

JAMES IRRIGATION DISTRICT

BOARD OF DIRECTORS - REGULAR MEETING

MINUTES December 13, 2022

ATTENDANCE

DIRECTORS PRESENT

Riley Chaney, President
Micah Combs, Vice-President
Robert Motte
Robert Barcellos
Vacant

LANDOWNERS / GROWERS

Ben Jertberg (Zoom)
Sal Parra, Jr.

PUBLIC / CONSULTANTS

Unidentified (Zoom)

EXCUSED

None

ABSENT

None

STAFF PRESENT

Manny Amorelli, General Manager,
Treasurer/Assessor-Collector
Walter Flores-Barboza, Office Manager
Kenneth Mancini, Superintendent
Donna Hanneman, Secretary

• RECLAMATION DISTRICT NO. 1606

Gerald W. Kinnunen, President
Wm. Cory Carvalho, Vice-President

• PROVOST & PRITCHARD CONSULTING GROUP, LLC

Eric Abrahamsen, PE (Zoom)

• McMULLIN AREA GROUNDWATER SUSTAINABILITY AGENCY

Matt Hurley, General Manager
Matt Abercrombie (Zoom)

LEGAL COUNSEL

• YOUNG WOOLDRIDGE, LLP

Alan F. Doud, Esq. (Zoom)

I. CALL TO ORDER

A Regular Meeting of the Board of Directors of JAMES IRRIGATION DISTRICT ("District") was held Tuesday, December 13, 2022, in the District office located at 8749 Ninth Street, San Joaquin, California. The meeting was called to order at 10:05 a.m., by President, Riley Chaney. A quorum was at all times present and acting.

Members of the public were encouraged to access the meeting via internet/Zoom or by utilizing the call-in number to allow them to fully participate in the meeting without having to be present.

II. RESOLUTION RENEWING USE OF REMOTE TELECONFERENCE MEETINGS UNDER AB361

As all members of the Board of Directors were present, no action was taken to adopt this Resolution allowing the Board to conduct meetings via teleconference and/or remotely in conformity with Government Code section 54953(e) as amended by AB361.

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III. OTHER BUSINESS / PUBLIC COMMENTS

A. PUBLIC COMMENTS

- ▶ McMullin Area Groundwater Sustainability Agency - Matt Hurley, General Manager, extended his wishes for a Merry Christmas to all. He encouraged anyone with questions to contact him for assistance.

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 MICAH COMBS declared he had a potential conflict-of-interest with item **XII. CLOSED SESSION GOVERNMENT CODE §54956.8-CONFERENCE WITH REAL PROPERTY NEGOTIATOR**, Item H., FRESNO COUNTY APN #040-030-46S (6.51 ACRES), and stated he would be recusing himself from discussing, initiating any action or voting on the matter as his sister, Kimberly Combs, is the Landowner.

D. REORGANIZATION: ELECTION OF OFFICERS

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

AYES: 4 (R.Motte, M.Combs, R.Barcellos, R.Chaney)

James Irrigation District:

President	Riley Chaney
Vice-President	Micah Combs
Treasurer/Assessor-Collector:	Manny Amorelli
Secretary:	Donna Hanneman

E. AGENCY APPOINTMENTS

M/S/C (R.MOTTE / M.COMBS), to APPOINT the following slate of representatives by the following vote:

AYES: 4 (R.Motte, M.Combs, R.Barcellos, R.Chaney)

1. James Irrigation District Retirement Plan & Deferred Compensation Plan

- (1) Micah Combs
- (2) Robert Motte
- (3) Manny Amorelli, Executive Secretary

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2. James Groundwater Sustainability Agency Representatives:
 - (1) Robert Motte
 - (2) Micah Combs
 - (3) Salvador Parra, Jr.
 - (4) Manny Amorelli, Executive Director

3. San Luis & Delta-Mendota Water Authority, District 5
 - (1) Director Manny Amorelli
 - (2) Alternate Director Riley Chaney

4. Kings River Water Association
 - (1) Director Manny Amorelli
 - (2) Alternate Director Robert Motte

5. Kings River Watershed Coalition Authority (aka: Upper Kings Basin Integrated Regional Water Management Authority)
 - (1) Director Robert Barcellos
 - (2) Alternate Director Manny Amorelli

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

7. Power & Water Resources Pooling Authority
 - (1) Director Manny Amorelli
 - (2) Alternate Director Vacant (Formerly: Jeremy Hughes)

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

IV. MINUTES

A. SPECIAL MEETING: NOVEMBER 7, 2022

B. REGULAR MEETING: NOVEMBER 8, 2022

M/S/C (M.COMBS / R.MOTTE), to APPROVE as written by the following vote:

AYES: 4(M.Combs, R.Motte, R.Barcellos, R.Chaney)

VACANT: 1

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V. TREASURER'S REPORT

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

A. FINANCIAL REPORTS

1. Interim Warrants: November 9-December 13, 2022 (Att.1)

Interim Warrants (bills paid) with supporting invoices were presented for review/approval. M/S/C (R.MOTTE / R.BARCELLOS), to RATIFY/APPROVE Interim Warrants totaling \$770,399.41 by the following vote:

AYES: 4 (R.Motte, R.Barcellos, M.Combs, R.Chaney)

VACANT: 1

2. Accounts Payable

- ▶ Provost & Pritchard Consulting Group unpaid invoices #96445/ \$14,913.20 and #96446/\$6,850.67 were reviewed.

3. Payroll Certification: Pay Periods Ending November, 2022 (Att.2)

A listing of payroll checks totaling \$66,992.67 (net) issued to employees and Board members for pay periods ending November, 2022, was reviewed and certified by the President, General Manager and Office Manager.

4. Income Statements (Budget-to-Actual): Period Ending November 30, 2022

5. Cash Position Report: November 30, 2022

6. Accounts Receivable Activity Report: November 30, 2022

VI. GENERAL MANAGER'S REPORT

Mr. Amorelli presented his verbal report encompassing operations, maintenance, projects and other District matters for the month of November, 2022, as follows:

OPERATIONS

- ▶ Water Deliveries: November, 2022 - Water deliveries for the month of November, 2022, were 972 acre-feet which is 285 acre-feet less than was delivered during November, 2021. The fiscal year-to-date total deliveries are at 54,549 acre-feet which is 3,321 acre-feet more than was delivered at this time during the last fiscal year.
- ▶ Weekly TDS Readings: November 14, 2022

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CONFERENCES ATTENDED

- ▶ ACWA Fall Conference, November 29-December 2, 2022, Indian Wells, CA
Mr. Amorelli noted while attending the ACWA Fall Conference, he met with representatives from the McMullin Area Groundwater Sustainability Agency, Mendota Pool Pumpers, San Luis & Delta-Mendota Water Authority as well as the U.S.B.R.

VII. SUPERINTENDENT'S REPORT

Superintendent, Kenneth Mancini, reported on the following projects/activities:

- ▶ Finishing application of pre-emergent sprays
- ▶ Checking headgates/ditches
- ▶ Installing new headgates
- ▶ Excavator work
- ▶ Repairing boosters & flaps on the Main Canal.

VIII. DIRECTORS' REPORTS

None were presented.

IX. ACTION ITEMS

A. BOARD VACANCY (12/13/2022)

- ▶ As he was recently elected to the Board of Directors of Westlands Water District, Director Jeremy Hughes submitted his written resignation effective November 28, 2022. (Att.3)
- ▶ The Board decided to move forward filling the vacancy with an appointment at the January meeting.

M/S/C (R.MOTTE/R.BARCELLOS), to accept Jeremy Hughes resignation and fill by appointment

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

VACANT: 1

B. ▶ DISTRICT MAINTENANCE

The Board decided to move forward using Simplot to help the district in weed maintenance and going forward will schedule an annual August meeting with representatives.

C. ▶ MAIN CANAL FEASIBILITY STUDY

The Board has decided to delegate the main canal feasibility study to the upcoming ad hoc committee.

D. ▶ STRATEGIC PLANNING

The Board decided to move forward forming approximately five new ad hoc committees consisting of Board members, staff and landowners/Growers.

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ADJOURNED TO CLOSED SESSION AT 10:56 A.M.

Directors Attending:

Riley Chaney, President
Micah Combs, Vice-President
Robert Motte
Robert Barcellos

Staff Attending

Manny Amorelli, General Manager

Legal Counsel

- Young Wooldridge, LLP
Alan F. Doud, Esq. (Zoom)

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

A. SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO PARAGRAPH (2) OR (3) OF SUBDIVISION (D):

4 Cases

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

A. AS DEFENDANT: 2 CASES

1. NATURAL RESOURCES DEFENSE COUNCIL, ET AL, V HAALAND, ET AL
U.S. District Court for the Eastern District of California
Case No. 1:5-CV-01207LJO-GSA
2. 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: 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

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

Negotiating Parties: James Irrigation District: General 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. WATER BANKING & TRANSFERS (04/19/2018)

Negotiating Parties: James Irrigation District: General Manager/Designee

To Be Determined

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

D. WATER BANKING & TRANSFERS (06/22/2021)

Negotiating Parties: James Irrigation District: General Manager/Designee

McMullin Groundwater Sustainability Agency

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

E. WHITE PINE RENEWABLES (04/13/2021)

Negotiating Parties: James Irrigation District: General Manager/Designee

White Pine Renewables: Evan Riley

Under Negotiation: Price, terms and conditions of possible real property transaction.

F. FRESNO COUNTY APN 030-090-24S (15.98 ACRES), 030-090-28S (366.07 ACRES) (10/16/2012)

Negotiating Parties: James Irrigation District: General Manager/Designee

Landowner

Under Negotiation: Price, terms of payment.

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G. FRESNO COUNTY APN 030-090-29S (4.66 ACRES), APN 030-090-30S (2.03 ACRES) (06/11/2019)

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

Under Negotiation: Price, terms of payment.

H. FRESNO COUNTY APN #040-030-46S (6.51 ACRES)

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

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

RECONVENED IN OPEN SESSION AT 11:20 A.M.

XIII. REPORT ON ACTIONS TAKEN DURING CLOSED SESSION Gov. Code 54957.1

General Manager, Manny Amorelli, stated the following reportable actions were taken during the Closed Session.

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

FRESNO COUNTY APN 030-090-24S (15.98 ACRES), 030-090-28S (366.07 ACRES) (10/16/2012)

Negotiating Parties: James Irrigation District: General Manager/Designee
Landowner: Marilyn Fay Briggs, Trustee

Action: M/S/C (R.Motto/M.Combs), to APPROVE A PERMANENT WATER DELIVERY AGREEMENT EFFECTIVE NOVEMBER 1, 2022. (Att.4)

AYES: 4 (M.Combs, R.Barcellos, R.Motte, R.Chaney)

VACANT: 1

XIV. ETHICS TRAINING

Alan Doud, Esq., Young Wooldridge LLP, conducted a live, 2-hour Ethics Training Class remotely by Zoom. The following were in attendance:

James Irrigation District
Riley Chaney, President
Micah Combs, Vice-President
Robert Barcellos, Director
Robert Motte, Director

Manny Amorelli, General Manager
Walter Flores-Barboza, Office Manager
Donna Hanneman, Secretary
Kenneth Mancini, Superintendent

James Groundwater Sustainability Agency
Salvador Parra, Jr., Director

Reclamation District No. 1606
Gerald W. Kinnunen, President
Wm. Cory Carvalho, Vice-President

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XV. ADJOURN

There being no further business to come before the Board, the meeting was ADJOURNED at 1:00 p.m., until the next Regular Meeting scheduled for Tuesday, January 10, 2023.

RECORDED BY:

APPROVED BY:

Walter Flores-Barboza, Office Manager

Riley Chaney, President

Manny Amorelli, General Manager

ATTACHMENTS:

1. Interim Warrants: November 9-December 13, 2022, \$770,399.41
2. Payroll Certification: Pay Periods Ending November, 2022, \$66,992.67 (net)
3. Jeremy Hughes, Letter of Resignation Effective November 28, 2022
4. Water Delivery Agreement, Edgar Briggs & Marilyn Fay Briggs, Effective November 1, 2022