

JAMES IRRIGATION DISTRICT

BOARD OF DIRECTORS - REGULAR MEETING

MINUTES
December 8, 2020

ATTENDANCE

DIRECTORS PRESENT (5)

Robert Motte
Micah Combs
Riley Chaney
Jeremy Hughes
Robert Barcellos

EXCUSED

None

ABSENT

None

STAFF PRESENT (3)

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

LANDOWNERS / GROWERS

None

PUBLIC / CONSULTANTS (6)

•PUBLIC

Matthew Abercrombie
(Telephone: 10:09 a.m.-11:04 a.m.)
Sarah Woolf, WaterWise
(Telephone: 10:09 a.m.-11:04 a.m.)
Unidentified (2)
(Telephone: 10:09 a.m.-11:04 a.m.)

•YOUNG WOOLDRIDGE, LLP

Brett A. Stroud, Esq.
(Telephone: 10:09 a.m.-12:44 p.m.)

•BARTKIEWICZ KRONICK & SHANAHAN / CLOSED SESSION

Ryan S. Bezerra, Esq.
(Telephone: 11:04-11:25 a.m.)

I. CALL TO ORDER

A Regular Meeting of the Board of Directors of JAMES IRRIGATION DISTRICT was held Tuesday, December 8, 2020, in the District office located at 8749 Ninth Street, San Joaquin, California. The meeting was called to order at 10:09 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. 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.

D. ELECTION OF OFFICERS

M/S/C (M.COMBS / R.BARCELLOS), to ELECT the following slate of officers:

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

James Irrigation District:

President	Riley Chaney (Former Assessor-Collector)
Vice-President	Jeremy Hughes (Former Secretary-Treasurer)

As these changes leave the offices of Secretary-Treasurer and Assessor-Collector vacant, nominations for these offices will be placed on the next Agenda.

President Riley Chaney assumed the chair and conducted the remainder of the meeting.

M/S/C (R.MOTTE / M.COMBS), to APPOINT the following as indicated:

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

1. James Irrigation District Retirement Plan / James Irrigation District Deferred Compensation Plan

- (1) Micah Combs
- (2) Robert Motte
- (3) Manny Amorelli (Repl. Steven Stadler)

2. James Groundwater Sustainability Agency Representatives:

- (1) Micah Combs
- (2) Robert Motte
- (3) Manny Amorelli (Repl. Steven Stadler)

3. San Luis & Delta-Mendota Water Authority, District 5

- (1) Director Manny Amorelli (Repl. Steven Stadler)
- (2) Alternate Director Riley Chaney (Repl. Robert Motte)

4. Kings River Water Association

- (1) Director Manny Amorelli (Repl. Steven Stadler)
- (2) Alternate Director Robert Motte (Repl. Manny Amorelli)

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5. Kings River Watershed Coalition Authority
 - (1) Director Robert Barcellos
 - (2) Alternate Director Manny Amorelli (Repl. Steven Stadler)

6. Kings Basin Water Authority
 - (1) Director: Manny Amorelli (Repl. Steven Stadler)
 - (2) Alternate Director: Robert Motte

7. Power & Water Resources Pooling Authority
 - (1) Director Manny Amorelli (Repl. Steven Stadler)
 - (2) Alternate Director Jeremy Hughes (Repl. Manny Amorelli)

8. Association of California Water Agencies Joint Powers Insurance Authority (ACWA/JPIA)
 - (1) Director Riley Chaney
 - (2) Alternate Director Manny Amorelli (Repl. Steven Stadler)

III. MINUTES

A. REGULAR MEETING: NOVEMBER 10, 2020

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

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

IV. TREASURER'S REPORT

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

A. FINANCIAL REPORTS

1. Interim Warrants: November 11-December 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 (M.COMBS / J.HUGHES), to UNANIMOUSLY RATIFY/APPROVE Interim Warrants totaling \$597,120.05 and APPROVE payment of Accounts Payable totaling \$70,833.35 by the following vote:

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

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

A listing of payroll checks totaling \$62,159.38 (net) issued to employees and Board members for pay periods ending November, 2020, was reviewed and certified by the President, General Manager and Secretary-Treasurer.

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4. Income Statements (Budget-to-Actual): Period Ending November 30, 2020
5. Cash Position Report: November 30, 2020
6. Accounts Receivable Activity Report: November 30, 2020
7. Work Order Status Report: November 30, 2020

B. FISCAL AUDIT: MARCH 1, 2019-FEBRUARY 29, 2020

Mr. Amorelli reported auditors are being cautious during the COVID-19 pandemic and have delayed onsite visitation. To move the audit forward, Mr. Amorelli delivered financial records to their Fresno office for inspection.

V. DIRECTORS' REPORTS

PRESIDENT, RILEY CHANEY

- ▶ Austin Ewell contacted Mr. Chaney on behalf of the Mendota Pool Group. A future workshop was proposed to include San Luis & Delta-Mendota Water Authority representatives, James ID, Westlands Water District and Mendota Pool Group, to discuss water quality issues and aquatic weed control.

VI. GENERAL MANAGER'S REPORT

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

OPERATIONS

- ▶ Water Deliveries: November, 2020 - Water deliveries for the month of November were 2,534 acre-feet which is 696 acre-feet more than was delivered during November, 2019. The fiscal year-to-date total deliveries are at 51,510 acre-feet which is 731 acre-feet more than was delivered at this time during the last fiscal year.
- ▶ Weekly TDS Readings: November 30, 2020
- ▶ 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 November 30, 2020, were reviewed.
 - Mr. Amorelli has reached out to the USBR and received assurance that they will assist him during his transition.

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- ▶ Kings River Water Association
 - KRWA Storage Operations in Pine Flat Reservoir as of November 15, 2020, totaled approximately 2,333 CFS-Days in the District's storage account.

AGENCIES

- ▶ San Luis & Delta-Mendota Water Authority has agreed to assist Mr. Amorelli during his transition.

ACTIVITIES

- ▶ McMullin Area Groundwater Sustainability Agency - Matt Hurley, Manager, has reached out and will be meeting with Mr. Amorelli tomorrow.

VII. SUPERINTENDENT'S REPORT

Mr. Mancini presented his verbal update on operations, maintenance and other activities as follows:

- ▶ Maintenance - Typical year-end maintenance activities are under way including installation of new irrigation systems.
- ▶ Well Repairs - Well repair and/or maintenance needs are being evaluated.
- ▶ Well Conversions PG&E to PWRPA - Mr. Mancini been assured by A-C Electric that work will be completed while the system is down and completed by early January.
- ▶ Weed Control - Application of pre-emergents are in process; waiting for rains to activate the chemicals.

VIII. ACTION ITEMS

A. OUTSOURCING POSSIBILITIES (11/10/2020)

Sarah Woolf, Water Wise, spoke telephonically indicating she was uncertain of the District's needs but stated she may be able to assist with water scheduling, water markets, etc. She works with Triangle T Water District (formed in response to demands of SGMA) and assists their General Manager, Chase Hurley, with water deliveries, projects, water rights, Brown Act requests, agenda, etc. Also, she assists Pleasant Valley Water District attorneys, engineering, projects. Ms. Woolf indicated she charges monthly or by-the-hour.

M/S/C (J.HUGHES / R.BARCELLOS), to ENGAGE THE SERVICES OF SARAH WOOLF, WATER WISE, AS NEEDED AT AN HOURLY RATE OF \$250.00.

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

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B. CAPITAL EQUIPMENT PURCHASE: SPRAY TRUCK (12/08/2020)

Mr. Amorelli discussed quotes for a 1-ton truck and chassis and installation of spray equipment.

- ▶ Director Hughes indicated he was against this expense and suggested the District consider utilizing other types of equipment (tractor, orchard sprayer, etc.) or possibly investigate outsourcing.
- ▶ President Chaney stated he, too, was against the purchase. He recently met with Simplot representatives who indicated they spray for another district and charge by the hour. He suggested a meeting be scheduled with Simplot, Mr. Mancini and interested Board members. Simplot may attend next meeting.
- ▶ Director Motte expressed concern for (1) liability and (2) availability for applications when needed.

DEFERRED further consideration of equipment purchase until other avenues are investigated.

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

REFERRED to Sarah Woolf, Water Wise, for review/comment. To be discussed next meeting.

D. RESOLUTION 2020-14 AMENDING PER DIEM COMPENSATION RATE FOR DIRECTORS & COMPENSATION REIMBURSEMENT POLICY (11/10/2020) - M/S/C (M.COMBS / R.BARCELLOS), to TAKE NO ACTION AND REMOVE THIS ITEM FROM THE AGENDA.

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

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

Kenneth Mancini reported this well was drilled in 1985. He reviewed expenditures to patch and bail sand, repairs in 2014 and 2016 totaling several thousand dollars. A quote to drill a replacement was in file from Arthur & Orum.

M/S/C (M.COMBS / J.HUGHES), to:

1. ABANDON Well D-40 (Main Canal between Laterals H & I).
2. DRILL a replacement well, site to be determined.

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

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

While the yield is down, it was the general consensus that this well remain in service for now. A replacement well should be drilled if/when a suitable location is determined and be reserved for use when Well D-15 is no longer viable.

The Board requested a Well Production Report be presented next meeting (GPM yield of all wells).

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G. AGREEMENT PROVIDING FOR WATER SERVICE OUTSIDE DISTRICT BOUNDARIES (12/12/2017)

Discussed in Closed Session §5495638-Conference with Real Property Negotiator (see below).

H. DISTRICT WEBSITE (06/11/2019)

Mr. Amorelli discussed quotes to develop a District website portal for grower access from (1) H2oPro/Euan Slidders (water orders, etc., in .pdf format) plus an annual maintenance fee and (2) Truepoint Solutions which would necessitate the purchase of laptops for ditch tenders as well as purchasing their assessment module. NO ACTION TAKEN.

IX. REPORT ITEMS

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

Kenneth Mancini reported he spoke with Fish & Game and learned the proliferation of water hyacinth is a recent occurrence and is the responsibility of the USBR and/or San Luis Delta-Mendota Water Authority to correct. Blankenship & Associates has indicated permit revisions are nearly complete and permit work should be completed by the end of March, 2021.

Adjourned to Closed Session at 11:04 a.m.

Directors Attending:

Riley Chaney, President
Jeremy Hughes, Vice-President
Robert Barcellos, Director
Micah Combs, Director
Robert Motte, Director

Consultants:

Young Wooldridge, LLP
Brett A. Stroud, Esq. (Telephone: 11:04 a.m.-12:43 p.m.)

Bartkiewicz Kronick & Shanahan
Ryan S. Bezerra, Esq. (Telephone: 11:04-11:25 a.m.)

Staff Attending

Manny Amorelli, General Manager
(11:04-11:23 a.m.; 11:35 a.m.-12:43 p.m.)

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

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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)

XI. CLOSED SESSION: GOVERNMENT CODE §54957 - PERSONNEL MATTERS

XII. CLOSED SESSION: GOVERNMENT CODE §54957 - PUBLIC EMPLOYMENT

- A. TITLE: STAFF ACCOUNTANT (1)

XIII. CLOSED SESSION: GOVERNMENT CODE §54957 - PUBLIC EMPLOYEE PERFORMANCE EVALUATION

- A. TITLE: GENERAL MANAGER, SECRETARY-TREASURER/ASSESSOR-COLLECTOR (1)

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Mr. Amorelli was excused from the meeting prior to discussion of the following item.

- B. TITLE: GENERAL MANAGER (1)

Mr. Amorelli returned to the meeting following discussion of the above item.

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

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

- A. BURFORD FARMS (03/10/2020)

Negotiating Parties: James Irrigation District: General Manager/Designee
Burford Farms: Jill Burford Minnick
Under Negotiation: Price, terms and conditions of possible water supply transactions.
Discussion: Agreement Providing for Water Service Outside the Boundaries of James Irrigation District

- B. FRESNO COUNTY APN 035-060-64 PTN (10/14/2014)

Negotiating Parties: James Irrigation District: General Manager/Designee
Landowner: Abrahamian Trust, Kenneth Abrahamian, Jr.
Under Negotiation: Price, terms and conditions of possible real property and/or water supply transactions

Reconvened in Open Session at 12:43 p.m.

XVI. REPORT ON ACTIONS TAKEN DURING CLOSED SESSION

The following reportable actions were taken during the Closed Session as noted.

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

- A. BURFORD FARMS (03/10/2020)

Negotiating Parties: James Irrigation District: General Manager/Designee
Burford Farms: Jill Burford Minnick
Under Negotiation: Price, terms and conditions of possible water supply transactions.
REPORTABLE ACTION: Requested Burford Farms present a draft agreement allowing them to wheel their Kings River water through Fresno Irrigation District into the Southwest Banking Project through James ID conveyance facilities to their property south of the District boundaries.

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► **CLOSED SESSION: GOVERNMENT CODE §54956.9 - CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION**

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

Upon recommendation of Counsel, Brett Stroud, M/S/C (M.COMBS / J.HUGHES), to IMMEDIATELY APPOINT DAVID RALSTON, ESQ., FOLEY LARDNER, WASHINGTON, D.C., AS SPECIAL COUNSEL REPLACING STEVEN P. STADLER.

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

XVII. ADJOURN

There being no further business to come before the Board, the meeting was ADJOURNED at 12:45 p.m., until the next Regular Meeting scheduled for Tuesday, January 12, 2021.

RECORDED BY:

APPROVED BY:

Donna Y. Hanneman, Executive Assistant

Riley Chaney, President

Manny Amorelli, General Manager

ATTACHMENTS:

1. Interim Warrants: November 11-December 8, 2020, \$597,120.05
2. Accounts Payable: \$70,833.35
3. Payroll Certification: Pay Periods Ending November, 2020, \$62,159.38 (net)