

# JAMES IRRIGATION DISTRICT

BOARD OF DIRECTORS - REGULAR MEETING

## MINUTES March 14, 2023

### ATTENDANCE

#### DIRECTORS PRESENT

Riley Chaney, President  
Micah Combs, Vice-President  
Robert Barcellos  
Wm. Cory Carvalho  
Robert Motte

#### STAFF PRESENT

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

#### EXCUSED

None

#### LANDOWNERS / GROWERS

Justin Ayerza  
Tom Coleman (Zoom)  
Andrew Groppetti  
Gerald Kinnunen

#### ABSENT

None

#### PUBLIC / CONSULTANTS

David Schmidt, Fresno-Madera Farm Credit

#### LEGAL COUNSEL

- YOUNG WOOLDRIDGE, LLP  
Alan F. Doud, Esq. (Zoom)

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### I. CALL TO ORDER

A Regular Meeting of the Board of Directors of JAMES IRRIGATION DISTRICT (“District”) was held Tuesday, March 14, 2023, 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.

### 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.

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## D. AGENCY APPOINTMENTS

The recent resignation of Jeremy Hughes from the Board of Directors has also created a vacancy in the office of Alternate Director on the Power & Water Resources Pooling Authority. M/S/C (M.COMBS / R.BARCELLOS), to APPOINT the following representative as indicated:

### 1. Power & Water Resources Pooling Authority

(1) Alternate Director      Wm. Cory Carvalho

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

**ABSTAIN:**        1 (W.Carvalho)

## III. MINUTES

### A. REGULAR MEETING: FEBRUARY 14, 2023

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

**AYES:**            5 (M.Combs, R.Barcellos, W.Carvalho, 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: February 15-March 14, 2023 (Att.1)

#### 2. Accounts Payable (Att.2)

Interim Warrants (bills paid) with supporting invoices and Accounts Payable invoices (unpaid bills) were presented for review/approval. M/S/C (M.COMBS / W.CARVALHO), to RATIFY/ APPROVE Interim Warrants totaling \$217,476.39 and AUTHORIZE/APPROVE payment of Accounts Payable totaling \$331,763.81 by the following vote:

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

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

A listing of payroll checks totaling \$66,045.04 (net) issued to employees and Board members was reviewed and certified by the President, General Manager and Office Manager.

#### 4. Income Statements (Budget-to-Actual): Period Ending February 28, 2023

#### 5. Cash Position Report: February 28, 2023

#### 6. Accounts Receivable Activity Report: February 28, 2023

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## V. GENERAL MANAGER'S REPORT

Mr. Amorelli presented his verbal report encompassing operations, maintenance, projects and other District matters for the month of February, 2023, as follows:

### OPERATIONS

- ▶ Water Deliveries: February, 2023 - Water deliveries were 934 acre-feet which is 3,163 acre-feet less than was delivered during February, 2022. The fiscal year-to-date total deliveries are at 55,484 acre-feet which is 112 acre-feet more than was delivered at this time during the last fiscal year.
- ▶ Kings River Water Association
  - KRWA Storage Operations in Pine Flat Reservoir as of February 26, 2023, totaled 4,299 CFS-days in Pine Flat Reservoir.

### AGENCIES

- ▶ James Irrigation District - Annual Meeting is scheduled for Thursday, March 30<sup>th</sup>. Reminders will be emailed to growers/landowners.
- ▶ Kings Groundwater Sustainability Agency (Kings GSA) - The California Department of Water Resources approved the Groundwater Sustainability Plan (GSP) which is comprised of seven members' individual GSPs. Implementation is moving forward.
- ▶ McMullin Area Groundwater Sustainability Agency (MAGSA) - Issues developed with initial start-up of booster pump which have been resolved. They are pumping from the James Bypass into their McMullin Grade lined canal onto Terranova land.
- ▶ Reclamation District No. 1606 - Andrew Groppetti was recently appointed to the Board of Trustees replacing Wm. Cory Carvalho (Min: 02/20/2023).

### ACTIVITIES

- ▶ Strategic Planning
  - Water Supply Committee met February 22<sup>nd</sup> and focused on three main issues:
    1. How to calculate/distribute water
    2. Tiered rates
    3. Distributing allocations to Reclamation District No. 1606 farm acres
  - Infrastructure Project Committee - Dr. Charles Burt, Cal/Poly San Luis Obispo, is assisting. Evaluating the Main Canal. Grant funds are available. A multi-year plan will be developed.
  - Infrastructure Maintenance Committee - Reviewed a list of District equipment, hours, purchase price for autos & pumps. Committee is scheduled to meet twice a year.

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## VI. SUPERINTENDENT'S REPORT

Superintendent, Kenneth Mancini, reported he and staff are involved in the following activities:

- ▶ Irrigations were started prior to rains but have slowed since then.
- ▶ Keeping basins full for recharge
- ▶ Working on office remodel (painting, flooring) in between rains.
- ▶ Working with Kings River on flood flows which have been erratic due to storms
- ▶ Maintenance, shop and repair work

## VII. DIRECTORS' REPORTS

- ▶ PRESIDENT, RILEY CHANEY commented that he felt the recent Strategic Planning meeting of the Water Allocation Committee was very productive.

## VIII. ACTION ITEMS

### A. OPEN MEETINGS LOCAL AGENCIES: TELECONFERENCE - AB2449 (03/14/2023)

The Governor's Executive Orders N-29-20 and N-35-20 issued in response to the COVID-19 virus pandemic sunsetted January 1, 2023. To comply with the Ralph M. Brown Act, all meetings of the District Board must remain open to the public; however, AB2449 amended certain portions of the Brown Act relating to teleconference participation by members of legislative bodies in public meetings.

- ▶ M/S/C (M.COMBS / R.BARCELLOS), to DISCONTINUE internet access to the general public for Board meetings with the exception of Legal Counsel and/or consultants if warranted. If remote access is required by Board members as necessitated by illness/other extenuating circumstances, arrangements will be made to allow such access. The public may attend all meetings in person.
- ▶ President Riley Chaney OBJECTED stating he felt meetings should remain remotely accessible by the general public.

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

**NAYS:** 1 (R.Chaney)

### B. ANNUAL SALARY REVIEW (03/14/2023)

M/S/C (R.BARCELLOS / R.MOTTE), to APPOINT Directors ROBERT BARCELLOS and CORY CARVALHO to serve with the General Manager as an ad hoc Salary/Benefit Committee to develop recommendations to be reported at the April, 2023, Regular Meeting, for the 2023-24 fiscal year.

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

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C. WATER POLICY: ON-FARM RECHARGE (12/14/2021)

Discussed providing compensation to growers/landowners for on-farm recharge. The Board decided that water must be applied to *fallowed land only* and is not to be utilized for pre-irrigation/irrigation purposes which would allow a crop to be harvested or the District will demand return of payments.

M/S/C (R.MOTTE / W.CARVALHO):

1. Interested parties must apply to and be approved by the Board of Directors.
2. The District will make a maximum of 1,000 acre-feet available for on-farm recharge purposes.

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

D. FLOOD & EXCESS WATER DELIVERIES (03/14/2023)

Discussed the potential for deliveries of flood and excess water outside District boundaries.

- ▶ Andrew Groppetti noted in past years the optics of charging less for outside deliveries than was billed for in-District deliveries was not good. He was of the opinion that there should be no difference between the two rates.
- ▶ Director Robert Motte objected indicating he doubted excess flood water will sell at that price.

M/S/C (M.COMBS / R.BARCELLOS), to:

1. Charge the District's standard O&M rate (currently \$175.00/acre-foot) for flood/excess water exports;
2. The Grower/Landowner must bear the cost for set-up (berms, pipes, etc.); and
3. This policy will be re-evaluated April, 2023

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

**NAYS:** 1 (R.Motte)

E. CORPORATE AUTHORIZATION RESOLUTION (03/14/2023) (Att.4)

M/S/C (R.CHANEY / R.MOTTE), to APPROVE RESOLUTION 2023-02 CORPORATE AUTHORIZATION RESOLUTION authorizing any one of the following as signatories on James Irrigation District bank/investment accounts:

1. Riley Chaney
2. Micah Combs
3. Robert Barcellos
4. Wm. Cory Carvalho (Replacing Jeremy Hughes)
5. Robert Motte
6. Manny Amorelli

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

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- F. FISCAL AUDIT: MARCH 1, 2022 - FEBRUARY 28, 2023 (03/14/2023)  
Upon staff recommendation, M/S/C (M.COMBS / R.BARCELLOS), to AUTHORIZE THE ACCOUNTING FIRM OF WILCOX HOKOKIAN BAINS & DILL TO CONDUCT THE 2022-2023 FISCAL AUDIT.  
**AYES:** 5 (M.Combs, R.Barcellos, W.Carvalho, R.Motte, R.Chaney)
- G. FISCAL BUDGET: MARCH 1, 2023-FEBRUARY 29, 2024 (01/10/2023)  
DEFERRED re-evaluation of budget plan to April, 2023.
- H. RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT FOR TEMPORARY WATER SERVICE BETWEEN THE UNITED STATES AND JAMES IRRIGATION DISTRICT FOR SECTION 215 WATER (01/16/2023)  
M/S/C (R.MOTTE / R.BARCELLOS), to ADOPT RESOLUTION 2023-03 AUTHORIZING THE EXECUTION OF A CONTRACT FOR TEMPORARY WATER SERVICE BETWEEN THE UNITED STATES AND JAMES IRRIGATION DISTRICT FOR SECTION 215 WATER. (Att.5  
**AYES:** 5 (R.Motte, R.Barcellos, W.Carvalho, M.Combs, R.Chaney)

## ADJOURNED TO CLOSED SESSION AT 11:03 A.M.

### Directors Attending:

Riley Chaney, President  
Micah Combs, Vice-President  
Robert Barcellos, Director  
Wm. Cory Carvalho, Director  
Robert Motte, Director

### Staff Attending

Manny Amorelli, General Manager

### Legal Counsel

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

## IX. 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

## X. 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

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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. JAMES IRRIGATION DISTRICT V. McMULLIN AREA GROUNDWATER SUSTAINABILITY AGENCY -  
Fresno County Superior Court Case No. 23CECG00749

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

XI. 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.

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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.

**RECONVENED IN OPEN SESSION AT 12:00 P.M.**

**XII. REPORT ON ACTIONS TAKEN DURING CLOSED SESSION** Gov. Code 54957.1

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

**XIII. ADJOURN**

There being no further business to come before the Board, the meeting was ADJOURNED at 12:01 p.m., until the next Annual Meeting scheduled for Thursday, March 30, 2023.

RECORDED BY:

APPROVED BY:

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Donna Y. Hanneman, Secretary

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Riley Chaney, President

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Manny Amorelli, General Manager

**ATTACHMENTS:**

1. Interim Warrants: February 15-March 14, 2023, \$217,476.39
2. Accounts Payable: \$331,763.81
3. Payroll Certification: Pay Periods Ending February, 2023, \$66,045.04 (net)
4. Resolution 2023-02 Corporate Authorization Resolution, Adopted March 14, 2023
5. Resolution 2023-03 Authorizing the Execution of a Contract for Temporary Water Service Between the United States and James Irrigation District for Section 215 Water, Adopted March 14, 2023