

# JAMES IRRIGATION DISTRICT

## BOARD OF DIRECTORS - REGULAR MEETING

### MINUTES

November 10, 2020

#### ATTENDANCE

##### DIRECTORS PRESENT (5)

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

##### STAFF PRESENT (2)

Manny Amorelli, Business Manager  
Kenneth Mancini, Superintendent

##### LANDOWNERS / GROWERS (1)

Sal Parra, Jr., Burford Farms (10:00-11:30 a.m.)

##### EXCUSED

None

##### PUBLIC / CONSULTANTS (2)

###### •YOUNG WOOLDRIDGE, LLP

Alan F. Doud, Esq.  
(Telephone: 10:00 a.m.-12:35 p.m.)

##### ABSENT

None

###### •BARTKIEWICZ KRONICK & SHANAHAN / CLOSED SESSION

Ryan S. Bezerra, Esq.  
(Telephone: 11:30 a.m.-12:33 p.m.)

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#### I. CALL TO ORDER

A Regular Meeting of the Board of Directors of JAMES IRRIGATION DISTRICT was held Tuesday, November 10, 2020, in the District office located at 8749 Ninth Street, San Joaquin, California. The meeting was called to order at 10:00 a.m., by President, Robert Motte. A quorum was at all times present and acting.

#### II. OTHER BUSINESS / PUBLIC COMMENTS

##### A. PUBLIC COMMENTS

- Water Service to Lands Outside of James Irrigation District: Burford Ranch  
Sal Parra, Jr., Assistant Manager of Burford Ranch, indicated they would like to work with the District to convey their Kings River entitlement water through Fresno Irrigation District via the Southwest Banking Project for delivery to property situated south of Lateral A/outside of the District. The Board requested this matter be placed on the Agenda for discussion at the next Regular Meeting.

##### B. ADDITIONS / CORRECTIONS TO THE AGENDA

There were no corrections/additions to the Agenda.

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C. POTENTIAL CONFLICTS OF INTEREST [FPPC §87105]

Directors were given an opportunity to identify potential conflicts-of-interest with items appearing on the Agenda; none were reported.

### III. MINUTES

A. REGULAR MEETING: OCTOBER 13, 2020

B. SPECIAL MEETING: OCTOBER 21, 2020

C. SPECIAL JOINT MEETING: OCTOBER 27, 2020

M/S/C (M.COMBS / J.HUGHES), to APPROVE as drafted by the following vote:

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

### IV. TREASURER'S REPORT

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

A. FINANCIAL REPORTS

1. Interim Warrants: October 14-November 10, 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 (J.HUGHES / R.BARCELLOS), to UNANIMOUSLY RATIFY/APPROVE Interim Warrants totaling \$164,657.76 and Accounts Payable totaling \$144,419.97 by the following vote:

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

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

A listing of payroll checks totaling \$88,407.11 (net) issued to employees and Board members for pay periods ending October, 2020, was reviewed and certified by the President and Business Manager.

4. Income Statements (Budget-to-Actual): Period Ending October 31 , 2020

5. Cash Position Report: October 31, 2020

6. Accounts Receivable Activity Report: October 31, 2020

7. Work Order Status Report: October 31, 2020

B. FISCAL AUDIT: MARCH 1, 2019-FEBRUARY 28, 2020

Auditors, Wilcox Hokokian Bains & Dill, are scheduled for the first onsite audit, November 11<sup>th</sup>.

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## V. DIRECTORS' REPORTS

### PRESIDENT, ROBERT MOTTE

#### ▶ San Luis & Delta-Mendota Water Authority: November 5, 2020

- Received 3-year audit reports
- If participating in a JPA that has been dissolved, members remain liable for unfunded pension liabilities.
- H2O WaterSmart Grant funds are available through January 8, 2021.
- Jim Costa, California 16<sup>th</sup> Congressional District (Fresno), was recently re-elected and is seeking to head the House Ag Committee in the next Congress.

## VI. SUPERINTENDENT'S REPORT

Kenneth Mancini presented his verbal report encompassing operations, maintenance, projects and other District matters for the month of October, 2020, as follows:

### MAINTENANCE

- New turnouts are being installed.
  - Annual head gate maintenance activities are in process.
  - Tumbleweeds are being mowed on the recharge basin on Sill Properties' land adjacent to Lateral A.
  - Booster Repairs - P Booster meter rewire needed. Three units are over 30 years old and need to be rebuilt.
  - PG&E plans to set a new pole on Lateral A between November 23<sup>rd</sup> -25<sup>th</sup>.
- ▶ Well Maintenance/Repair - The Board instructed Mr. Mancini to continue with well maintenance/repairs but requested monthly updates.
- ▶ Maintenance Schedule - The Board indicated maintenance activities should press forward but requested pertinent matters be brought to the Board's attention.
- ▶ Spray Truck - Obtain a quote for a new spray truck for Board review.

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## VII. ACTION ITEMS

- A. RESOLUTION 2020-13 RECITING THE FACTS OF THE GENERAL DISTRICT ELECTION HELD ON NOVEMBER 3, 2020, DECLARING THE RESULTS AND SUCH OTHER MATTERS AS PROVIDED BY LAW (11/10/2020)

Reviewed Certificate of Performance and Results of Votes Cast as executed by the Elections Board on Monday, November 9, 2020, as follows:

Total Ballots Mailed	76	
Total Ballots Returned	65	
Total Ballots Rejected	0	
Total Ballots Blank	0	
Total Ballots Voted	65	
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Jeremy S. Hughes	45 votes	69.23%
Thomas W. Chaney	19 votes	29.23%
Riley Chaney	49 votes	75.38%
Micah Combs	59 votes	90.77%
Write-Ins	0 votes	0.00%

Jeremy Hughes, Riley Chaney and Micah Combs were re-elected to full, four-year terms expiring December 6, 2024. M/S/C (M.COMBS / R.MOTTE), to APPROVE RESOLUTION 2020-13 (Att.4) as follows:

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

- B. AGENCY APPOINTMENTS

TABLED to next meeting.

- C. RECLAMATION DISTRICT NO. 1606-OPERATION & MAINTENANCE MANUAL (11/10/2020)

TABLED review of "Levee Owner's Manual for Non-Federal Flood Control Works" to next meeting.

- D. RESOLUTION 2020-14 AMENDING PER DIEM COMPENSATION RATE FOR DIRECTORS AND COMPENSATION REIMBURSEMENT POLICY (11/10/2020) - TABLED review of policy to next meeting.

## VIII. REPORT ITEMS

- A. CENTRAL VALLEY PROJECT CAPITAL REPAYMENT CONTRACT (05/16/2018)

Steve Stadler hand-delivered the repayment contract to the U.S. Bureau of Reclamation, Sacramento, on October 16<sup>th</sup>. Awaiting blue-bound copy executed by the Bureau.

- B. POWER & WATER RESOURCES POOLING AUTHORITY (07/14/2020)

Awaiting PG&E approval of moving electrical loads to PWRPA. Considering PG&E's current circumstances, approval is uncertain; however, denials can be appealed.

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C. REPLACEMENT FOR WELL D-40 (08/11/2020)

D. REPLACEMENT FOR WELL D-15 (08/11/2020)

TABLED discussion to next Regular Meeting.

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

Superintendent, Kenneth Mancini reported he has been working with Blankenship & Associates, Inc., to modify permit.

F. OUTSOURCING POSSIBILITIES (11/10/2020)

Requested Sarah Woolf be contacted to determine if she would consider temporarily assisting the District.

G. JAMES GROUNDWATER SUSTAINABILITY AGENCY (11/10/2020)

Discussed Special Meeting scheduled for Thursday, November 19<sup>th</sup>, at 2:00 p.m.

H. WINTER OFFICE HOURS / SYSTEM SHUTDOWN (11/10/2020)

Winter office hours will be 8:00 a.m. - 4:30 p.m. starting November 30, 2020-January 4, 2021. A memo has been mailed to District growers.

Previously, the Board directed that the deliveries be terminated November 25<sup>th</sup> with any remaining deliveries fulfilled by draining the system. The Board directed that water deliveries be extended to December 1<sup>st</sup>; start draining the system December 2<sup>nd</sup>. An updated notice will be mailed to growers.

## Adjourned to Closed Session at 11:30 a.m.

### Directors Attending:

Robert Motte, President

Micah Combs, Vice-President

Jeremy Hughes, Secretary-Treasurer

Riley Chaney, Assessor-Collector

Robert Barcellos, Director

### Staff:

Emanuele Amorelli, Business Manager

### Consultants:

• Young Wooldridge, LLP

Alan F. Doud, Esq. (Telephone)

• Bartkiewicz Kronick & Shanahan

Ryan S. Bezerra, Esq. (Telephone: 11:30 a.m.-12:33 p.m.)

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

3 CASES

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## X. 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  
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

### 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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## XI. CLOSED SESSION: GOVERNMENT CODE §54957 - PUBLIC EMPLOYEE APPOINTMENT

A. TITLE: GENERAL MANAGER

## XII. CLOSED SESSION: GOVERNMENT CODE §54957 - PUBLIC EMPLOYEE DISCIPLINE / DISMISSAL / RELEASE

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

A. JAMES & TRANQUILLITY NEGOTIATIONS

Negotiating Parties: James Irrigation District: 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. SOUTHWEST GROUNDWATER RECHARGE PROJECT (11/13/2012)

Negotiating Parties: James Irrigation District: 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. FRESNO COUNTY APN 040-040-06S

Negotiating Parties: Landowner: Sill Properties  
James Irrigation District: Manager/Designee

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

D. FRESNO COUNTY APN 035-030-23S

Negotiating Parties: Landowner: Chris Hurst  
James Irrigation District: -Manager/Designee

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

E. KINGS SUBBASIN GROUNDWATER RECHARGE EFFORTS (12/11/2018)

Negotiating Parties: James Irrigation District: Manager/Designee  
McMullin Area GSA Landowners: Various

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

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F. WATER BANKING & TRANSFERS (04/19/2018)

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

G. CENTRAL VALLEY PROJECT (CVP) REPAYMENT CONTRACT (06/11/2019)

Negotiating Parties: James Irrigation District: Manager/Designee,  
Scott K. Kuney, Esq., Alan F. Doud, Esq.  
U.S. Bureau of Reclamation: Michael Jackson, P.E.  
Under Negotiation: Price, terms and conditions of water supply contract

H. BURFORD FARMS (03/10/2020)

Negotiating Parties: James Irrigation District: Manager/Designee  
Burford Farms: Jill Burford Minnick  
Under Negotiation: Price, terms and conditions of possible water supply transactions.

Reconvened in Open Session at 12:33 p.m.

## XIV. REPORT ON ACTIONS TAKEN DURING CLOSED SESSION

The following reportable actions were taken during the Closed Session.

▶ GOVERNMENT CODE §54957 - PUBLIC EMPLOYEE APPOINTMENT

▶ TITLE: GENERAL MANAGER

EMPLOYEE: MANNY AMORELLI

M/S/C (M.COMBS/R.BARCELLOS), to UNANIMOUSLY APPOINT MANNY AMORELLI AS GENERAL MANAGER EFFECTIVE NOVEMBER 1, 2020.

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



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## **XV. ADJOURN**

There being no further business to come before the Board, the meeting was ADJOURNED at 12:35 p.m., until the next Regular Meeting scheduled for Tuesday, December 8, 2020.

**RECORDED BY:**

**APPROVED BY:**

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Manny Amorelli, General Manager

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Robert Motte, President

### **ATTACHMENTS:**

1. Interim Warrants: October 14-November 10, 2020, \$164,657.76
2. Accounts Payable: \$144,419.97
3. Payroll Certification: Pay Periods Ending October, 2020, \$88,407.11 (net)
4. Resolution 2020-13 Reciting the Facts of the General District Election Held on November 3, 2020, Declaring the Results and Such Other Matters as Provided by Law, Adopted November 10, 2020