

# JAMES IRRIGATION DISTRICT

## BOARD OF DIRECTORS - REGULAR MEETING

### MINUTES September 13, 2022

#### ATTENDANCE

##### DIRECTORS PRESENT

Riley Chaney, President  
Jeremy Hughes, Vice-President  
Robert Motte, Secretary-Treasurer  
Robert Barcellos, Assessor  
Micah Combs

##### EXCUSED

None

##### ABSENT

None

##### STAFF PRESENT

Manny Amorelli, General Manager  
Walter Flores, Office Manager  
Kenneth Mancini, Superintendent  
Donna Hanneman, Executive Assistant

##### LANDOWNERS / GROWERS

Thomas Coleman (10:01-10:05 a.m.)  
Gerald W. Kinnunen (10:01-10:21 a.m.)

##### PUBLIC / CONSULTANTS

- McMULLIN AREA GROUNDWATER SUSTAINABILITY AGENCY  
Matt Hurley, General Manager (Zoom)

##### LEGAL COUNSEL

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

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#### I. CALL TO ORDER

A Regular Meeting of the Board of Directors of JAMES IRRIGATION DISTRICT ("District") was held Tuesday, September 13, 2022, in the District office located at 8749 Ninth Street, San Joaquin, California. The meeting was called to order at 10:01 a.m., by President, Riley Chaney. A quorum was at all times present and acting.

Members of the public were encouraged to access the meeting via internet/Zoom or use the call-in number to allow them to fully participate in the meeting without having to be present.

#### II. RESOLUTION RENEWING USE OF REMOTE TELECONFERENCE MEETINGS UNDER AB361

As all members of the Board of Directors were present, no action was taken to adopt this Resolution allowing the Board to conduct meetings via teleconference and/or remotely in conformity with Government Code section 54953(e) as amended by AB361.

# JAMES IRRIGATION DISTRICT

BOARD OF DIRECTORS - REGULAR MEETING

MINUTES - September 13, 2022

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## III. OTHER BUSINESS / PUBLIC COMMENTS

### A. PUBLIC COMMENTS

- ▶ THOMAS COLEMAN appeared before the Board noting he has farmed in the District for 12 years and is currently farming 1,200± acres of pistachios.
  - Mr. Coleman stated he previously attempted to purchase Briggs' properties, Fresno County APN #030-090-24S (15.98 ac) & 030-090-28S (366.07 ac), but backed out due to extenuating circumstances.

Mr. Coleman cited the following cases where the District has approved service for severed and/or detached properties:

- Schramm properties<sup>1</sup> were approved for service and paid 2½x standard billing rate for 10 years.
  - Cited other properties that have been detached & annexed into the City of San Joaquin that have been receiving District services.<sup>2</sup>
  - Because his property is sited within District boundaries as well as the James Groundwater Sustainability Agency, he asserted the property should be treated equally, including land-based fees (assessments).
- ▶ President Chaney responded the Board needs to evaluate the circumstances and assured Mr. Coleman he will be contacted once a decision has been made.
  - ▶ Mr. Coleman expressed his appreciation to the Board for their consideration and then exited the meeting.

### B. ADDITIONS / CORRECTIONS TO THE AGENDA

There were no corrections/additions to the Agenda.

### C. POTENTIAL CONFLICTS OF INTEREST [FPPC §87105]

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

- ▶ Director Jeremy Hughes declared he had a potential conflict-of-interest with XVI., CLOSED SESSION GOVERNMENT CODE §54956.8-CONFERENCE WITH REAL PROPERTY NEGOTIATOR, Item G., FRESNO COUNTY APN 030-090-29S (4.66 ACRES), APN 030-090-30S (2.03 ACRES), and stated he would be recusing himself from discussing, initiating any action or voting on the matter.

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1 Schramm: Fresno County APN #040-170-19S (121.36 ac), #040-170-20S (82.66 ac)

2 Sran: Fresno County APN #033-040-92S (61.06 ac), #033-040-93S (17.65 ac); PCR Farms, APN #033-050-41S (77.25 ac)

# JAMES IRRIGATION DISTRICT

BOARD OF DIRECTORS - REGULAR MEETING

**MINUTES - September 13, 2022**

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## IV. BOARD OF EQUALIZATION MEETING

The Board of Directors convened as a Board of Equalization at 10:02 a.m. to hear public comments regarding the 2022-2023 District assessments. The Board prepared to recognize members of the public between Agenda items throughout the course of the Meeting.

## V. MINUTES

A. REGULAR MEETING: AUGUST 16, 2022

B. SPECIAL MEETING: AUGUST 31, 2022

M/S/C (M.COMBS / R.MOTTE), to APPROVE as written by the following vote:

**AYES:** 5 (M.Combs, R.Motte, R.Barcellos, J.Hughes, R.Chaney)

## VI. TREASURER'S REPORT

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

### A. FINANCIAL REPORTS

1. Interim Warrants: August 17-September 13, 2022 (Att.1)

2. 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 (M.COMBS/J.HUGHES), to RATIFY/APPROVE Interim Warrants totaling \$559,828.98 and AUTHORIZE/APPROVE payment of Accounts Payable totaling \$819,182.87 by the following vote:

**AYES:** 5 (M.Combs, J.Hughes, R.Barcellos, R.Motte, R.Chaney)

3. Payroll Certification: Pay Periods Ending August, 2022 (Att.3)

A listing of payroll checks totaling \$79,609.35 (net) issued to employees and Board members for pay periods ending August, 2022, was reviewed and certified by the President, General Manager and Office Manager.

4. Income Statements (Budget-to-Actual): Period Ending August 31, 2022

5. Cash Position Report: August 31, 2022

6. Accounts Receivable Activity Report: August 31, 2022

# JAMES IRRIGATION DISTRICT

BOARD OF DIRECTORS - REGULAR MEETING

MINUTES - September 13, 2022

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## VII. GENERAL MANAGER'S REPORT

Mr. Amorelli presented his verbal report encompassing operations, maintenance, projects and other District matters for the month of August, 2022, as follows:

### OPERATIONS

- ▶ Water Deliveries: August, 2022 - Water deliveries for the month of August were 7,451 acre-feet which is 1,028 acre-feet more than was delivered during August, 2021. The fiscal year-to-date total deliveries are at 46,201 acre-feet which is 3,528 acre-feet more than was delivered at this time during the last fiscal year.
- ▶ Weekly TDS Readings: September 5, 2022
- ▶ U.S.B.R. / Central Valley Project
  - Mendota Pool - Pumping reports (TDS, electroconductivity) for the Mendota Wildlife Area, Delta-Mendota Canal Check#21, and Mendota Pool Degradation through August 31, 2022, were reviewed.
- ▶ Kings River Water Association
  - KRWA Storage Operations in Pine Flat Reservoir as of August 28, 2022, totaled 2,224 CFS-days in Pine Flat Reservoir.

### MAINTENANCE

- ▶ James Bypass/Water Hyacinth - Collaborative spraying with Tranquillity Irrigation District and the Mendota Wildlife Area is scheduled to begin soon starting from James Road to the Highway 180 bridge.

### PROJECTS

- ▶ Solar Project: White Pine Renewables - K Basin installation–Fresno County has approved permits. Fencing was installed this week.

### AGENCIES

- ▶ Kings Basin Coordinating Committee - Revisions to the Groundwater Sustainability Plan (GSP) were submitted to the California Department of Water Resources (DWR) whose response is expected winter of 2023. If not acceptable, the DWR will refer GSPs to the State Water Resources Control Board for determination.

# JAMES IRRIGATION DISTRICT

BOARD OF DIRECTORS - REGULAR MEETING

MINUTES - September 13, 2022

---

## VIII. SUPERINTENDENT'S REPORT

Mr. Mancini reported on the following projects:

- ▶ Main Canal road repair
- ▶ Cobble has been distributed from destruction of the privately-owned Mendota Prison
- ▶ Turnouts/New systems
- ▶ Ditch/Headgate maintenance
- ▶ Well testing is nearly complete. Results will be collated & reported when available.
- ▶ Well repairs
- ▶ Preparing for next year.

## IX. DIRECTORS' REPORTS

None were presented.

## X. ACTION ITEMS

### A. TERMINATION OF 2022 DISTRICT DELIVERIES (09/13/2022)

Discussed termination date for 2022 deliveries to allow for annual system maintenance/repair. While the District typically terminates deliveries the Friday before the Thanksgiving holiday which would be November 18, 2022, the Board opted to defer a decision to the next meeting.

### B. WINTER DELIVERIES (08/16/2022)

Briefly discussed 2022 winter deliveries. Two requests have been received totaling 150 acres of row crop (onions, grain, wheat) and 150 acres almonds. As grower responses were somewhat unclear, staff will investigate and report next meeting. No action taken.

### C. CHRISTMAS HOLIDAY: 2022 (09/13/2022)

M/S/C (J.HUGHES / M.COMBS), to APPROVE CLOSURE OF THE DISTRICT FROM DECEMBER 23, 2022, TO JANUARY 3, 2023. Employees will supplement 4 days of Holiday Leave with two days of available leave time.

**AYES:** 5 (J.Hughes, M.Combs, R.Barcellos, R.Motte, R.Chaney)

### D. MAIN CANAL FEASIBILITY STUDY (12/14/2021)

Discussed scheduling a Special Meeting with Provost & Pritchard and Dr. Burt, CalPoly/San Luis Obispo to coordinate efforts. The Board requested informational materials be provided for review prior to the meeting.

### E. ETHICS TRAINING (08/16/2022)

Mr. Amorelli is working with General Counsel, Alan Doud, to schedule a 2-hour Ethics Training class during October/November. Date/arrangements will be confirmed.

# JAMES IRRIGATION DISTRICT

BOARD OF DIRECTORS - REGULAR MEETING

MINUTES - September 13, 2022

---

F. STRATEGIC PLANNING (02/08/2022)

M/S/C (M.COMBS/J.HUGHES), to APPROVE DISTRIBUTION OF DISTRICT STRATEGIC PLANNING QUESTIONNAIRE as revised (Att.4)

**AYES:** 5 (M.Combs, J.Hughes, R.Barcellos, R.Motte, R.Chaney)

Questionnaires will be distributed by e-mail as well as U.S. Mail to growers and landowners requesting they be returned by October 7<sup>th</sup>.

## XI. REPORT ITEMS

A. DISTRICT ELECTIONS: 2022 (06/14/2022)

As the only filers were incumbents, Robert Barcellos & Robert Motte, an election will not be necessary. A "Certificate Pursuant to Elections Code Section 10515" was mailed to the Fresno County Board of Supervisors on August 18, 2022, requesting the Fresno County Board of Supervisors appoint both gentlemen to full, 4-year terms expiring 2026.

B. A.C.W.A. FALL CONFERENCE & EXHIBITION, NOVEMBER 29-DECEMBER 1, 2022, INDIAN WELLS, CA (09/13/2022) - Discussed upcoming event and provided informational materials. Mr. Amorelli will be attending.

## XII. BOARD OF EQUALIZATION - CLOSE MEETING

M/S/C (R.MOTTE/R.BARCELLOS), to MAINTAIN ASSESSMENTS AT \$50.00/ACRE FARMLAND, \$3.75/ACRE PASTURE FOR THE 2022-23 ASSESSMENT YEAR(no change).

**AYES:** 5 (R.Motte, R.Barcellos, M.Combs, J.Hughes, R.Chaney)

### **ADJOURNED TO CLOSED SESSION AT 10:34 A.M.**

Directors Attending:

*Riley Chaney, President*

*Jeremy Hughes, Vice-President*

*Robert Motte, Secretary-Treasurer*

*Robert Barcellos, Assessor-Collector*

*Micah Combs, Director*

Staff Attending

*Manny Amorelli, General Manager*

Legal Counsel

• *Young Wooldridge, LLP*

*Alan F. Doud, Esq. (Zoom)*

## XIII. CLOSED SESSION: GOVERNMENT CODE §54957 - PUBLIC EMPLOYMENT

A. TITLE: WATER CONSULTANTS

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

3 CASES

# JAMES IRRIGATION DISTRICT

BOARD OF DIRECTORS - REGULAR MEETING

MINUTES - September 13, 2022

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

### A. AS DEFENDANT: 2 CASES

1. 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
2. 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

### B. AS PLAINTIFF: 3 CASES

1. KINGS RIVER WATER ASSOCIATION ET AL V. JAMES VERBOON ET AL  
Kings County Superior Court, Case No. 15 C0304
2. JAMES IRRIGATION DISTRICT VS. KINGS RIVER WATER ASSOCIATION ET AL  
Fresno County Superior Court Case No. 19CECG00769
3. JAMES IRRIGATION DISTRICT V. WESTLANDS WATER DISTRICT  
Fresno County Superior Court Case No. 20CECG00688

### C. AS INTERVENOR: 1 CASE

1. CITY OF FRESNO, ET AL V. UNITED STATES OF AMERICA  
United States Court of Federal Claims, Case No. 1:16-CV-01276-MCW

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

### 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

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BOARD OF DIRECTORS - REGULAR MEETING

MINUTES - September 13, 2022

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- 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/Department of Water Resources Proposition 84 Grant Application
- 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.
- D. WATER BANKING & TRANSFERS (06/22/2021)  
Negotiating Parties: James Irrigation District: General Manager/Designee  
McMullin Groundwater Sustainability Agency  
Under Negotiation: Price, terms and conditions of possible water supply transactions.
- E. 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.
- F. FRESNO COUNTY APN 030-090-24S (15.98 ACRES), 030-090-28S (366.07 ACRES) (10/16/2012)  
Negotiating Parties: James Irrigation District: General Manager/Designee  
Landowner  
Under Negotiation: Price, terms of payment.
- G. FRESNO COUNTY APN 030-090-29S (4.66 ACRES), APN 030-090-30S (2.03 ACRES) (06/11/2019)  
Negotiating Parties: James Irrigation District: General Manager/Designee  
Landowner  
Under Negotiation: Price, terms of payment.

**RECONVENED IN OPEN SESSION AT 12:20 P.M.**

- XVII. **REPORT ON ACTIONS TAKEN DURING CLOSED SESSION** Gov. Code 54957.1  
No reportable actions were taken during the Closed Session.



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BOARD OF DIRECTORS - REGULAR MEETING

**MINUTES - September 13, 2022**

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## **XVIII. ADJOURN**

There being no further business to come before the Board, **M/S/C (R.MOTTE / R.BARCELLOS)**, to ADJOURN the meeting at 12:23 p.m., until the next Regular Meeting scheduled for Tuesday, October 11, 2022, by the following vote:

**AYES:** 5 (R.Motte, R.Barcellos, M.Combs, J.Hughes, R.Chaney)

**RECORDED BY:**

**APPROVED BY:**

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Donna Y. Hanneman, Executive Assistant

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Riley Chaney, President

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Manny Amorelli, General Manager

## **ATTACHMENTS:**

1. Interim Warrants: August 17-September 13, 2022, \$559,828.98
2. Accounts Payable: \$819,182.87
3. Payroll Certification: Pay Periods Ending August, 2022, \$79,609.35 (net)
4. District Strategic Planning Questionnaire