REGULAR MEETING OF THE BOARD OF DIRECTORS

ALTA IRRIGATION DISTRICT

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

Thursday, March 14, 2024

MINUTES

1. CALL TO ORDER

1.1. Roll Call – The Regular Board Meeting for Alta Irrigation District was called to order at 9:36 a.m. by John Kalender. Members present were Domenic Fino, Elliott Rossitti, and Larry Tout. Member Christopher "C.J." Myers arrived at 9:37 a.m. President Jack Brandt and Vice-President Jerry Halford were absent. 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 11.2 and 11.6 and will leave room for those items.

2. PUBLIC COMMENT – None.

Director Kalender took items 9.4 and 9.5 out of order.

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

3.1. Water Conditions Update. General Manager Wegley provided a general overview of achievements during the 2023 Water run along with storage and river conditions for the upcoming 2024 Water Run. The 2023 Water Run was a record setting year for Alta Irrigation District as headgate diversion exceeded 280,000 acre-feet – third largest diversion – and water run lasted more than 200 days. During each "wet" year since 2017, Alta ID has diverted more than 245,000 acre-feet and water run duration was greater than 200 days, a feat last achieved in the late 1960s. Since 2017, reoperation of the system and implementation of the Functional Aquifer Recharge Management program allowed landowners to have 8 water runs in 7 calendar year and led to having two of the top five headgate diversions. On March 10th, storage behind Pine Flat dam was approximately 754,200 acre-feet, an increase of nearly 105,000 acre-feet since last month. Alta Irrigation District's storage balance on that day was almost 25,000 acre-feet. Forecasts from the CA/NV River Forecast Center and California Department of Water Resources project an April-July Runoff on the Kings River of 1.070-1.150 million acre-feet (MAF), which is typical of "nearly normal" or "normal" runoff conditions. The 80% confidence range for April-July runoff is 0.800-1.720 MAF. Based on available data, this year's water run will likely start/stop in May/August. It is still too soon to set "hard" start/stop date for water run. The water conditions report was added as an addendum to the minutes. (Insert 3.1)

Director Kalender left the meeting at 10:29 a.m. Director Larry Tout took over as Chairman for the remainder of the meeting.

4. MAINTENANCE – Review and take action as appropriate.

4.1. Maintenance Activity Update. General Manager Wegley provided a summary of the ongoing maintenance activity, which included the following actions: continued cleaning medium/large ditch with a rental bulldozer equipped with dual slope blades, rebuilding a portion of southern canal bank of East Branch ditch near Avenue 416, installing a slurry wall in rebuilt bank of the East Branch ditch, removing trees, stumps, and brush from ditches, and installing canal gates. The maintenance activity report was added as an addendum to the minutes. (Insert 4.1)

ADDITIONS TO OR DELETIONS FROM AGENDA – None.

5. COMMUNICATIONS

5.1. Letter from ACWAJPIA. (Insert 5.1)

6. CONSENT CALENDAR – It was M/S/C unanimously (Brandt, Halford, and Kalender absent) on a motion by Director Myers, seconded by Director Tout, that consent calendar items be approved as presented.

6.1. Board Meeting Minutes for Regular Board Meetings of January 11, 2024 and February 8, 2024.

6.2. Collector's Report for February 2024. (Insert 6.2)

6.3. Approve Payment of the February 2024 Warrants. (Insert 6.3)

6.4. Encroachment Agreement (City of Reedley – Ballard 10082301) – Approve one (1) District standard encroachment agreement.

6.5. Encroachment Agreement (SoCalGas – Orosi School House 10882301). Approve one (1) District standard encroachment agreement.

6.6. Encroachment Agreement (Megalodon Properties – Buttonwillow 10642101). Approve four (4) District standard encroachment agreements.

7. ADMINISTRATIVE/FINANCIAL

7.1. Treasurer's Report. As of February 29, 2024, the cash balance is $6,978,131.58. Accounts Receivable and Inventory total approximately $2,343,371. The current year's revenue and expenses are approximately $5,845,609 and $1,837,218, respectively, resulting in a net cash flow of about $4,010,851. (Insert 7.1). It was M/S/C unanimously (Brandt, Halford, and Kalender absent) on a motion by Director Rossotti, seconded by Director Myers, to accept the February 2024 Treasurer's Statement.

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

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

8.1. Pipeline Development Agreement (San Joaquin Valley Homes – Horseman 10022401). No update.

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

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

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

8.5. Encroachment (City of Dinuba – Smith Mountain 10092402). No update.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8.24. Pipeline Development & Encroachments (Dinuba Unified School District – Dinuba Town & Burum 10682201). (Insert 8.24) General Manager Wegley commented on the outstanding submittals for District facilities and explained that the District has issued numerous correspondence (see insert) to Dinuba Unified School District on this matter

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

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

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

8.28. Encroachment (SoCalGas – Banks 10782201). No update.

8.29. Alternate Turnout (Frankwood LLC – Wahtoke 10862301). No update.

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

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

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

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

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

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

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

9.1. Prima Wawona Chapter 11 Bankruptcy Filing. An update was provided on paid assessments, paid water surcharges, and outstanding water surcharges.

9.2. Trinitas Farming, LLC Chapter 11 Bankruptcy Filing. An update was provided on outstanding water surcharge balances.

9.3. City of Dinuba Encroachment Agreement. Tabled until next meeting.

9.4. Emergency Approval for Office Electrical. It was M/S/C unanimously (Brandt and Halford absent) on a motion by Director Fino, seconded by Director Rossotti, to issue emergency approval on office electrical rewiring due to health and safety issues of exposed wiring in the attic and the urgency of completing the project as a result thereof, to previous project low bidder JB Electric, Inc. (Insert 9.4)

9.5. Emergency Approval for Infrastructure Repair/Replacement. It was M/S/C unanimously (Brandt and Halford absent) on a motion by Director Tout, seconded by Director Fino, to approve emergency repairs to Traver Canal check structure, Tout canal lining, Horseman Canal turnout, and Frey Pipeline repairs up to $125,000, based on the health and safety concerns relating to structure failure and that ditch serving as a flood control structure as well, and the short timeline to water run start. It was M/S/C unanimously (Brandt and Halford absent) on a motion by Director Rossotti, seconded by Director Myers, to approve emergency repairs up to $200,000 to replace a check structure in Button Ditch that was destroyed in a solo vehicle accident, based on the health and safety issues and the short timeline to water run start.

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. Attorney Layne reported on various bills from the current legislative session. The Board directed staff to sign onto the ACWA support letter for AB 2257.

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.

Director Tout called a recess at 11:50 a.m. Director Tout reconvened the meeting at 12:00 p.m.

11. **ADJOURN TO CLOSED SESSION** – Director Kalender adjourned to closed session at 10:01 a.m. to confer with counsel on items 11.1 and 11.3. The Board reconvened into open session at 10:29 a.m. with no reportable action taken during closed session. Director Tout adjourned to closed session at 12:00 p.m. There will be no discussion on item 11.2. Director Fino declared a financial conflict of interest on items 11.2 and 11.6 and left the meeting at 12:05 p.m.

11.1. Conference with Real Property Negotiators.

Property:	043-010-037
Agency Negotiator:	Chad Wegley
Negotiating Parties:	Wawona Farm Co. LLC
Under Negotiation:	Price and terms of payment

11.2. 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.*

11.3. 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 from seepage along District canal. (2 cases)

11.4. 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)

11.5. 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).*

11.6. 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)

12. **RECONVENE TO OPEN SESSION** – The Board reconvened into open session at 12:17 p.m. with no reportable action taken during closed session.

13. **ADJOURNMENT** – There being no further business, Director Tout adjourned the meeting at 12:17 p.m. until the next scheduled meeting on April 11, 2024.

Sincerely,

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Chad B. Wegley, Secretary

CBW:ml