

JAMES IRRIGATION DISTRICT

BOARD OF DIRECTORS - REGULAR MEETING

MINUTES

March 12, 2024

ATTENDANCE

DIRECTORS PRESENT

Riley Chaney, President
Robert Barcellos
Wm. Cory Carvalho
Robert Motte

PUBLIC / CONSULTANTS

- LANDOWNERS / GROWERS
Steve Cantu
Andrew Groppetti
Sal Parra, Jr.

EXCUSED

Micah Combs, Vice-President

LEGAL COUNSEL

- YOUNG WOOLDRIDGE, LLP
Alan F. Doud, Esq. (Zoom)

ABSENT

None

STAFF PRESENT

Manny Amorelli, General Manager
Walter Flores-Barboza, Office Manager
Kenneth Mancini, Superintendent
Donna Hanneman, Secretary

1. CALL TO ORDER

A Regular Meeting of the Board of Directors of JAMES IRRIGATION DISTRICT (“District”) was held Tuesday, March 12, 2024, in the District office located at 8749 Ninth Street, San Joaquin, California. The meeting was called to order at 10:05 a.m., by President, Riley Chaney. A quorum was at all times present and acting.

2. PUBLIC COMMENTS

Members of the public were given an opportunity to directly address the Board on any item of interest before or during consideration of the item; no comments were offered.

3. ADDITIONS / CORRECTIONS TO THE AGENDA

There were no corrections/additions to the Agenda.

JAMES IRRIGATION DISTRICT

BOARD OF DIRECTORS - REGULAR MEETING

MINUTES - March 12, 2024

4. POTENTIAL CONFLICTS OF INTEREST [FPPC §87105]

Directors were given an opportunity to identify potential conflicts-of-interest with items appearing on the Agenda.

- ▶ Director Riley Chaney declared he had a potential conflict-of-interest with CLOSED SESSION: GOVERNMENT CODE §54956.8-CONFERENCE WITH REAL PROPERTY NEGOTIATOR, Item 14.h., LICENSE AGREEMENT: FRESNO COUNTY APN 030-080-13T, and stated he would be recusing himself from discussing, initiating any action or voting on the matter as he is a party to the transaction.

5. MINUTES

Minutes of the following meetings were presented for consideration of approval:

REGULAR MEETING: FEBRUARY 13, 2024

M/S/C (R.MOTTE / W.CARVALHO), to APPROVE as presented:

AYES: 4 (R.Motte, W.Carvalho, R.Barcellos, R.Chaney)

EXCUSED: 1 (M.Combs)

6. TREASURER'S REPORT

In accordance with Water Code §24273, financial reports were presented by Mr. Amorelli as follows:

6.a. Interim Warrants: February 14-March 12, 2024 (Att.1)

6.b. Accounts Payable (Att.2)

Interim Warrants (bills paid) with supporting invoices and Accounts Payable invoices (unpaid bills) were presented for review/approval. M/S/C (W.CARVALHO / R.MOTTE), to RATIFY/APPROVE Interim Warrants totaling \$214,524.16 and AUTHORIZE/APPROVE payment of Accounts Payable totaling \$375,991.35 by the following vote:

AYES: 4 (W.Carvalho, R.Motte, R.Barcellos, R.Chaney)

EXCUSED: 1 (M.Combs)

6.c. Payroll Certification: Pay Periods Ending February, 2024 (Att.3)

A listing of payroll checks totaling \$72,182.96 (net) issued to employees and members of the Board was reviewed and certified by the President, General Manager and Office Manager.

6.d. Income Statements (Budget-to-Actual): Period Ending February 29, 2024

6.e. Cash Position Report: February 29, 2024

6.f. Accounts Receivable Activity Report: February 29, 2024

JAMES IRRIGATION DISTRICT

BOARD OF DIRECTORS - REGULAR MEETING

MINUTES - March 12, 2024

7. GENERAL MANAGER'S REPORT

Mr. Amorelli presented his verbal report encompassing operations, maintenance, projects and other District matters for the month of February, 2024, as follows:

OPERATIONS

- ▶ Water Deliveries: February, 2024 - Water deliveries for the month of February were 1,259 acre-feet which is 325 acre-feet more than was delivered during February, 2023. The fiscal year-to-date total deliveries are at 45,760 acre-feet which is 9,724 acre-feet less than was delivered at this time during the last fiscal year.
- ▶ Kings River Water Association
 - KRWA Storage Operations in Pine Flat Reservoir as of March 4, 2024, totaled 1,420 CFS-days.

PROJECTS

- ▶ Community Solar - Met with Golden State Clean Energy, LLC, (GSR) and John Rider, a grower who specializes in "repurposing" fallowed agricultural lands, to explore a possible project. GSR has 20,000+ acres under development in the Westlands Solar Park in Westlands Water District. They acknowledged conveying power outside the District is problematic due to insufficient PG&E transmission capacity; however, there may be other opportunities for the District to investigate.

AGENCIES

- ▶ San Luis & Delta-Mendota Water Authority (SLDMWA) had intended to work on the O'Neill Pumping Plant during April-May which resulted in objections from several contractors. The project may be postponed to November when demand is lower.
- ▶ Kings Basin GSA Coordinating Committee continues to deliberate policies for (1) domestic well mitigation, (2) interconnected waterways and (3) subsidence issues. As additional data is needed, their goal is complete these components by the end of 2024.
- ▶ Raisin City Water District (RCWD) - Met with RCWD ad hoc representatives on February 23rd to explore the potential to collaborate on items of mutual interest/benefit.

ACTIVITIES

- ▶ Valley Water (Santa Clara Valley Water) representatives recently toured the District to explore potential partnership opportunities.

ADMINISTRATIVE ITEMS

- ▶ STORM Water Resource Management Software / Online Portal - Information has been e-mailed to growers enabling them to set-up account access through the STORM online portal. Irrigation ordering has been activated. The goal is to have online payment submission activated April, 2024. Growers will be advised when educational workshops are scheduled.

JAMES IRRIGATION DISTRICT

BOARD OF DIRECTORS - REGULAR MEETING

MINUTES - March 12, 2024

8. SUPERINTENDENT'S REPORT

Superintendent, Kenneth Mancini, reported the field staff are finishing the following projects:

- ▶ Turnout installations
- ▶ General Maintenance activities
- ▶ Herbicide applications
- ▶ Meter / Well Repairs
- ▶ Mowing / Grading

9. DIRECTORS' REPORTS

Directors were given an opportunity to report on meetings and/or conferences attended on behalf of the District. None were reported.

10. ACTION ITEMS

10.a. GROWER REBATES: MARCH 1, 2023-FEBRUARY 29, 2024 (02/13/2024)

Deliberated issuing grower rebates for 2023-2024 irrigation deliveries as follows:

- ▶ Reviewed District Crop Plan, noting an estimated 1,381± acres are projected to be fallowed this season equating to a potential reduction of 5,000 acre-feet in irrigation deliveries.
- ▶ Mr. Amorelli reiterated solar credits are applicable only to power consumption charges and not standby charges and are greatly reduced during wet years like 2023 when power consumption is greatly reduced.

MOTION (R.CHANEY) to APPROVE GROWER REBATES OF \$25.00/ACRE-FOOT FOR THE 2023-2024 FISCAL YEAR DIED FOR LACK OF A SECOND.

M/S/C (W.CARVALHO / R.MOTTE) to:

- (1) APPROVE grower rebates of \$12.50/acre-foot for irrigations delivered during the 2023-2024 Fiscal Year;
- (2) RESERVE \$600,000.00 for the Main Canal Project.

AYES: 3 (W.Carvalho, R.Motte, R.Barcellos)
NAYS: 1 (R.Chaney)
ABSTAIN: 0
EXCUSED: 1 (M.Combs)
ABSENT: 0

JAMES IRRIGATION DISTRICT

BOARD OF DIRECTORS - REGULAR MEETING

MINUTES - March 12, 2024

11. REPORT ITEMS

- 11.a. A.C.W.A. SPRING CONFERENCE: MAY 7-MAY 9, 2024, SACRAMENTO, CA (03/12/2024)

Mr. Amorelli noted the upcoming Spring Conference and encouraged those wishing to attend to submit their reservations as soon as possible.

ADJOURNED TO CLOSED SESSION AT 11:02 A.M.

Directors Attending:

Riley Chaney, President

Robert Barcellos, Director

Wm. Cory Carvalho, Director

Robert Motte, Director

Staff Attending

Manny Amorelli, General Manager

Legal Counsel

• Young Wooldridge, LLP

Alan F. Doud, Esq. (Zoom)

12. CLOSED SESSION: GOVERNMENT CODE §54956.9 - CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

- 12.a. SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO PARAGRAPH (2) OR (3) OF SUBDIVISION (D):

4 CASES

13. CLOSED SESSION: GOVERNMENT CODE §54956.9 - CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

AS DEFENDANT: 2 CASES

- 13.a. NATURAL RESOURCES DEFENSE COUNCIL, ET AL, V HAALAND, ET AL

U.S. District Court for the Eastern District of California

Case No. 1:5-CV-01207LJO-GSA

- 13.b. CENTER FOR BIOLOGICAL DIVERSITY, RESTORE THE DELTA AND PLANNING & CONSERVATION LEAGUE V UNITED STATES BUREAU OF RECLAMATION ET AL (06/08/2021)

United States District Court, Eastern District of California

Case No. 1:20-CV-00706 DAD-EPG

AS PLAINTIFF: 3 CASES

- 13.c. KINGS RIVER WATER ASSOCIATION ET AL V. JAMES VERBOON ET AL

Kings County Superior Court, Case No. 15 C0304

- 13.d. JAMES IRRIGATION DISTRICT VS. KINGS RIVER WATER ASSOCIATION ET AL

Fresno County Superior Court Case No. 19CECG00769

Ryan S. Bezerra, Esq., Bartkiewicz Kronick & Shanahan

- 13.e. JAMES IRRIGATION DISTRICT V. McMULLIN AREA GROUNDWATER SUSTAINABILITY AGENCY

Santa Clara County Superior Court, Case No. 23CV417565

JAMES IRRIGATION DISTRICT

BOARD OF DIRECTORS - REGULAR MEETING

MINUTES - March 12, 2024

AS INTERVENOR: 1 CASE

13.f. CITY OF FRESNO, ET AL V. UNITED STATES OF AMERICA

United States Court of Federal Claims, Case No. 1:16-CV-01276-MCW

14. CLOSED SESSION: GOVERNMENT CODE §54956.8 - CONFERENCE WITH REAL PROPERTY NEGOTIATOR

14.a. JAMES & TRANQUILLITY NEGOTIATIONS

Negotiating Parties: James Irrigation District: General Manager/Designee
Tranquillity Irrigation District: Danny Wade
Kings River Lower River Units: Scott Sills

Under Negotiation: Price, terms & conditions of possible real property and/or water supply transactions

14.b. SOUTHWEST GROUNDWATER RECHARGE PROJECT (11/13/2012)

Negotiating Parties: James Irrigation District: General Manager/Designee
Fresno Irrigation District: Bill Stretch

Under Negotiation: Price, terms and conditions of possible real property and/or water supply transactions, operations & maintenance.

14.c. WATER BANKING & TRANSFERS (04/19/2018)

Negotiating Parties: James Irrigation District: General Manager/Designee
To Be Determined

Under Negotiation: Price, terms and conditions of possible water supply transactions.

14.d. WATER BANKING & TRANSFERS (06/22/2021)

Negotiating Parties: James Irrigation District: General Manager/Designee
McMullin Groundwater Sustainability Agency:

Matthew Hurley, General Manager

Under Negotiation: Price, terms and conditions of possible water supply transactions.

14.e. FRESNO COUNTY APN 030-111-48S (66.64 ACRES), APN 030-111-49S (39 ACRES)

Negotiating Parties: James Irrigation District: General Manager/Designee
Landowner

Under Negotiation: Price, terms and conditions of possible real property and/or water supply transaction.

JAMES IRRIGATION DISTRICT

BOARD OF DIRECTORS - REGULAR MEETING

MINUTES - March 12, 2024

14.f. TERRANOVA RANCH, INC. (05/16/2023)

Negotiating Parties: James Irrigation District: General Manager/Designee
Terranova Ranch, Inc.: Don Cameron

Under Negotiation: Price, terms and conditions of possible water supply transactions.

14.g. WHITE PINE RENEWABLES (04/13/2021)

Negotiating Parties: James Irrigation District: General Manager/Designee
White Pine Renewables: Evan Riley

Under Negotiation: Price, terms and conditions of possible real property transaction.

CITING A POTENTIAL CONFLICT-OF-INTEREST, PRESIDENT RILEY CHANEY EXCUSED HIMSELF FROM THE MEETING PRIOR TO DISCUSSION/CONSIDERATION OF THE FOLLOWING MATTER AS HE IS A PARTY TO THE TRANSACTION.

14.h. LICENSE AGREEMENT: FRESNO COUNTY APN 030-080-13T (12/15/2015)

Negotiating Parties: James Irrigation District: General Manager/Name

Larry Chaney: Riley Chaney

C5 Farming LLC: Riley Chaney

Under Negotiation: Price, terms & conditions of possible real property and/or water supply transactions

RECONVENED IN OPEN SESSION AT 11:48 A.M.

15. **REPORT ON ACTIONS TAKEN DURING CLOSED SESSION** (Gov. Code 54957.1)

General Manager, Manny Amorelli, stated the following reportable actions were taken during the Closed Session.

➤ 14.h. LICENSE AGREEMENT: FRESNO COUNTY APN 030-080-13T

Negotiating Parties: James Irrigation District: General Manager/Designee

Larry Chaney: Riley Chaney

C5 Farming, LLC: Riley Chaney

Issue: License to Encroach was issued to former owner, Larry Chaney, for installation of a pipeline across District property to service APN 030-080-36 effective January 1, 2016, for a 20-year term expiring December 31, 2035. The property was subsequently deeded to C5 Farming, LLC, a California limited liability company on January 3, 2022.

Action: M/S/C (W.CARVALHO / R.BARCELLOS) to (1) TERMINATE LICENSE TO LARRY CHANEY; and (2) RE-ISSUE LICENSE TO ENCROACH TO

JAMES IRRIGATION DISTRICT

BOARD OF DIRECTORS - REGULAR MEETING

MINUTES - March 12, 2024

C5 FARMING, LLC, EFFECTIVE IMMEDIATELY, TO EXPIRE
DECEMBER 31, 2035:

AYES: 3 (W.Carvalho, R.Barcellos, R.Motte)

EXCUSED: 1 (M.Combs)

ABSTAIN: 1 (R.Chaney)

16. **ADJOURN**

There being no further business to come before the Board, the meeting was ADJOURNED at 11:50 a.m., until the next Regular Meeting scheduled for Tuesday, April 9, 2024.

RECORDED BY:

APPROVED BY:

Donna Y. Hanneman, Secretary

Riley Chaney, President

Manny Amorelli, General Manager

ATTACHMENTS:

1. Interim Warrants: February 14-March 12, 2024, \$214,524.16
2. Accounts Payable: \$375,991.35
3. Payroll Certification: Pay Periods Ending February, 2024, \$74,182.96 (net)