

JAMES IRRIGATION DISTRICT

BOARD OF DIRECTORS - REGULAR MEETING

MINUTES January 10, 2023

ATTENDANCE

DIRECTORS PRESENT

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

LANDOWNERS / GROWERS

Andrew Groppetti

PUBLIC / CONSULTANTS

Thomas Coleman (Zoom)
Brett Stroud (Zoom)
Dave Schmidt

EXCUSED

None

ABSENT

None

STAFF PRESENT

Manny Amorelli, General Manager,
Treasurer/Assessor-Collector
Walter Flores-Barboza, Office Manager
Kenneth Mancini, Superintendent
Melissa Benner, Clerk

• RECLAMATION DISTRICT NO. 1606

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

• McMULLIN AREA GROUNDWATER SUSTAINABILITY AGENCY

Matt Hurley, General Manager (Zoom)
Chase Hurley (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, January 10, 2023, in the District office located at 8749 Ninth Street, San Joaquin, California. The meeting was called to order at 10:01 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 extended his wishes for a Happy New Year to all. Chase Hurley expressed his gratitude in working with the District this past year.

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.

IV. MINUTES

A. REGULAR MEETING: DECEMBER 13, 2022

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

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

VACANT: 1

V. TREASURER'S REPORT

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

A. FINANCIAL REPORTS

1. Interim Warrants: December 14-January 10, 2023 (Att.1)

2. Accounts Payable

Interim Warrants (bills paid) with supporting invoices and Accounts Payable invoices (unpaid bills) were presented for review/approval. M/S/C (R.COMBS / R.BARCELLOS), to RATIFY/APPROVE Interim Warrants totaling \$257,857.75 and AUTHORIZE/APPROVE payment of Accounts Payable totaling \$76,211.10 by the following vote:

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

VACANT: 1

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

A listing of payroll checks totaling \$90,043.96 (net) issued to employees and Board members for pay periods ending December, 2022, was reviewed and certified by the President, General Manager and Office Manager.

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4. Annual Report of Remuneration to Board of Directors: January 1-December 31, 2022 (Gov. Code §53065.5)
5. Income Statements (Budget-to-Actual): Period Ending December 31, 2022
6. Quarterly Report of Investments: December 31, 2022 [Gov Code §53646(b)(1)]
7. Cash Position Report: December 31, 2022
8. Reserve Account Balance Trend Report: December 31, 2021- December 31, 2022
9. Schedule of Long Term/Notes Payable: December 31, 2022
Loan for K Basin will be repaid next year
10. Accounts Receivable Activity Report: December 31, 2022
11. District Labor Costs/Acre Foot: 2022

VI. GENERAL MANAGER'S REPORT

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

- ▶ Water Deliveries: December, 2022 - There were no water deliveries for the month of December.
- ▶ The Water Agency Inc representative came out and toured our facilities last month
- ▶ Noted that we were closed December 23rd through the 2nd of the new year for the holiday season
- ▶ The Bureau began Friant releases last week
- ▶ Mr. Amorelli will be attending the Reno Conference in late January 2023.

VII. SUPERINTENDENT'S REPORT

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

- ▶ Checking head-gates/ditches
- ▶ Servicing District equipment
- ▶ Regular maintenance at shop/office due to weather conditions.

VIII. DIRECTORS' REPORTS

None were presented.

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IX. ACTION ITEMS

A. BOARD VACANCY (12/13/2022) (Att.3)

- ▶ District received two letters of interest to fill the Board of Director vacancy, Andrew Groppetti and Cory W. Carvalho.

M/S/C (M.COMBS / R.MOTTE), to APPOINT Cory W. Carvalho to fill the Board vacancy.

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

VACANT: 1

B. ▶ FISCAL BUDGET: MARCH 1, 2023-FEBRUARY 29, 2024 (01/10/2023)

The Board recommended to remove the 10% CVP and increase to 100% of Rights Water on budget drafts and review at the February Regular Board meeting.

C. ▶ DISTRICT INVESTMENT POLICIES (01/10/2023) (Att.4)

Conducted the annual review of District investment policies last enacted by Resolution 2017-01 and last re-approved January 11, 2022. (Calif. Gov. Code 53646)

M/S/C (R.MOTTE / R.BARCELLOS), to RE-APPROVE (no changes) as follows:

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

VACANT: 1

D. ▶ RESERVE POLICY

The Board decided to review in February Board meeting after the revision of the Fiscal Budget reports.

E. ▶ DISTRICT EQUIPMENT RENTAL RATES (01/10/2023)

The Board decided to review in February Board meeting after the revision of the Fiscal Budget reports.

F. ▶ ANNUAL MEETING (01/10/2023)

The Board discussed having the Annual meeting, Thursday, March 30, 2023 at 12:00 p.m.

G. ▶ FEE REIMBURSEMENT (01/10/2023)

No action was taken at this time.

X. REPORT ITEMS

A. ▶ STRATEGIC PLANNING (02/08/2022)

Mr. Amorelli gave an update that Ad Hoc committees will begin meeting in February. Growers, Land Owners and Board members are scheduled.

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ADJOURNED TO CLOSED SESSION AT 10:59 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)
Brett Stroud (Zoom)
- Bartkiewicz, Kronick & Shanahan
Ryan Bezerra (Zoom)

XI. 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

XII. 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

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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XIII. 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 030-090-29S (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.

G. 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.

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RECONVENED IN OPEN SESSION AT 12:06 P.M.

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

General Manager, Manny Amorelli, stated there were no reportable actions taken during Closed Session.

XV. ADJOURN

There being no further business to come before the Board, the meeting was ADJOURNED at 12:06 p.m., until the next Regular Meeting scheduled for Tuesday, February 14, 2023.

RECORDED BY:

APPROVED BY:

Walter Flores-Barboza, Office Manager

Riley Chaney, President

Manny Amorelli, General Manager

ATTACHMENTS:

1. Interim Warrants: December 14, 2022 - January 10, 2023, \$257,857.75 / Accounts Payable: \$76,211.10
2. Payroll Certification: Pay Periods Ending December, 2022, \$90,043.96 (net)
3. Letters of interest for Board vacancy
4. Resolution 2017-01 Re-Approving District Investment Policy, Re-approved/Adopted January 10, 2023