

# JAMES IRRIGATION DISTRICT

## BOARD OF DIRECTORS - REGULAR MEETING

### MINUTES October 10, 2023

#### ATTENDANCE

##### DIRECTORS PRESENT

Riley Chaney, President  
Micah Combs, Vice-President  
Robert Barcellos  
Wm. Cory Carvalho  
Robert Motte (Arr.10:05 a.m.)

##### PUBLIC / CONSULTANTS

- FRESNO-MADERA FARM CREDIT  
David Scheidt
- McMULLIN AREA GROUNDWATER SUSTAINABILITY AGENCY  
Matt Hurley, General Manager

##### EXCUSED

None

##### ABSENT

None

##### LEGAL COUNSEL

- YOUNG WOOLDRIDGE, LLP  
Alan F. Doud, Esq. (Zoom)  
Brett A. Stroud, Esq. (Zoom)
- BARTKIEWICZ KRONICK & SHANAHAN / CLOSED SESSION  
Ryan S. Bezerra, Esq. (Zoom)

##### STAFF PRESENT

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

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#### I. CALL TO ORDER

A Regular Meeting of the Board of Directors of JAMES IRRIGATION DISTRICT ("District") was held Tuesday, October 10, 2023, in the District office located at 8749 Ninth Street, San Joaquin, California. The meeting was called to order at 10:02 a.m., by President, Riley Chaney. A quorum was at all times present and acting.

#### II. OTHER BUSINESS / PUBLIC COMMENTS

##### A. PUBLIC COMMENTS

None were offered.

##### B. MOMENT OF SILENCE

A moment of silence was observed to honor the passing of CATHERINE SCHRAMM THOMSEN (1958-2023), former resident, landowner/grower, wife of grower, Keith Thomsen.

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C. ADDITIONS / CORRECTIONS TO THE AGENDA

There were no corrections/additions to the Agenda.

D. POTENTIAL CONFLICTS OF INTEREST [FPPC §87105]

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

- ▶ Mr. Amorelli noted a potential conflict-of-interest with **X. CLOSED SESSION: GOVERNMENT CODE §54956.8 - CONFERENCE WITH REAL PROPERTY NEGOTIATOR**, Item D. FRESNO COUNTY APN #040-030-46S (6.51 ACRES), and stated Director Combs would be recusing himself from discussing, initiating any action or voting on the matter as the property is owned by a family member.

### III. MINUTES

A. REGULAR MEETING: SEPTEMBER 12, 2023

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

**AYES:** 5 (M.Combs, W.Carvalho, R.Barcellos, R.Chaney)  
**ABSENT:** 1 (R.Motte)

### IV. TREASURER'S REPORT

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

A. FINANCIAL REPORTS

1. Interim Warrants: September 13-October 10, 2023 (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 (R.BARCELLOS / W.CARVALHO), to RATIFY/APPROVE Interim Warrants totaling \$107,792.92 and AUTHORIZE/APPROVE payment of Accounts Payable totaling \$40,037.52 by the following vote:

**AYES:** 5 (R.Barcellos, W.Carvalho, M.Combs, R.Motte, R.Chaney)

3. Payroll Certification: Pay Periods Ending September, 2023 (Att.3)

A listing of payroll checks totaling \$81,837.54 (net) issued to employees and Board members was reviewed and certified by the President, General Manager and Office Manager.

4. Income Statements (Budget-to-Actual): Period Ending September 30, 2023

5. Quarterly Report of Financial Investments: September 30, 2023 Gov. Code §53646

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6. Cash Position Report: September 30, 2023
7. Schedule of Long-Term Debt/Notes Payable: September 30, 2023
8. Accounts Receivable Activity Report: September 30, 2023

## V. GENERAL MANAGER'S REPORT

Mr. Amorelli presented his verbal report encompassing operations, maintenance, projects and other District matters for the month of September, 2023, as follows:

### OPERATIONS

- ▶ Water Deliveries: September, 2023 - Water deliveries for the month of September were 3,480 acre-feet which is 1,069 acre-feet less than was delivered during September, 2022. The fiscal year-to-date total deliveries are at 39,589 acre-feet which is 11,161 acre-feet less than was delivered at this time during the last fiscal year.
- ▶ U.S.B.R. Central Valley Project
  - Mendota Pool is slated to be dewatered from December 1-10 for maintenance of the dam structure as well as clearing sand deposits.
- ▶ Kings River Water Association
  - KRWA Storage Operations in Pine Flat Reservoir as of October 1, 2023, totaled 1,135 CFS-days
  - Burford Family Farms is receiving their Kings River entitlement through James Irrigation District facilities.

### MAINTENANCE

- ▶ James Bypass / Water Hyacinth - Kings River flood releases have stopped and the District is currently receiving its Schedule II/San Joaquin Riparian water. With this import, growth of water hyacinth has been observed migrating southward. Control efforts have been active north of Hwy. 180.
- ▶ Weed Control - Met September 13<sup>th</sup> with our Simplot representative who plans to begin weed control applications mid-October.

### AGENCIES

- ▶ Kings Basin Coordinating Committee met September 29<sup>th</sup>. California Department of Water Resources representatives participated remotely and were complimentary of the manner in which Kings GSA members have worked together.

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## ADMINISTRATIVE ITEMS

- ▶ Website Development was recently addressed in the Technology Infrastructure ad hoc Committee meeting on October 4<sup>th</sup>. (Further discussion, below.)

## **VI. SUPERINTENDENT'S REPORT**

Superintendent, Kenneth Mancini, reported on the following activities.

- ▶ Traction Ranch flood damage repaired.
- ▶ James Weir boards have been replaced and washouts repaired.
- ▶ East Side Channel has been mowed, repaired and washouts addressed.
- ▶ Software training is progressing as Ditchtenders learn the new STORM water management software.
- ▶ Grower requisitions are being addressed.
- ▶ Excavator rental - Tranquillity Irrigation District is renting their unit to us.

## **VII. DIRECTORS' REPORTS**

None were presented.

## **VIII. ACTION ITEMS**

### A. TERMINATION OF 2023 DISTRICT DELIVERIES (09/12/2023)

Discussion/possible action setting termination date for deliveries to allow for annual canal maintenance/repair was TABLED to the November, 2023, Regular Meeting.

### B. DISTRICT EQUIPMENT RENTAL RATES (09/12/2023)

NO ACTION WAS TAKEN regarding the District's Equipment Rental Rate schedule. This matter will be revisited during the annual budget process in February, 2024.

### C. WATER POLICY: ON-FARM RECHARGE (12/14/2021)

There have been no additional grower applications submitted for participation in the 2023 On-Farm Recharge Program. Mr. Amorelli reported a total of 670 acre-feet has been recharged to-date from a total 1,000 acre-feet allotted by this Board.

### D. DISTRICT WEBSITE (06/11/2019)

Reviewed a Streamline Platform Subscription Agreement by Streamline for the development of websites for James Irrigation District and the James Groundwater Sustainability Agency as well as informational pages for the James Resource Conservation District and Reclamation District No. 1606 to begin November 1, 2023, at \$6,420.00 per year, plus a one-time build cost of \$500.00 which complies with California website mandates. Subscription is may be canceled any time with a written 30-day notice. (Att.4) M/S/C (R.BARCELLOS / W.CARVALHO) to APPROVE STREAMLINE PLATFORM SUBSCRIPTION AGREEMENT:

**AYES:** 5 (R.Barcellos, W.Carvalho, M.Combs, R.Motte, R.Chaney)

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E. CHRISTMAS HOLIDAY: 2023 (10/10/2023)

Discussed designating holiday leave dates for observance of the 2023 Christmas-New Year's holiday. M/S/C (R.CHANEY / W.CARVALHO) to APPROVE FIVE DAYS OF HOLIDAY LEAVE TIME, DECEMBER 25-DECEMBER 29, 2023:

**AYES:** 5 (R.Chaney, W.Carvalho, R.Barcellos, M.Combs, R.Motte)

The office will be closed from December 25, 2023, through January 1, 2024.

## IX. REPORT ITEMS

None

### ADJOURNED TO CLOSED SESSION AT 10:29 A.M.

Directors Attending:

Riley Chaney, President  
Micah Combs, Vice-President  
Robert Barcellos, Director  
Wm. Cory Carvalho, Director  
Robert Motte, Director

Legal Counsel

- Young Wooldridge, LLP  
Alan F. Doud, Esq. (Zoom)  
Brett A. Stroud, Esq. (Zoom)
- Bartkiewicz Kronick & Shanahan  
Ryan S. Bezerra, Esq. (Zoom)

Staff Attending

Manny Amorelli, General Manager

## X. 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

B. 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.

C. 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.

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DUE TO A POTENTIAL CONFLICT-OF-INTEREST, DIRECTOR MICAH COMBS EXITED THE MEETING AT 11:45 A.M. PRIOR TO DISCUSSION OF THE FOLLOWING MATTER.

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D. FRESNO COUNTY APN #040-030-46S (6.51 ACRES)

Negotiating Parties: James Irrigation District: General Manager/Designee

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

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

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

4 CASES

XII. 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. MCMULLIN AREA GROUNDWATER SUSTAINABILITY AGENCY -

Fresno County Superior Court, Case No. 23CECG00749

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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

**RECONVENED IN OPEN SESSION AT 11:56 A.M.**

**XIII. REPORT ON ACTIONS TAKEN DURING CLOSED SESSION** Gov. Code 54957.1

No reportable actions were taken during the Closed Session.

**XIV. ADJOURN**

There being no further business to come before the Board, M/S/C (R.BARCELLOS / R.MOTTE), to ADJOURN the meeting at 12:57 p.m., until the next Regular Meeting scheduled for Tuesday, November 14, 2023, by the following vote:

**AYES:** 5 (R.Barcellos, R.Motte, W.Carvalho, M.Combs, R.Chaney)

**RECORDED BY:**

**APPROVED BY:**

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Donna Y. Hanneman, Secretary

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Riley Chaney, President

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Manny Amorelli, General Manager

**ATTACHMENTS:**

1. Interim Warrants: September 13-October 10, 2023, \$107,792.92
2. Accounts Payable: \$40,037.52
3. Payroll Certification: Pay Periods Ending September, 2023, \$81,837.54 (net)
4. Subscription Agreement: Streamline Platform, September 27, 2023