

# JAMES IRRIGATION DISTRICT

BOARD OF DIRECTORS –REGULAR MEETING

## MINUTES September 8, 2020

### ATTENDANCE

DIRECTORS PRESENT: (4)

Robert Motte, President  
Robert Barcellos  
Riley Chaney  
Jeremy Hughes

STAFF PRESENT: (4)

Steven Stadler, General Manager/ Secretary-  
Treasurer  
Emanuele Amorelli, Business Manager  
Donna Hanneman, Executive Assistant  
Kenneth Mancini, Superintendent  
(Arr.10:15 a.m.)

EXCUSED: (1)

Micah Combs, Vice-President

LANDOWNERS / GROWERS: NONE

ABSENT: NONE

PUBLIC / CONSULTANTS:

Alan Doud, Esq. (Closed Session) via telephone

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### I. CALL TO ORDER

A Regular Meeting of the Board of Directors of JAMES IRRIGATION DISTRICT was held Tuesday, September 8, 2020, in the District office located at 8749 9<sup>th</sup> Street, San Joaquin, California. The meeting was called to order at 10:07 a.m., by President, Robert Motte. A quorum was at all times present and acting.

### II. OTHER BUSINESS / PUBLIC COMMENTS

A. PUBLIC COMMENTS

None

B. MOMENT OF SILENCE

A moment of silence was observed to honor the passing of JOHN WM. "BILL" KINNUNEN (11/10/1926-08/18/2020), who served on the Board from 1980-2005. Mr. Kinnunen was nominated by the Board of Directors February 5, 1980, to replace William Hedman who had retired after serving 23 years in Division 5. Mr. Kinnunen submitted his resignation June 14, 2005, and served the remainder of his term to November, 2005.

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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]

VIII. D. LANDOWNER REQUEST FOR WATER SERVICE

Director Jeremy Hughes reported a potential conflict-of-interest with this item as he owns neighboring properties that were severed from District services by construction of the San Luis Drain in the 1960s. Mr. Hughes has a pending request for service. Any decision by this Board could potentially impact Mr. Hughes' severed properties; therefore, he stated he would be recusing himself from discussing and/or voting on the matter.

III. BOARD OF EQUALIZATION MEETING

The Board of Directors convened as a Board of Equalization from the hours of 10:05 a.m.-12:00 p.m. to hear public comments regarding the 2020-2021 District Assessments. Mr. Stadler advised the assessment valuation and rates remained unchanged. The Board was available to recognize members of the public between Agenda items throughout the course of the meeting; however, none appeared. No action was taken.

IV. MINUTES

A. REGULAR MEETING: AUGUST 11, 2020

M/S/C (R.CHANEY / J.HUGHES) to APPROVE the Minutes as presented by the following vote:

AYES: R.Chaney, J.Hughes, R.Barcellos, R.Motte (4)

EXCUSED: M.Combs (1)

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## V. TREASURER'S REPORT

In accordance with Water Code §24273, Mr. Amorelli presented the following reports.

### A. FINANCIAL REPORTS

1. Interim Warrants: August 12-September 8, 2020 (Att.1)

2. Accounts Payable (Att.2)

Interim Warrants with supporting invoices and Accounts Payable invoices were presented for review/approval.

M/S/C (R.CHANEY / J.HUGHES) to RATIFY/APPROVE Interim Warrants totaling \$448,097.81 and APPROVE Accounts Payable totaling \$223,415.33 by the following vote:

AYES: R.Chaney, J.Hughes, R.Barcellos, R.Motte (4)

EXCUSED: M.Combs (1)

3. Payroll Certification: Pay Periods Ending August, 2020 (Att.3)

A listing of payroll checks totaling \$74,353.34 (net) issued to employees and Board members for pay periods ending August, 2020, was reviewed and certified by the President, General Manager/Secretary-Treasurer and Business Manager.

4. Income Statements (Budget-to-Actual) – Period Ending: August, 2020

5. Cash Position Report: August 31, 2020

6. Accounts Receivable Activity Report: August 31, 2020

7. Work Order Status Report: August 31, 2020

### B. FISCAL BUDGET: 2020-2021 (Att.4)

Mr. Stadler reviewed proposed budget adjustments and justifications for the recommended changes. If warranted, he plans to present adjustments earlier next year after CVP allocations are confirmed.

M/S/C (J.HUGHES / R.BARCELLOS) to APPROVE by the following vote:

AYES: J.Hughes, R.Barcellos, R.Chaney, R.Motte (4)

EXCUSED: M.Combs (1)

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## VI. DIRECTORS' REPORTS

None

## VII. GENERAL MANAGER'S REPORT

Mr. Stadler presented his verbal report encompassing operations, maintenance, projects and other District matters for the month of August, 2020, as follows.

- OPERATIONS

- Water Deliveries: August, 2020 - Water deliveries for the month of August were 6,788 acre-feet which is 478 acre-feet less than was delivered during August, 2019. The fiscal year-to-date total deliveries are at 42,029 acre-feet which is 417 acre-feet more than was delivered at this time during the last fiscal year.
- Power Problems – Although a Stage 2 Emergency was declared, the District was spared a rolling black-out.
- Weekly TDS Readings: September 7, 2020
- U.S.B.R. / Central Valley Project
  - Mendota Pool – To date, the USBR has not provided reports for pumping (TDS, electroconductivity) for the Mendota Wildlife Area, Delta-Mendota Canal Check #21, and Mendota Pool Degradation for August, 2020.

- MAINTENANCE

- Well Repairs - Demands have declined which has allowed well repairs to commence.
- Reclamation District No. 1606 ("RD 1606") Levees were inspected by the US Corps of Engineers ("USACE"). They seemed generally satisfied with the work that has been done by James ID crew. The USACE will provide a detailed inspection report to RD 1606 at a later date.

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## VIII. ACTION ITEMS

A. RESOLUTION 2020-07 ADOPTING A DEBT MANAGEMENT POLICY (Att.5)

Mr. Stadler expects to receive the USBR CVP repayment contract shortly. A Special Meeting may need to be scheduled to initiate the validation process. The California Government Code requires a Debt Policy must be in place before issuance of debt.

**M/S/C (J.HUGHES / R.BARCELLOS)** to APPROVE RESOLUTION 2020-07 ADOPTING A DEBT MANAGEMENT POLICY by the following vote:

**AYES:** J.Hughes, R.Barcellos, R.Chaney, R.Motte (4)

**EXCUSED:** M.Combs (1)

B. FINANCING OF CVP REPAYMENT CONTRACT (09/08/2020)

Mr. Stadler has been working with bond and tax counsels on financing the CVP Repayment Contract. It appears that the financing will need to be on a taxable basis until the validation action is complete. The Board had no objections to proceeding on that basis.

C. NPDES PERMIT MODIFICATION (09/08/2020)

The District's National Pollutant Discharge Elimination System ("NPDES") permit allows use of aquatic chemicals within District boundaries only. There is pervasive water hyacinth growth in the Mendota Pool and it appears to be growing on the banks near the railroad tracks. This aquatic weed spreads rapidly and impedes the free flow of water into both the Tranquillity and James Irrigation District. As the District spills water into the Mendota Pool, which is allowed by our NPDES permit, Mr. Stadler would like the option to treat the area east of the railroad bridge and requested the Board authorize approval to extend the District's NPDES permit to cover the James Bypass. If approved, he will contact Blankenship & Associates, Inc., for assistance in applying to the State Water Resources Control Board on behalf of the District to expand our permit to include the James Bypass.

The San Luis & Delta-Mendota Water Authority is meeting with the State of California and County of Fresno who should be treating the Slough. The State has airboats and may be addressing the problem in the future.

**M/S/C (J.HUGHES / R.CHANEY)** to AUTHORIZE THE GENERAL MANAGER TO AUTHORIZE BLANKENSHIP & ASSOCIATES APPLY FOR EXPANSION OF THE DISTRICT'S NPDES PERMIT TO INCLUDE THE JAMES BYPASS by the following vote:

**AYES:** J.Hughes, R.Chaney, R.Barcellos, R.Motte (4)

**EXCUSED:** M.Combs (1)

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*Director Jeremy Hughes cited a potential conflict-of-interest associated with the following matter as noted above and excused himself from the meeting at 10:55 a.m. prior to deliberation.*

D. LANDOWNER REQUEST FOR WATER SERVICE (09/08/2020)

Daniel Briggs has requested water service to parcels 030-090-20S (366.07 acres), and 030-090-24s (15.98 acres) both of which are within the District but were severed from District service by construction of the San Luis Drain some years ago. Mr. Stadler requested the Board's authorization to investigate the potential for the District to provide service to these parcels if they wish to consider Mr. Briggs' request.

M/S/C (R.CHANEY / R.BARCELLOS) to AUTHORIZE THE GENERAL MANAGER TO INVESTIGATE THE POTENTIAL TO PROVIDE WATER SERVICE TO FRESNO COUNTY APN 030-090-20S AND APN 030-090-24s by the following vote:

**AYES:** R.Chaney, R.Barcellos, R.Motte (3)  
**EXCUSED:** M.Combs (1)

*Director Jeremy Hughes returned to the meeting at 11:05 a.m. and was advised that the Board authorized the General Manager to investigate the potential to provide water service to APNs 030-090-20S (366.07 acres) and 030-090-24S (15.98 acres).*

## IX. REPORT ITEMS

A. DISTRICT AUTOMATION (09/08/2020)

Rubicon Water finished 4 days of field work last week and is currently analyzing the data. It is too late to apply for a WaterSMART grant as there is too much analysis to accomplish to meet the application deadline. This matter will be scheduled for discussion at the October 6, 2020, Strategic Planning Workshop.

**Adjourned to Closed Session at 11:15 a.m.**

Attending:

Robert Motte, President  
Robert Barcellos, Director  
Riley Chaney, Director  
Jeremy Hughes, Director

Staff:

Steven Stadler, General Manager/Secretary-Treasurer  
Alan Doud, Esq. via telephone

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

3 CASES

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## XI. CLOSED SESSION: GOVERNMENT CODE §54956.9 – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

### A. AS DEFENDANT: 3 CASES

1. NATURAL RESOURCES DEFENSE COUNCIL, ET AL V BERNHARDT, ET AL  
U.S. District Court for the Eastern District of California  
Case No. 1:5-CV-01207LJO-GSA
2. MCMULLIN AREA GROUNDWATER SUSTAINABILITY AGENCY VS. JAMES IRRIGATION DISTRICT; JAMES GROUNDWATER SUSTAINABILITY AGENCY  
Fresno County Superior Court Case No. 20CECG00507
3. AMY BEZERA VS. JAMES IRRIGATION DISTRICT  
Fresno County Superior Court Case No. 20CECG00572

### 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  
Kings 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

### D. AS CLAIMANT: 1 CASE

1. PG&E CORPORATION AND PACIFIC GAS AND ELECTRIC COMPANY (04/14/2020)  
United States Bankruptcy Court, Northern District of California  
San Francisco Division, Chapter 11 Case No. 19-30088 (DM) (Lead Case)  
(Jointly Administered)

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

### A. JAMES & TRANQUILLITY NEGOTIATIONS

Negotiating Parties: James Irrigation District: Steven Stadler  
Tranquillity Irrigation District: Danny Wade  
Kings River Lower River Units: Scott Sills  
Under Negotiations: Price, terms & conditions of possible real property and/or water supply transactions

### B. SOUTHWEST GROUNDWATER RECHARGE PROJECT (11/13/2012)

Negotiating Parties: James Irrigation District: Steven Stadler  
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: Steven Stadler  
San Luis Water District: Lon Martin  
Various CVP Contractors: General Managers or Designees  
Under Negotiation: Price, terms and conditions of possible water supply transactions.

Reconvened in Open Session at 12:09 p.m.

## XIII. REPORT ON ACTIONS TAKEN DURING CLOSED SESSION

Mr. Stadler stated no reportable actions were taken during the Closed Session.

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## XIV. ADJOURN

There being no further business to come before the Board, the meeting was ADJOURNED at 12:10 p.m., until the next Special Meeting scheduled for Tuesday, October 6, 2020.

RECORDED BY:

APPROVED BY:

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Donna Y. Hanneman, Executive Assistant

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Robert Motte, President

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Steven P. Stadler, P.E., General Manager

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### ATTACHMENTS:

- 1 Interim Warrants: August 12-September 8, 2020, \$448,097.81
- 2 Accounts Payable: \$223,415.33
- 3 Payroll Certification: Pay Periods Ending August, 2020, \$74,353.34 (net)
- 4 James Irrigation District, 2020-21 Fiscal Year Budget, Revised 09/08/2020
- 5 Resolution 2020-07 Establishing a Debt Management Policy