

JAMES IRRIGATION DISTRICT

BOARD OF DIRECTORS - SPECIAL MEETING

MINUTES July 28, 2021

ATTENDANCE

DIRECTORS PRESENT (5)

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

EXCUSED

None

ABSENT

None

STAFF PRESENT (3)

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

LANDOWNERS / GROWERS

None

PUBLIC / CONSULTANTS (5)

- RECLAMATION DISTRICT NO. 1606
Gerald W. Kinnunen, President
Wm. Cory Carvalho, Vice-President
 - JAMES GROUNDWATER SUSTAINABILITY AGENCY
Salvador Parra, Jr.
 - PROVOST & PRITCHARD CONSULTING GROUP, INC.
Eric Abrahamsen, PE
 - WATER WISE
Sarah Woolf (Zoom)
- LEGAL COUNSEL (1)
- YOUNG WOOLDRIDGE, LLP
Alan F. Doud, Esq. (Telephone: 2:49-3:03 p.m.)

I. CALL TO ORDER

A Special Meeting of the Board of Directors of JAMES IRRIGATION DISTRICT was held Wednesday, July 28, 2021, in the District office located at 8749 Ninth Street, San Joaquin, California. The meeting was called to order at 2:00 p.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.

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II. OTHER BUSINESS / PUBLIC COMMENTS

A. PUBLIC COMMENTS

None.

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; none were reported.

III. ACTION ITEMS

None

IV. REPORT ITEMS

A. ASSESSMENT RATE / WATER RATE STRUCTURE REVIEW (12/13/2016)

- ▶ Mr. Amorelli stated the primary purpose for calling this meeting was to explore various concepts/methodologies to increase the District's assessment rates with a proportionate decrease in the irrigation billing rate.
- ▶ Eric Abrahamsen, P.E., Provost & Pritchard Consulting Group, reviewed a PowerPoint presentation outlining the background, history, justification, options, approval process and schedule required to achieve this goal. (Att.1)
 - Ballots would be mailed to all District landowners based on the most recent Fresno County secured property tax rolls and would be "weighted according to the proportional financial obligation of the affected property".
 - Results must be supported by 50% or more of the returned ballots. Considering the processes and time line required to inform voters, conduct public outreach, publish notices, etc., Mr. Abrahamsen cautioned, "There is very little time to get this done in time for the 2021-2022 assessments".
 - As there have been a number of land sales that have not posted to the County's tax rolls in prior years, and noting recent sales that have occurred after the County's July 1st cut-off date, the Board requested staff investigate/report on subscribing to a property data service (e.g., Parcelquest).

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- ▶ Director Motte explored the concept of charging a “minimum water purchase per acre” for those irrigating new/young trees (esp., pistachios) as they require less water for 3-5 years thereby reducing financial support of the District while benefitting from its services. Once trees mature, irrigations increase and the problem corrects itself. Mr. Doud indicated this would be considered a “standby fee” and would also be subject to the Proposition 218 process.

- ▶ **Consensus:**

1. Increase assessments to \$50.00/acre, escalate a maximum of \$10.00/year (including GSA costs) to a maximum of \$100.00/acre.
2. As assessments increase, proportionately reduce water rates, if possible.
3. Separate line item for SGMA
4. Proceed with a simultaneous water rate and assessment rate vote.
5. President Riley Chaney requested an outreach letter be drafted for review next meeting.
6. Staff was requested to develop a contact list.

B. CAPITAL IMPROVEMENT PROJECTS (07/28/2021)

A brief discussion on future capital improvement projects followed. Discussed the advanced age and condition of the Main Canal Booster Stations (E, H, J, P). Should a decision be made to replace boosters, Mr. Mancini suggested consideration be given to the ability to move water. Build for the future, especially considering MAGSA and eastside landowners. Perhaps replacement could be done in phases starting at Lateral E. Requested this matter be placed on the August 10, 2021, Agenda for further discussion.

**ALTHOUGH THE FOLLOWING CLOSED SESSION MATTERS WERE LISTED ON THE AGENDA,
THE BOARD OPTED TO DEFER DISCUSSION UNTIL THE NEXT REGULAR MEETING.**

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

4 CASES

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VI. 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-EPG

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

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VII. 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

San Luis Water District: Lon Martin

Various CVP Contractors: General Managers or Designees

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

VIII. REPORT ON ACTIONS TAKEN DURING CLOSED SESSION

Closed Session was not held.

IX. ADJOURN

There being no further business to come before the Board, M/S/C (R.BARCELLOS / J.HUGHES), to ADJOURN the meeting at 3:49 p.m., until the next Regular Meeting scheduled for Tuesday, August 10, 2021, by the following vote:

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

RECORDED BY:

APPROVED BY:

Donna Y. Hanneman, Executive Assistant

Riley Chaney, President

Manny Amorelli, General Manager

ATTACHMENTS:

1. PowerPoint: James Irrigation District, Proposition 218 Engineer's Report-2021 Special Benefit Assessment Increase, Eric Abrahamsen, PE, Provost & Pritchard Consulting Group, Inc.