

JAMES IRRIGATION DISTRICT

BOARD OF DIRECTORS -REGULAR MEETING

MINUTES February 14, 2023

ATTENDANCE

DIRECTORS PRESENT

Riley Chaney, President
Micah Combs, Vice-President
(10:03 - 11:25 a.m.)
Robert Motte
Robert Barcellos
Wm. Cory Carvalho

EXCUSED

None

ABSENT

None

STAFF PRESENT

Manny Amorelli, General Manager
Walter Flores, Office Manager
Melissa Benner, Clerk

LANDOWNERS / GROWERS

Thomas Coleman (Zoom)

PUBLIC / CONSULTANTS

- FRESNO MADERA CREDIT UNION
David Schmidt
- MCMULLIN AREA GSA
Matt Hurley

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, February 14, 2023, in the District office located at 8749 Ninth Street, San Joaquin, California. The meeting was called to order at 10:00 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 use 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

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.

- It was stated that Director Micah Combs had a potential conflict of interest with item, XII. CLOSED SESSION: GOVERNMENT CODE §54956.8 - CONFERENCE WITH REAL PROPERTY NEGOTIATOR, ITEM G. FRESNO COUNTY APN 040-030-46S/6.51 AC, and he will be recusing himself from discussing, initiating any action or voting on this matter.

IV. MINUTES

A. REGULAR MEETING: JANUARY 10, 2023

SPECIAL MEETING: JANUARY 16, 2023

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

AYES: 4(R.Motte, R.Barcellos, R.Chaney, W.Carvalho)

ABSENT: 1 (M.Combs)

V. TREASURER'S REPORT

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

A. FINANCIAL REPORTS

1. Interim Warrants: January 11, 2023 - February 14, 2023 (Att.1)

Interim Warrants (bills paid) with supporting invoices were presented for review/approval.

- ▶ As Check No. 49674 dated January 20, 2023, in the amount of \$6,700.00 was issued to Motte Ranches, Inc., Director Robert Motte ABSTAINED from discussing and/or voting on the matter.

M/S/C (R.COMBS / W.CARVALHO), to RATIFY/APPROVE Interim Warrants totaling \$560,236.84

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

ABSTAIN: 1 (R.Motte)

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2. Accounts Payable (Att.2)

Unpaid bills were presented for review/approval. M/S/C (R.COMBS / W.CARVALHO)

AUTHORIZE/APPROVE payment of Accounts Payable totaling \$39,626.48 by the following vote:

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

ABSTAIN: 1 (R.Motte)

3. Payroll Certification: Pay Periods Ending January, 2023 (Att.3)

A listing of payroll checks totaling \$62,032.28 (net) issued to employees and Board members for pay periods ending January 2023, was reviewed and certified by the President, General Manager and Office Manager.

4. Income Statements (Budget-to-Actual): Period Ending January 31, 2023

5. Cash Position Report: January 31, 2023

6. Accounts Receivable Activity Report: January 31, 2023

VI. GENERAL MANAGER'S REPORT

Mr. Amorelli presented his verbal report encompassing operations, maintenance, projects and other District matters as follows:

- Mr. Amorelli reported that at a special James Irrigation District meeting the Board adopted a resolution to apply for a 215 water contract with The Bureau.
- The Board appointed Cory Carvalho to fill the vacancy at the last meeting.
- Work was completed at the big weir as concrete was poured related to repairs maintenance.
- Water Supply Enhancement Committee meeting was held. Staff reported current water supply situation and the committee decided to meet quarterly or as needed to review any upcoming water situations.
- White Pine Solar power purchase agreement project construction delays have been reported due to the wet weather.

VII. SUPERINTENDENT'S REPORT

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

- Expected to begin filling laterals in the next few weeks.
- Working on turnout modifications ordered by growers.
- Inside office remodel; floor and paint.
- Performing repairs and maintenance, trash pulling from laterals and ditches.

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

President, Riley Chaney, welcomed Wm.Cory Carvalho to the Board of Directors, as a new Board member.

IX. ACTION ITEMS

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

Discussed 2023-2024 budget forecast predicated on 100% rights water allocation and 20% CVP. M/S/C (R.BARCELLOS/R.MOTTE), to APPROVE the March 1, 2023 - February 29, 2024 Fiscal Budget with an increase of water rates to \$175 AF. (Att.4)

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

B. DISTRICT EQUIPMENT RENTAL RATES (01/10/2023)

Conducted annual review of the District's equipment rental rate schedule.

M/S/C (R.MOTTE/M.COMBS), to INCREASE all rental rates by 20% effective March 1, 2023. (Att.5)

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

ADJOURNED TO CLOSED SESSION AT 10:53 A.M.

Directors Attending:

Riley Chaney, President

Micah Combs, Vice-President

Robert Motte

Robert Barcellos

W. Cory Carvalhos

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

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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

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

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- 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 (06/22/2021)
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 (06/20/2021)
Negotiating Parties: James Irrigation District: General Manager/Designee
McMullin Area 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 land lease.
- 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.

RECONVENED IN OPEN SESSION AT 11:58 A.M.

XIII. REPORT ON ACTIONS TAKEN DURING CLOSED SESSION

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

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XIV. ADJOURN

There being no further business to come before the Board, the meeting was ADJOURNED at 11:58 a.m., until the next Regular Meeting scheduled for Tuesday, March 14, 2023.

RECORDED BY:

APPROVED BY:

Walter Flores, Office Manager

Riley Chaney, President

Manny Amorelli, General Manager

ATTACHMENTS:

1. Interim Warrants: January 11, 2023-February 14, 2023, \$560,236.84
2. Accounts Payable: \$39,626.48
3. Payroll Certification: Pay Periods Ending January, 2023, \$62,032.28 (net)
4. Fiscal Budget: March 1, 2023-February 28, 2024, Approved February 14, 2023
5. District Equipment Rental Rates Effective March 1, 2023, Approved February 14, 2023