

JAMES IRRIGATION DISTRICT

BOARD OF DIRECTORS - SPECIAL MEETING

MINUTES March 20, 2023

ATTENDANCE

DIRECTORS PRESENT

Riley Chaney, President
Robert Barcellos
Wm. Cory Carvalho
Robert Motte

STAFF PRESENT

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

EXCUSED

Micah Combs, Vice-President

RECLAMATION DISTRICT NO. 1606

Gerald W. Kinnunen, President

ABSENT

None

LANDOWNERS / GROWERS

Sal Parra, Jr., Burford Ranch/Coyula Farms

LEGAL COUNSEL

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

I. CALL TO ORDER

A Special Meeting of the Board of Directors of JAMES IRRIGATION DISTRICT (“District”) was held Monday, March 20, 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.

II. OTHER BUSINESS / PUBLIC COMMENTS

A. PUBLIC COMMENTS

▶ Sal Parra, Jr., Burford Ranch / Coyula Farms

Mr. Parra commented regarding flood releases currently flowing down the James Bypass indicating he considers this an opportunity to adjust pricing as well as flooding ground for on-farm recharge purposes. He urged the Board to take advantage of these times.

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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III. ACTION ITEMS

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

Subsequent to the Board's decision to charge the District's standard O&M rate (currently \$175.00/acre-foot) for deliveries of flood and/or excess water outside District boundaries (Min: 03/14/2023), Mr. Amorelli noted staff as well as Board members had received feedback from growers objecting/indicating that the price should be lowered.

Board members commented as follows:

- Charging \$175.00/acre-foot is too high.
- Reconsider previous decision; work with neighbors.

Mr. Parra inquired if there is a potential for flood water to be made available for on-farm recharge as well as irrigation purposes which would benefit boron/salt percolation. General Manager, Manny Amorelli, responded there is currently limited interest due to wet weather.

- ▶ M/S/C (W.CARVALHO / R.BARCELLOS), to (1) RESCIND MOTION OF MARCH 14, 2023; and (2) CHARGE \$60.00/ACRE-FOOT FOR FLOOD/EXCESS WATER DELIVERIES TO LANDS OUTSIDE DISTRICT BOUNDARIES.

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

NAYS: 0

ABSTAIN: 0

EXCUSED: 1 (M.Combs)

ABSENT: 0

- ▶ The Board requested monthly updates.

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

In consideration of the anticipated positive impact utilization of flood water will have in reducing power & procurement costs, the Board requested the 2023-2024 Fiscal Budget be revisited monthly to evaluate the potential to lower the billing rate from \$175/acre-foot. Active discussion ensued. Ultimately, if/when a rate adjustment is decided, agreed it should be made retroactive to March 1, 2023.

ADJOURNED TO CLOSED SESSION AT 10:36 A.M.

Directors Attending:

Riley Chaney, President

Robert Barcellos, Director

Robert Motte, Director

Wm. Cory Carvalho, Director

Staff Attending

Manny Amorelli, General Manager

Legal Counsel

- Young Wooldridge, LLP

Alan F. Doud, Esq. (Zoom)

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IV. 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

V. 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: 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

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VI. 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

RECONVENED IN OPEN SESSION AT 11:01 A.M.

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VII. 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.

VIII. ADJOURN

There being no further business to come before the Board, the meeting was ADJOURNED at 11:02 a.m., until the Annual Meeting scheduled for Thursday, March 30, 2023.

RECORDED BY:

APPROVED BY:

Donna Y. Hanneman, Secretary

Riley Chaney, President

Manny Amorelli, General Manager