REGULAR MEETING OF THE BOARD OF DIRECTORS

ALTA IRRIGATION DISTRICT

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

Thursday, August 08, 2024

1. CALL TO ORDER

1.1. Roll Call – The Regular Board Meeting for Alta Irrigation District was called to order at 9:39 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 Howard Sagaser joined via teleconference for item 10.1 and the closed session for item 12.5. Attorney Douglas B. Jensen joined the closed session via teleconference for items 12.2-12.4 only.

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 the room for those items.

President Brandt took item 10.1 out of order. President Brandt adjourned to closed session to confer with counsel on item 12.5 only at 9:57 a.m. The Board reconvened into open session at 10:05 a.m. It was M/S/C unanimously on a motion by Director Myers, seconded by Director Tout, to deny Stationary Engineers Local 39 Grievance.

2. PUBLIC COMMENT – Landowner Bill Wolfe commented that he would like to see the landowners work together, not against the District, but in conjunction with the District regarding the maintenance on the Sontag ditch. Landowner Kim Oviatt commented on needed maintenance on the Sontag ditch. Landowner Cornellius DeJong commented on maintenance on the Sontag ditch.

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

3.1. Water Conditions Update. General Manager Wegley explained that the rainfall total for WY 2024, 11.53 inches, has not changed since May and based on historical data for average hydrologic conditions future precipitation is unlikely. On August 4th there was nearly 560,000 acre-feet in storage behind Pine Flat Dam and about 59,000 acre-feet or 10% belonged to Alta ID. Inflow into Pine Flat was less than 800 cubic feet per second and will continue its post-peak runoff decline for the remainder of the water year. General Manager Wegley also noted that water level fluctuations on the Sontag ditch were abated once all turnouts were chained and locked, and water was delivered according to a schedule discussed with landowners. Unfortunately, the District was forced to install heavy duty locks and chains a few days later as vandal(s) cut and stole the original locks and chains – District has never had so many chains cut at one time. 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

during water run is limited to repairs impacting operations of the system. Typical repairs handled by District crews during water run include repairing washouts/wash-ins, fixing gopher holes, repairing leaking pipelines on the downstream side of turnouts, and removing branches from canals. 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 – None.

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

7.1. Board Meeting Minutes for Regular Board Meetings of June 13, 2024, and July 11, 2024, and Special Board Meeting of June 18, 2024.

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

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

7.4. Pipeline Development Agreement (BN Dinuba, LP 10992401 Horseman Ditch). Review and consider approving District Standard Pipeline Development Agreement.

7.5. Encroachment Agreement (Otani Properties 10932401 West Reedley). Review and consider approving twelve (12) District Standard Encroachment Agreements.

8. ADMINISTRATIVE/FINANCIAL

8.1. Treasurer's Report. Tabled until next meeting.

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

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). No update.

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

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

9.8. Pipeline Development & Encroachments (Century Homes - Buttonwillow 10251901). General Manager Wegley explained the District is working with the developer on pipe submittal.

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). No update.

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 there are three outstanding submittals – bar grating, miscellaneous fittings and flow meters, and meter vaults – for the project. Also, Alta ID and PG&E reached concurrence on the provisions for draft encroachment agreements on the Burum and Dinuba Town pipelines. PG&E will need to provide a letter from their legal counsel identifying which local staffer has signing authority.

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 explained that legal counsel is working with Southern California Gas on language in the encroachment agreement.

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 explained the District is working through the first submittal.

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. Stationary Engineers, Local 39 Grievance. Jennifer Osborne, Business Representative for Local 39, and employee Christine Fenton addressed the Board regarding the grievance. Both Ms. Osborn and Mr. Sagaser asked Ms. Fenton questions regarding the grievance. (Insert 10.1)

10.2. Department of Water Resources Concurrence Letter. It was M/S/C unanimously on a motion by Director Fino, seconded by Vice President Halford, to concur with the Department of Water Resources concurrence letter and to proceed with the project. (Insert 10.2)

10.3. Pacific Gas & Electric Company Encroachment Agreement. It was M/S/C unanimously on a motion by Director Rossotti, seconded by Director Fino, to approve, subject to facilities confirmation, an encroachment agreement(s) with PG&E for electrical power system infrastructure crossing the Dinuba Town and Burum pipelines near the intersection of Alta and Kamm Avenues. (Insert 10.3)

10.4. Quitclaim Deed. It was M/S/C unanimously on a motion by Director Rossotti, seconded by Director Kalender, to authorize quitclaiming an easement or right-of-way on Fresno County APN 370-040-21. (Insert 10.4)

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 the current legislative session.

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

11.3.1. Maintenance Ad-Hoc Committee – No update.

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

President Brandt called a recess at 11:28 a.m. President Brandt reconvened the meeting at 11:36 a.m.

12. ADJOURN TO CLOSED SESSION – President Brandt adjourned to closed session at 11:36 a.m. to

confer with counsel. There will be no discussion on item 12.1. Director Fino declared a financial conflict of interest on items 12.1 and 12.5 and left the meeting at 12:12 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)

12.5. 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.

13. **RECONVENE TO OPEN SESSION** – The Board reconvened into open session at 12:58 p.m. There was no reportable action, outside of item 12.5 identified above.

14. **ADJOURNMENT** – There being no further business, President Brandt adjourned the meeting at 12:58 p.m. until the next scheduled meeting on September 12, 2024.

Sincerely,

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Chad B. Wegley, Secretary

CBW:ml