALL TO ORDER

1.1. Roll Call – The Regular Board Meeting for Alta Irrigation District to order at 9:33 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 via telephone for closed session.

1.2. Potential Conflict(s) of Interest – Domenic Fino declared a financial conflict of interest on items 12.1 and 12.6 and will leave room for those items. John Kalender declared a conflict of interest on item 12.2 and will leave the room for that item.

2. PUBLIC COMMENT – Landowner Mike Ward commented on the cleaning of the Caesar Ditch along Road 48.

3. FISCAL YEAR END SEPTEMBER 30, 2023, AUDIT

3.1. Fiscal Year End September 30, 2023, Audit. Kip Hudson, a CPA with HHC, Inc., reviewed the fiscal year end September 30, 2023, audit. It was the opinion of HHC, Inc. that the financial statements present fairly in all material respects. It was M/S/C unanimously on a motion by Director Fino, seconded by Director Kalender, to accept the Fiscal Year End September 30, 2023, Audit. (Insert 3.1)

4. WATER MANAGEMENT – Review and take action as appropriate.

4.1. Water Conditions Update. General Manager Wegley provided a general overview of Pine Flat storage and river conditions for 2024. On February 4th, there was approximately 650,000 acre-feet in storage, an increase of nearly 50,000 acre-feet since the last board meeting; Alta had 20,000 acre-feet in storage. Rainfall and snowpack data are still trending below average conditions. According to the Kings River Water Association, Alta ID diverted nearly 282,000 acre-feet during the 2023 water run, which was the 3rd largest on record and about 1,900 acre-feet short of establishing a new record for most water ever diverted. Total headgate diversion for May-July was the largest since 1974. The Water Conditions Update was added as an addendum to the minutes. (Insert 4.1)

5. MAINTENANCE – Review and take action as appropriate.

5.1. Maintenance Activity Update. General Manager Wegley's summary of ongoing maintenance activities highlighted the following items: cleaning medium to large ditches with a rental

bulldozer equipped with dual side blades, fabricating a new trash rack for the Sandridge 2 pump station, completing multiple repairs on the Hogan pipeline, removing trees from Harder Pond, and hauling nearly 90 tons of trash, collected from the banks of ditches during water run, to the dump. The Maintenance Activity Update was added as an addendum to the minutes. (Insert 5.1)

ADDITIONS TO OR DELETIONS FROM AGENDA – None.

6. COMMUNICATIONS

6.1. Letter from Dinuba Unified School District. (Insert 6.1)

7. CONSENT CALENDAR – It was M/S/C unanimously on a motion by Vice President Halford, seconded by Director Tout, that consent calendar items be approved as presented, with the exception of January 11, 2024, Regular Board Meeting minutes, which was tabled until the next meeting.

7.1. Board Meeting Minutes for Regular Board Meetings of December 14, 2023 and January 11, 2024.

7.2. Collector's Report for January 2024. (Insert 7.2)

7.3. Approve Payment of the January 2024 Warrants. (Insert 7.3)

7.4. Approve Records Destruction in Accordance with Records Retention and Destruction Policy. (Insert 7.4)

7.5. Surplus 1995 Freightliner (Truck #7), 2001 Freightliner Dump Truck (Truck #9), and 1988 Sullair Compressor (Equipment #131) and authorize disposal.

8. ADMINISTRATIVE/FINANCIAL

8.1. Treasurer's Report. As of January 31, 2024, the cash balance is $6,319,556,57. Accounts Receivable and Inventory total approximately $3,262,128. The current year's revenue and expenses are approximately $5,821,604 and $1,393,135, respectively, resulting in a net cash flow of approximately $4,430,015. (Insert 8.1). It was M/S/C unanimously on a motion by Director Rossotti, seconded by Director Fino, to accept the January 2024 Treasurer's Report.

8.2. Monthly Report of Reserve Accounts, Unrestricted Funds, and Status of Investments. It was M/S/C unanimously on a motion by Director Rossotti, seconded by Director Myers, to accept the Monthly Report of Reserve Accounts, Unrestricted Funds, and Status of Investments. (Insert 8.2)

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

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

9.2. Encroachment (City of Dinuba – Smith Mountain 10092301). No update.

9.3. Encroachment (City of Dinuba – Dinuba Town & Burum (10092302). No update.

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

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

9.6. Encroachment (CVIN – Dinuba Town & Burum 10212302). No update.

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

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

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

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

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

9.12. Encroachment (PG&E – East Branch 10322304). No update.

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

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

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

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

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

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

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

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

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

9.22. Pipeline Development & Encroachments (Dinuba Unified School District – Dinuba Town & Burum 10682201). General Manager Wegley provided a brief overview about the project activities that have occurred since an initial meeting with a DUSD representative in September 2016 and explained that outstanding submittals are associated with items that did not incorporate requirements stipulated by the District in a September 2022 comment letter, which contained nearly 140 comments. Mr. Wegley also noted that issues with outstanding submittals are the byproduct of DUSD bidding, awarding, and constructing a project not approved by the District. (Insert 9.21)

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

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

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

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

9.27. Encroachment (Steven Boos – Buttonwillow 10872302). No update.

9.28. Encroachment (Cutler-Orosi Unified School District – Orosi School House 10882301). No update.

9.29. Alternate Turnout (Marvin & Beck Warkentin – Traver 10892301). No update.

9.30. Alternate Turnout (Gerben Leyendekker – Carey Hunter 10902401). No update.

9.31. Alternate Turnout (Gerben Leyendekker – Banks 10902402). No update.

9.32. Alternate Turnout (Smittcamp Ag Enterprises – Carey Hunter 10912401). No update.

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

10.1. Pima Wawona Chapter 11 Bankruptcy Filing. An update was provided on paid assessments and water surcharges, and the remaining outstanding balances.

10.2. City of Dinuba Encroachment Agreement. It was M/S/C unanimously on a motion by Director Rossotti, seconded by Director Kalender to approve a non-standard encroachment agreement, subject to legal review. (Insert 10.2)

11. OLD BUSINESS

11.1. Manager's Report. The manager's report was added as an addendum to the minutes. (Insert 11.1)

11.2. Attorney's Report. Attorney Layne reported on various bills from this legislative session.

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

11.3.1. Maintenance Ad-Hoc Committee. The Maintenance Ad-Hoc committee requested a meeting with the District's new superintendent.

11.3.2. Public Relations Ad-Hoc Committee – The Public Relations Ad-Hoc committee requested an update on the count of maintenance issues, gates, and comments that have been submitted via the new District website. Outside the two (2) Directors that have submitted items, no other items have been received by the District.

President Brandt called a recess at 11:15 a.m. President Brandt reconvened the meeting at 11:25 a.m.

12. ADJOURN TO CLOSED SESSION – President Brandt adjourned to closed session at 11:25 a.m. and conferred with counsel in items 12.2 through 12.6. No discussion will be held on item 12.1. Director Fino declared a financial conflict of interest on items 12.1 and 12.6 and left the room from 12:48 p.m. until 12:52 p.m. Director Kalender declared a conflict of interest on item 12.2 and left the room from 12:40 p.m. until 12:42 p.m. Engineer Brian Ehlers joined the closed session from 11:25 a.m. until 12:23 p.m. General Manager Wegley left the room from 12:52 p.m. until 1:32 p.m. while the Board discussed item 12.5. Vice President Halford left the meeting at 1:20 p.m.

12.1. 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*.

12.2. 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)

12.3. 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)

12.4. 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).*

12.5. Closed Session pursuant to Government Code §54957.
Public Employee Performance Evaluation.
Title: General Manager

12.6. 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. (3 cases)

13. **RECONVENE TO OPEN SESSION** – The Board of Directors reconvened into open session at 1:33 p.m. with no reportable action taken during closed session.

14. **ADJOURNMENT** – There being no further business, President Brandt adjourned the meeting at 1:33 p.m. until the next regular scheduled meeting on March 14, 2024.

Sincerely,

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Chad B. Wegley, Secretary

CBW:ml