

JAMES IRRIGATION DISTRICT

BOARD OF DIRECTORS - REGULAR MEETING

MINUTES July 13, 2021

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
Donna Hanneman, Executive Assistant
Kenneth Mancini, Superintendent

LANDOWNERS / GROWERS

None

PUBLIC / CONSULTANTS

- WATER WISE
Sarah Woolf
Kristi Robinson (Zoom: 10:06-11:13 a.m.)
- McMULLIN AREA GROUNDWATER SUSTAINABILITY AGENCY
Matt Hurley, General Manager (Zoom: 10:06-11:13 a.m.)
- WEST WATER RESEARCH
Audrey Arnao, Research Analyst (Zoom: 10:06-11:13 a.m.)

LEGAL COUNSEL

- YOUNG WOOLDRIDGE, LLP
Alan F. Doud, Esq. (Zoom: 10:06-11:55 a.m.)

I. CALL TO ORDER

A Regular Meeting of the Board of Directors of JAMES IRRIGATION DISTRICT was held Tuesday, July 13, 2021, in the District office located at 8749 Ninth Street, San Joaquin, California. The meeting was called to order at 10:06 a.m., by President, Riley Chaney. A quorum was at all times present and acting.

This meeting was conducted in accordance with the Governor's Executive Order N-29-20 and the declared State of Emergency as a result of the threat of COVID-19 virus pandemic. 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. OTHER BUSINESS / PUBLIC COMMENTS

A. PUBLIC COMMENTS

None.

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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 Robert Motte noted a potential conflict-of-interest with Closed Session Agenda Item XII.D , Fresno County APN #030-370-32s, and stated he would be recusing himself from discussing and/or voting on the matter.

III. MINUTES

A. REGULAR MEETING: JUNE 8, 2021

B. SPECIAL MEETING: JUNE 22, 2021

M/S/C (M.COMBS / J.HUGHES), to 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: June 9-July 13, 2021 (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 / M.COMBS), to RATIFY/APPROVE Interim Warrants (bills paid since last meeting) totaling \$58,709.70 and APPROVE payment of Accounts Payable (unpaid bills) totaling \$301,545.10 by the following vote:

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

3. Payroll Certification: Pay Periods Ending June, 2021 (Att.3)

A listing of payroll checks totaling \$75,770.23 (net) issued to employees and Board members for pay periods ending June, 2021, was reviewed and certified by the President, General Manager and Office Manager.

4. Income Statements (Budget-to-Actual): Period Ending June 30, 2021

5. Quarterly Report of Financial Investments: June 30, 2021 Gov. Code §53646

6. Cash Position Report: June 30, 2021

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7. Schedule of Long-Term Debt/Notes Payable: June 30, 2021

8. Accounts Receivable Activity Report: June 30, 2021

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

The audit is proceeding with some difficulties because of some COVID19 manpower issues.

C. ASSESSMENTS

1. Delinquencies

Delinquent assessments were reviewed. Landowners have been notified.

2. Delinquency Sale Date

A sale date has been set for Wednesday, August 18, 2021, at 10:00 a.m., and notice will be published in *The West Side Advance* (Water Code §26105) should delinquencies not be corrected.

V. GENERAL MANAGER'S REPORT

Mr. Amorelli presented his verbal report encompassing operations, maintenance, projects and other District matters for the month of June, 2021, as follows:

OPERATIONS

- ▶ Water Deliveries: June, 2021 - Water deliveries for the month of June were 10,982 acre-feet which is 379 acre-feet more than was delivered during June, 2021. The fiscal year-to-date total deliveries are at 25,440 acre-feet which is 1,664 acre-feet more than was delivered at this time during the last fiscal year.
- ▶ Weekly TDS Readings: July 5, 2021
- ▶ U.S.B.R. / Central Valley Project
 - Allocations remain at zero to South-of-Delta contractors.
 - Mendota Pool - Pumping reports (TDS, electroconductivity) for the Mendota Wildlife Area, Delta-Mendota Canal Check#21, and Mendota Pool Degradation through June 30, 2021, were reviewed.
- ▶ San Joaquin River / Riparian - As of June 30, 2021, there was 1,000 acre-feet of the 2021 allocation remaining which will be used for July deliveries.

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- ▶ Kings River Water Association
 - Entitlement Water will remain in storage at Pine Flat Dam as Fresno Irrigation District won't run this year.
 - Lower River started its 40-day run on June 15th.

MAINTENANCE

- ▶ Replacement Wells - The Grant of Easement for APN #030-060-48(ptn) by Gregory Jordan Harris/ Sarah Elizabeth Harris has been recorded. Drilling the replacement well for D-40 can proceed once the driller is available.
- ▶ Mud Dam recently passed inspection by California Department of Water Resources.
- ▶ Water Hyacinth / James Bypass - Water Works has been having COVID19 staffing problems. Various agencies have been contacted to provide quotes for spraying.

PROJECTS

- ▶ Well Monitoring Telemetry - XIO of San Rafael, California, was contacted regarding Cloud SCADA software to monitor well operations/production and efficiency. Their quote did not include remote control to operate wells.
- ▶ Solar Project - White Pine Renewables expects PG&E approval by mid-August.
- ▶ Infrastructure - Dr. Charles Burt, Cal/Poly San Luis Obispo, willing to hold a workshop with the Board to discuss design, grants, etc. The Board agreed to schedule a Special Meeting.

AGENCIES

- ▶ Kings Basin Water Authority (KBWA) - Attended the June 25th Coordinating Committee meeting.
- ▶ McMullin Area Groundwater Sustainability Agency (MAGSA) - Attended the June 22nd meeting.
- ▶ Mendota Pool Group (MPG) - Participated in the June 24th coordinating meeting.

ADMINISTRATIVE ITEMS

- ▶ Ditchtender / Maintenance - Jose Berber Solis was hired July 6, 2021.
- ▶ ACH Payments - President Riley Chaney requested staff investigate potential for grower ACH payments.

VI. SUPERINTENDENT'S REPORT

Mr. Mancini reported on operations, maintenance, projects, equipment and other District matters.

- ▶ Typical summer maintenance activities continue.
- ▶ Well repairs continue but nothing out of the ordinary (bowl repairs, etc.).

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VII. DIRECTORS' REPORTS (Gov. Code §53232.3)

VICE-PRESIDENT, JEREMY HUGHES

- ▶ Director Hughes noted remote access to public meetings may become practice. Staff is monitoring pending legislation under AB-339 Local Government: Open & Public Meetings, Government Code, Section 54953, which may mandate remote access to public meetings.

VIII. ACTION ITEMS

A. RULES & REGULATIONS GOVERNING WATER DISTRIBUTION & CANAL MAINTENANCE (07/13/2021)

Reviewed potential revisions to the District's operation manual. (Att.4) **M/S/C (J.HUGHES/R.BARCELLOS)**, to APPROVE PROPOSED AMENDMENTS CONTINGENT UPON APPROVAL BY LEGAL COUNSEL.

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

B. WATER POLICY (07/13/2021)

Director Robert Motte proposed the Board establish a policy to allow the purchase of Class II water if/when available at a reasonable price to be dedicated for recharge purposes. By establishing a policy now, guidelines would be in place for the future. The Board was supportive of this effort and requested staff seek guidance in drafting a policy to be returned to this Board for review/approval.

IX. REPORT ITEMS

A. REPLACEMENT WELL (07/13/2021)

Conducted a discussion regarding choosing wellsite locations and water quality issues. Major points explored as follows:

- ▶ Mr. Amorelli noted quotes from both Arthur & Orum and Myers include drilling test wells.
- ▶ Director Hughes suggested the District might consider drilling deeper wells to improve water quality. While this would be more expensive, it may avoid water quality issues. Drillers have indicated their experience with test wells have proven their worth. Suggested the Board look beyond the low bid and consider extenuating circumstances when awarding future contracts. Greater investment could yield better results.
- ▶ Director Motte commented that cropping patterns (esp. almonds) demand test wells be drilled to confirm water quality before committing to drilling production wells due to their increased sensitivity to salts/boron.

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- ▶ There was a unanimous consensus that a test well be drilled on the new Harris easement, Fresno County APN#030-060-48 (ptn), before drilling a production well and all future wellsites.
- ▶ Requested Alan Doud investigate whether a test well can be drilled on APN#030-370-32s before a Grant of Easement is recorded.
- ▶ Investigate the District's deeded/undeveloped wellsites for future consideration.

ADJOURNED TO CLOSED SESSION AT 11:13 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

Consultants:

- Water Wise
Sarah Woolf

Legal Counsel

- Young Wooldridge, LLP
Alan F. Doud, Esq.

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

4 CASES

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. 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-E.G.

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B. AS PLAINTIFF: 4 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
4. FRESNO COUNTY APN 030-370-32S
Eminent Domain proceedings for District wellsite on property owned by the Frank V. Motte Testamentary Trust

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

XII. 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

Negotiating Parties: James Irrigation District: General Manager/Designee
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:
General Manager/Designee

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

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DIRECTOR ROBERT MOTTE STATED HE HAD A CONFLICT-OF-INTEREST IN ASSOCIATION WITH THE FOLLOWING ITEM AS THE FRANK V. MOTTE TESTAMENTARY TRUST WAS ESTABLISHED BY HIS FATHER. HE EXCUSED HIMSELF FROM THE MEETING BEFORE DISCUSSION ENSUED.

D. FRESNO COUNTY APN #030-370-32S (05/11/2021)

Negotiating Parties: James Irrigation District: General Manager/Designee

Landowner: The Frank V. Motte Testamentary Trust

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

RECONVENED IN OPEN SESSION AT 11:55 A.M.

XIII. REPORT ON ACTIONS TAKEN DURING CLOSED SESSION

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

XIV. ADJOURN

There being no further business to come before the Board, the meeting was ADJOURNED at 11:57 a.m., until the next Regular Meeting scheduled for Tuesday, August 10, 2021.

RECORDED BY:

APPROVED BY:

Donna Y. Hanneman, Executive Assistant

Riley Chaney, President

Manny Amorelli, General Manager

ATTACHMENTS:

1. Interim Warrants: June 9-July 13, 2021, \$58,709.70
2. Accounts Payable: \$301,545.10
3. Payroll Certification: Pay Periods Ending June, 2021, \$75,770.23 (net)
4. Rules & Regulations Governing Water Distribution & Canal Maintenance (Draft-Redlined), July 13, 2021)