AGENDA

REGULAR MEETING OF THE BOARD OF DIRECTORS

ALTA IRRIGATION DISTRICT

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

Thursday, July 11, 2024 – 9:30 a.m.

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, Christopher "C.J." Myers, Elliott Rossotti, and Larry Tout. Director John Kalender was absent. Others present were General Manager Chad Wegley, Operations Manager Marc Limas, Engineer Jim Wegley, and attorney Douglas B. Jensen.

1.2. Potential Conflict(s) of Interest—Director Fino declared a financial conflict of interest on items 12.1 and 12.4 and will leave room for those items.

2. PUBLIC COMMENT – Landowner Ryan Colburn commented on the Sontag Ditch deferred maintenance and not being able to use all his entitlement; Landowner Colburn threatened to take the District to court. Chris, Landowner Colburn's irrigator was in attendance but did not offer any comments. Landowner Robin Rogers commented on the Elter pipeline repairs at the end of last season and the current repairs. Ms. Rogers commented further about not getting the water to which she is entitled. Landowner Nick Huerta commented on the Elter pipeline repairs and the timeline of those repairs.

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

3.1. Water Conditions Update. General Manager Wegley explained that the WY 2024 rainfall total was 11.58 inches, which is a couple tenths of an inch greater than the historical average and 9 inches less than last year's total. On July 7th there was nearly 830,000 acre-feet in storage behind Pine Flat Dam and about 12% or 99,000 acre-feet belonged to Alta ID. Inflow into Pine Flat dropped below 2,300 cfs – flow rate required for Alta to receive entitlement – during the last week of June. Alta ID will not have a favorable position on the entitlement schedule until October – fall rains are needed to create a flow that will trigger entitlement. Based on current water supply conditions, water run will likely end sometime during September. General Manger Wegley also noted that water theft and new ditchtenders are the primary factors for fluctuating water levels. The water conditions report was added as an addendum to the minutes. (Insert 3.1)

4. MAINTENANCE – Review and take action as appropriate.

4.1. Maintenance Activity Update. General Manger Wegley explained that maintenance activity is limited to emergency repairs during water run. Frey pipeline had 4 repairs fixed during water run and the current year's repair total is 11 – this pipeline has been a problem for the past 30 years with many issues being improper repairs and poor workmanship during installation of the cast-in-place concrete pipe. Prior to starting water run the District cleaned nearly 10 miles of

medium sized ditches, which means over 70 miles of earthen canals have been cleaned since 2018 – a total not seen in over 50 years. General Manager also provided a couple photographs (1983 and 2024) showing the impacts of deferred maintenance on a portion of Button Ditch in Yettem. Repairs on Elter pipeline will begin on the morning of July 12th. The maintenance activity report was added as an addendum to the minutes. (Insert 4.1)

5. ADDITIONS TO OR DELETIONS FROM AGENDA – None.

6. COMMUNICATIONS

6.1. ACWA AB 2257 Support Letter. (Insert 6.1)

7. CONSENT CALENDAR – It was M/S/C unanimously (Kalender absent) on a motion by Director Fino, seconded by Director Tout, that consent calendar items be approved as presented, except for item 7.1, which was tabled to the next meeting.

7.1. Board Meeting Minutes for Regular Board Meeting of June 13, 2024, and Special Board Meeting of June 18, 2024.

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

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

7.4. Compliance Certification and Hold Harmless Statement. Review and consider approving Compliance Certification and Hold Harmless Statement for Tulare County Collections. (Insert 7.4)

8. ADMINISTRATIVE/FINANCIAL

8.1. Treasurer's Report. As of June 30, 2024, the cash balance is $5,837,833.97. Accounts Receivable and Inventory total approximately $714,661. The current year's revenue and expenses are approximately $6,285,152 and $3,768,987, respectively, resulting in a net cash flow of about $2,521,631. (Insert 8.1). It was M/S/C unanimously (Kalender absent) on a motion by Directo Rossotti, seconded by Director Tout, to accept the June 2024 Treasurer's Report.

8.2. Monthly Report of Reserve Accounts, Unrestricted Funds, and Status of Investments. It was M/S/C unanimously (Kalender absent) on a motion by Vice President Halford, seconded by Director Rossotti, 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. Pipeline Development Agreement (San Joaquin Valley Homes – Horseman 10022401). No update.

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

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

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

9.5. Avenue 376 Bridge (Tulare County – Traver 10131901). General Manager Wegley gave an update on plan review for the Avenue 376 Bridge.

9.6. Avenue 430 Bridge (Tulare County - Buttonwillow 10132201). General Manager Wegley gave an update on plan review for Avenue 430 Bridge.

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

9.8. Pipeline Development & Encroachments (Century Homes - Buttonwillow 10251901). 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 – East Branch 10322304). No update.

9.12. Encroachment (PG&E – Dinuba Town 10322401). No update.

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

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

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

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

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

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

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

9.20. Encroachment (Megalodon Properties LLC – Buttonwillow Pipeline 10642101). General Manager Wegley commented on construction progress.

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

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

9.23. Pipeline Development & Encroachments (Dinuba Unified School District – Dinuba Town & Burum 10682201). General Manager Wegley explained that staff is participating in two sets of weekly meetings initiated to deal with outstanding construction issues while the other is for PG&E related subjects. Alta ID issued an open items list to DUSD because their project team was not staying keep up with all the issues/impacts to our irrigation facilities.

9.24. Encroachment (AT&T – Smith Mountain Pipeline 10692201). 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 (SoCalGas – Banks 10782201). No update.

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

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

9.30. Encroachment (Cutler-Orosi Unified School District – Orosi School House 10882301). General Manager Wegley mentioned that Cutler-Orosi USD needs an encroachment agreement for a new gas line that will cross Orosi School House. Staff has participated in numerous discussions the Gas Company about encroachment requirements and will be coordinating a meeting between the District's legal counsel and the Gas Company.

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

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

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

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

9.35. Encroachment (Otani Properties – West Reedley 10932401). No update.

9.36. Encroachment (Huerta L Farms, LLC – Elter 10952401). No update.

9.37. Pipeline Development (Family Healthcare Network – Orosi School House 10962401). General Manager Wegley commented on a meeting the District had with the developer's engineer.

9.38. Encroachment (Joel & Judith Isaak/M&J, LP – Driver 10972401). No update.

9.39. Encroachment (G300 Farms – Kenndey School House 10982401). No update.

9.40. Pipeline Development (BN Dinuba, LP – Horseman 10992401). No update.

9.41. Encroachment (DR Horton – Buttonwillow 11002401). No update.

9.42. Encroachment (Cablecom – Dinuba Town 11012401). No update.

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

10.1. Letter of opposition for AB 2735-Rubio. It was M/S/C unanimously (Kalender absent) on a motion by Vice President Halford, seconded by Directo Myers, to approve the letter opposing AB 2735 – Rubio. (Insert 10.1)

10.2. Provost & Pritchard Consulting Group Proposal. It was M/S/C unanimously (Kalender absent) on a motion by Vice President Halford, seconded by Director Fino, to approve Provost & Pritchard Consulting Group's Proposal for Engineering and Consulting Services for the Traver North Recharge Project. (Insert 10.2)

10.3. Adecco USA, Inc. Agreement. It was M/S/C unanimously (Kalender absent) on a motion by Vice President Halford, seconded by Director Myers to approve an agreement with Adecco USA, Inc. (Insert 10.3)

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. No update.

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

11.3.1. Maintenance Ad-Hoc Committee – Director Rossotti commented the committee met with Jordan, Steve, and Marc, the committee is encouraged with progress that has been made, but still not satisfied.

11.3.2. Public Relations Ad-Hoc Committee – No update.

Based on the public comment from Landowner Colburn with the threat of litigation coming after the agenda was posted but requiring board attention at this meeting , it was M/S/C unanimously (Kalender absent) on a motion by Director Rossotti, seconded by Director Myers pursuant to Government Code Section 54954.2(b)(2) to find that there is a need to take immediate action and that the need for action came to the attention of the District subsequent to the agenda's being posted and to add to this meeting's agenda a closed session item to confer with legal counsel regarding an additional case of anticipated litigation as described in Government Code Section 54956.9(d)(2).

President Brandt called a recess at 11:46 a.m. President Brandt reconvened the meeting at 11:53 a.m.

12. **ADJOURN TO CLOSED SESSION** – President Brandt adjourned to closed session at 11:53 a.m. and conferred with counsel on items 12.2 through 12.4. No discussion will be held on item 12.1. Director Fino declared a financial conflict of interest on items 12.1 and 12.4 and left the room at 12:25 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 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 reconvened into open session at 1:04 p.m. with no reportable action taken during closed session.

14. **ADJOURNMENT** – There being no further business, President Brandt adjourned the meeting at 1:04 p.m. until the next scheduled meeting on August 8, 2024.

Sincerely,

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Chad B. Wegley, Secretary

CBW:ml