REGULAR MEETING OF THE BOARD OF DIRECTORS

ALTA IRRIGATION DISTRICT

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

Thursday, September 12, 2024

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, Elliott Rossotti, and Larry Tout. Member Christopher "C.J." Myers was absent. Others present were General Manager Chad Wegley, Operations Manager Marc Limas, Engineer Jim Wegley, and Attorney Lauren D. Layne. Fernando Almaraz from Baker Manock & Jensen was also in attendance.

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.

2. PUBLIC COMMENT – None.

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

3.1. Water Conditions Update. General Manager Wegley explained that rainfall for WY 2024 has remained unchanged since May with December being the most probable month for measurable rain. On September 4th there were about 400,000 acre-feet in storage behind Pine Flat Dam and about 21,700 acre-feet or 5% belonged to Alta ID. Inflow into Pine Flat dropped about 500 cubic feet per second (cfs) from the previous month to nearly 320 cfs and will continue to decline for the remainder of this calendar year. The total headgate diversion in this nearly 120-day water run was about 154,000 acre-feet (AF), which was 16,000 AF, more than the 20-year moving average. 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 Manager Wegley described upcoming activities for this maintenance season as water run only ended a couple of weeks ago. Activities will vary from miscellaneous infrastructure repairs to cleaning of medium-sized ditches. The gate repair list already has over 40 gates, which means any new request may not be completed this season and will be rolled over to next year. For the past six (6) years, the District has and will continue to rely upon a rental bulldozer to clean and reshape medium and large canals. Ditches anticipated to be cleaned this season include the Alta Main downstream of Frankwood Avenue, Reedley main from the headgate to Buttonwillow Avenue, Cary Hunter from Avenue 400 to Road 96, and the Sontag from Check 4 to Road 140. The maintenance activity report was added as an addendum to the minutes. (Insert 4.1)

5. ADDITIONS TO OR DELETIONS FROM AGENDA

6. COMMUNICATIONS

6.1. AB 2557 Support Letter. (Insert 6.1)

6.2. MAGSA Aquaterra Water Bank Project Letter. (Insert 6.2)

7. CONSENT CALENDAR – It was M/S/C unanimously (Myers absent) on a motion by Vice President Halford, seconded by Director Rossotti, that consent calendar items be approved as presented.

7.1. Board Meeting Minutes for Regular Board Meetings of August 8, 2024, and Board of Equalization Minutes of August 8, 2024.

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

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

7.4. Encroachment Agreement (DWK Ventures III, LLC & M&J LP 11022401). Review and consider approving two (2) District Standard Encroachment Agreements.

8. ADMINISTRATIVE/FINANCIAL

8.1. Treasurer's Report. As of August 31, 2024, the cash balance is $5,669,860. Accounts Receivable and Inventory total approximately $781,416. The current year's revenue and expenses are approximately $7,103,983 and $4,810,565, respectively, resulting in a net cash flow of about $2,299,744. (Insert 8.1). It was M/S/C unanimously (Myers absent) on a motion by Director Tout, seconded by Director Kalender, to accept the July and August 2024 Treasurer's Report.

8.2. Monthly Report of Reserve Accounts, Unrestricted Funds, and Status of Investments. It was M/S/C unanimously (Myers absent) on a motion by Director Rossotti, seconded by Director Kalender, to accept the Monthly Report of Reserve Accounts, Unrestricted Funds, and Status of Investments for the months of July and August 2024. (Insert 8.2)

8.3. Miscellaneous Fee Schedule Resolution. It was M/S/C unanimously (Myers absent) on a motion by Vice President Halford, seconded by Director Tout, to approve the Miscellaneous Fee Schedule Resolution. (Insert 8.3)

8.4. Fiscal Year 2024-2025 Budget. Review Preliminary Fiscal Year 2024-2025 Budget. No action was taken.

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 mentioned that the District and Tulare County are scheduled to meet on September 30th to review preliminary layouts of irrigation infrastructure impacted by this bridge project.

9.6. Avenue 430 Bridge (Tulare County - Buttonwillow 10132201). General Manager Wegley explained that the District will also be discussing this project with Tulare County on September 30th.

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

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

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

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

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

9.12. Encroachment (PG&E – Carey Hunter 10322403. 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). General Manager Wegley explained Fresno County will be moving forward with construction this fall.

9.16. Englehart Bridge (Fresno County – Reedley Main 10532102). General Manager Wegley explained Fresno County will be moving forward with construction this fall.

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

9.18. Manning Avenue Bridge (Fresno County – Traver 10532104). General Manager Wegley explained that rehabilitation of this bridge is on hold until Fresno County and Caltrans resolve a $1.0 million price tag for design modifications to withstand channel degradation of 15 ft. The District mentioned to Fresno County that 15 feet of degradation seemed unrealistic given that this channel has already seen many high runoff from numerous wet periods over the past 130 years without degrading to a level one-third (1/3) of the hypothetical value.

9.19. Lincoln Avenue Bridge (Fresno County – Traver 10532105). General Manager Wegley explained Fresno County will be moving forward with construction this fall.

9.20. Encroachment (Megalodon Properties LLC – Buttonwillow Pipeline 10642101). General Manager Wegley explained the developer constructed a concrete slab over that portion of an existing plastic pipe to provide protection from vehicles using a new drive approach for the gas stations.

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

9.22. Pipeline Development & Encroachments (Dinuba Unified School District – Dinuba Town & Burum 10682201). General Manager Wegley explained that the District issued three (3)

comment letters on vehicular/equipment access gates and proposed grades around irrigation structures. The District continues to work with DUSD's project team on resubmittals for a subframe supporting metal grating at flow distribution boxes, a submittal for flow meter vaults, and resolving alignment conflicts with fencing and irrigation infrastructure.

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

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

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

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

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

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

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

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

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

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

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

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

9.35. Pipeline Development (Family Healthcare Network – Orosi School House 10962401). No update.

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

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

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

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

9.40. Encroachment (DWK Ventures III, LLC & M&J, LP -Horseman – 11022401). No update.

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

10.1. Procurement and Purchasing Policy. It was M/S/C unanimously (Myers absent) on a motion by Director Rossotti, seconded by Vice President Halford, to approve the revised Procurement and Purchasing Policy. (Insert 10.1)

10.2. Investment Policy. It was M/S/C unanimously (Myers absent) on a motion by Director Rossotti, seconded by Director Tout, to approve the Investment Policy. (Insert 10.2)

10.3. Reserves Policy. It was M/S/C unanimously (Myers absent) on a motion by Director Rossotti, seconded by Director Kalender, to approve the Reserves Policy. (Insert 10.3)

10.4. Southern California Gas Company Amendment to Encroachment Agreement. It was M/S/C unanimously (Myers absent) on a motion by Director Kalender, seconded by Director Rossotti, to approve the Southern California Gas Company Amendment to the Encroachment Agreement. (Insert 10.4)

10.5. City of Dinuba Project Deposit Reduction Request. Review and consider taking action on request from City of Dinuba to lower project deposit on one (1) proposed project. (Insert 10.6). No action taken.

10.6. AB 828 Veto Letter. It was M/S/C unanimously (Myers absent) on a motion by Director Rossotti, seconded by Vice President Halford to approve the letter to the Governor urging a veto on AB 828. (Insert 10.6)

10.7. Fresno County Bridge Replacement Projects. It was M/S/C unanimously (Myers absent) on a motion by Director Rossotti, seconded by Director Kalender, to approve a temporary encroachment agreement with the contractor replacing bridges at Lincoln Avenue and Parlier Avenue along with a culvert at Englehart Avenue, subject to legal review. (Insert 10.7)

10.8. Supplemental Funding of Kings River East GSA's Domestic Well Mitigation Program. It was M/S/C unanimously (Myers absent, Brandt abstained) to approve a potential one-time loan amount of $200,000 to the GSA to help provide funds for the Domestic Well Mitigation Program while the GSA pursues other funding opportunities. (Insert 10.8)

11. OLD BUSINESS

11.1. Manager's Report. General Manager Wegley reported on four (4) key subjects during today's meeting. First, information was provided about the District's agreement with Kings River Water District to convey water in the Mt. Campbell ditch. Next, discussions focused on results of real-time flow measurements taken by Sierra Hydrographics on August 13th at twelve (12) locations across the District. Key field results from that day were as follows: headgate diversion, 772 cfs; flow at old SR-180 crossing of Alta Main was 97% of the headgate diversion, about sixty percent (60%) of headgate diversion is utilized upstream of the Divide, and a near 50/50 split of flows between the East Branch and Monson 1. Thirdly, General Manager Wegley explained the long-term effects of deferred maintenance on District operations and highlighted potential funding options. Given the age of the District's infrastructure, many items have already reached a point where repairs are not feasible and rehabilitation is the only option. Service of life of infrastructure can be extended when properly maintained over the years. Lastly, General Manager Wegley reiterated that the mapbook is not a reliable source of information for pipeline locations because too many facilities were shown in the wrong location even when survey data was available. 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 – Director Rossotti reported the committee met with District staff and is happy with the plan for the current maintenance season.

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

President Brandt called a recess at 12:02 p.m. President Brandt reconvened the meeting at 12:12 p.m.

12. **ADJOURN TO CLOSED SESSION** – President Brandt adjourned to closed session at 12:12 p.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 12.4 and left the meeting at 12:42 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 1:08 p.m. There was no reportable action taken during closed session.

14. **ADJOURNMENT** – There being no further business, President Brandt adjourned the meeting at 1:08 p.m. until the next scheduled meeting on October 10, 2024.

Sincerely,

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Chad B. Wegley, Secretary

CBW:ml