

JAMES IRRIGATION DISTRICT

BOARD OF DIRECTORS - REGULAR MEETING

MINUTES June 13, 2023

ATTENDANCE

DIRECTORS PRESENT

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

LANDOWNERS / GROWERS

- COYULA FARMS / BURFORD FARMS
Salvador Parra, Jr.

PUBLIC / CONSULTANTS

- LIGHTHOUSE PUBLIC AFFAIRS, LLC
Patrick Harbison (Zoom)
- RECLAMATION DISTRICT NO. 1606
Andrew Groppetti, Trustee
- McMULLIN AREA GROUNDWATER SUSTAINABILITY AGENCY
Matt Hurley, General Manager

EXCUSED

Micah Combs, Vice-President

ABSENT

None

STAFF PRESENT

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

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, June 13, 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. MOMENT OF SILENCE

A moment of silence was observed to honor the passing of SIDNEY E. GORDON (1926-2023), landowner and former resident/grower.

JAMES IRRIGATION DISTRICT

BOARD OF DIRECTORS - REGULAR MEETING

MINUTES - June 13, 2023

C. ADDITIONS / CORRECTIONS TO THE AGENDA

There were no corrections/additions to the Agenda.

D. 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.

III. MINUTES

A. REGULAR MEETING: MAY 16, 2023

M/S/C (R.MOTTE / W.CARVALHO), to APPROVE as written:

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

EXCUSED: 1 (M.Combs)

IV. TREASURER'S REPORT

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

A. FINANCIAL REPORTS

1. Interim Warrants: May 17-June 13, 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 (R.MOTTE / W.CARVALHO), to RATIFY/APPROVE Interim Warrants totaling \$167,641.63 and AUTHORIZE/APPROVE payment of Accounts Payable totaling \$181,142.27 by the following vote:

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

EXCUSED: 1 (M.Combs)

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

A listing of payroll checks totaling \$87,561.39 (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 May 31, 2023

5. Cash Position Report: May 31, 2023

6. Accounts Receivable Activity Report: May 31, 2023

JAMES IRRIGATION DISTRICT

BOARD OF DIRECTORS - REGULAR MEETING

MINUTES - June 13, 2023

V. GENERAL MANAGER'S REPORT

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

OPERATIONS

- ▶ Water Deliveries: May, 2023 - Water deliveries for the month of May were 5,572 acre-feet which is 2,422 acre-feet less than was delivered during May, 2022. The fiscal year-to-date total deliveries are at 8,854 acre-feet which is 6,532 acre-feet less than was delivered at this time during the last fiscal year.
- ▶ Kings River Water Association
 - KRWA Storage Operations in Pine Flat Reservoir as of June 5th totaled 6,998 CFS-days, an increase of 159 CFS-days.

PROJECTS

- ▶ Solar Project: White Pine Renewables
 - Construction is complete and PG&E is scheduled to connect the Project within the next few weeks.
 - A total of 65 grower applications were received for participation in the Solar Power Purchase Project for a total of 50 slots. Participation will be awarded to growers having the highest demand.
- ▶ Main Canal Feasibility Study - Met with Dr. Charles Burt, Cal/Poly. The ad hoc Infrastructure Committee will be meeting with Dr. Burt again on July 5th at 10:00 a.m., to review his findings/recommendations to move forward.
- ▶ California Department of Water Resources (DWR) Pumping Project - DWR representatives toured the District on May 26th to inspect the pump being rented under their Emergency Pump Program.

AGENCIES

- ▶ Kings Basin Coordinating Committee met on May 19th.
 - Awaiting word from the California Department of Water Resources confirming their approval of the Kings GSA Groundwater Sustainability Plan.
- ▶ Raisin City Water District (RCWD) - Messrs. Amorelli, Motte & Barcellos met with RCWD Directors Gere Gunland and Jonathan DeGroot on May 23rd. Found them to be very receptive as the potential for future joint projects was explored.

JAMES IRRIGATION DISTRICT

BOARD OF DIRECTORS - REGULAR MEETING

MINUTES - June 13, 2023

ADMINISTRATIVE ITEMS

- ▶ Water Accounting Software - District staff remotely observed software demonstrations on May 31st. (Further discussion/action, below.)

VI. SUPERINTENDENT'S REPORT

Superintendent, Kenneth Mancini, reported on typical maintenance activities including weed control, maintenance/repairs of laterals, etc.

VII. DIRECTORS' REPORTS

None were presented.

VIII. ACTION ITEMS

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

As requested last meeting, Mr. Amorelli presented a revised Budget (K) in which pumping and water costs were reduced as well as projected water sales trimmed to 46,000 acre-feet (1,611 fallowed acres).

M/S/C (R.BARCELLOS / R.MOTTE) to ADOPT REVISED BUDGET (K) (Att.4):

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

EXCUSED: 1 (M.Combs)

B. WATER ACCOUNTING SOFTWARE (07/11/2017)

Euan Slidders, developer of the EasyReader/H2oPro water accounting software utilized by the District since 2002 (Min: 02/12/2002), passed away unexpectedly last December. Unfortunately, there was no succession planning.

Mr. Amorelli researched software utilized by other districts and learned Storm Water Resource Management Software was highly recommended by other water agencies. District staff observed an online demonstration. Storm utilizes iPhones instead of hand-helds, data is shared and stored on the Cloud. The program is highly user friendly. Following discussion/inquiry,

M/S/C (R.CHANEY / R.BARCELLOS) to APPROVE PURCHASE OF THE STORM WATER RESOURCE MANAGEMENT SOFTWARE:

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

EXCUSED: 1 (M.Combs)

JAMES IRRIGATION DISTRICT

BOARD OF DIRECTORS - REGULAR MEETING

MINUTES - June 13, 2023

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

M/S/C (R.BARCELLOS / R.MOTTE) to APPROVE "AGREEMENT FALLOWED-LAND GROUNDWATER RECHARGE PROGRAM". (Att.5)

AYES: 3 (R.Barcellos, R.Motte, W.Carvalho)

ABSTAIN: 1 (R.Chaney)

EXCUSED: 1 (M.Combs)

D. RESERVE POLICY (01/10/2023)

Annual review of the District's Reserve Policy was deferred January 10, 2023, to the February, 2023, Board Meeting. M/S/C (R.MOTTE / R.BARCELLOS) to ADOPT RESOLUTION 2023-04 RESERVE POLICY (Att.6)

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

EXCUSED: 1 (M.Combs)

IX. REPORT ITEMS

A. ANNUAL SALARY REVIEW (06/13/2023)

Mr. Amorelli reported he, Messrs. Barcellos & Carvalho met as the ad hoc Salary/Benefit Committee and recommended aggregate total of salary increases not exceed 4.5% District-wide which was approved by the Board (Min: 04/11/2023). Mr. Amorelli distributed a report reflecting 2023 salary increases effective June 1, 2023. (Att.7)

B. SEXUAL HARASSMENT PREVENTION TRAINING & EDUCATION (06/13/2023)

Mrs. Hanneman reported biennial training (2 hours) required by State law (SB1343) has been scheduled for Tuesday, August 29, 2023, 10:00 a.m.

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

Mr. Amorelli noted Burford Farms, Nirvana Orchards, Gilmore Ranch and Jeremy Hughes continue to receive deliveries of excess flood water to their lands outside the District boundaries.

ADJOURNED TO CLOSED SESSION AT 10:40 A.M.

Directors Attending:

Riley Chaney, President

Robert Barcellos, Director

Wm. Cory Carvalho, Director

Robert Motte, Director

Staff Attending

Manny Amorelli, General Manager

Consultants:

- Lighthouse Public Affairs
Patrick Harbison (Zoom)

Legal Counsel

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

JAMES IRRIGATION DISTRICT

BOARD OF DIRECTORS - REGULAR MEETING

MINUTES - June 13, 2023

X. 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, operations & maintenance.

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.

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

JAMES IRRIGATION DISTRICT

BOARD OF DIRECTORS - REGULAR MEETING

MINUTES - June 13, 2023

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

XIII. CLOSED SESSION: GOVERNMENT CODE §54957 - PUBLIC EMPLOYEE PERFORMANCE EVALUATION

A. TITLE: GENERAL MANAGER

RECONVENED IN OPEN SESSION AT 11:57 A.M.

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

No reportable actions were initiated during the Closed Session.

XV. COMPENSATION AND BENEFITS

Pursuant to California SB1346, the Board orally reported a summary recommendation in Open Session and discussed possible action in regard to proposed changes in salary or benefits for chief executive officers, their assistants, deputies and department heads justifying the changes prior to voting.

➤ TITLE: GENERAL MANAGER

M/S/C (W.CARVALHO / R.MOTTE) to APPROVE A SALARY INCREASE OF \$4,000/YEAR FROM \$206,000 TO \$210,000/YEAR EFFECTIVE JUNE 1, 2023:

AYES: 4 (W.Carvalho, R.Motte, R.Barcellos, R.Chaney)
EXCUSED: 1 (M.Combs)

JAMES IRRIGATION DISTRICT

BOARD OF DIRECTORS - REGULAR MEETING

MINUTES - June 13, 2023

XVI. ADJOURN

There being no further business to come before the Board, M/S/C (W.CARVALHO / R.MOTTE), to ADJOURN the meeting at 11:58 a.m., until the next Regular Meeting scheduled for Tuesday, July 11, 2023, by the following vote:

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

EXCUSED: 1 (M.Combs)

RECORDED BY:

APPROVED BY:

Donna Y. Hanneman, Secretary

Riley Chaney, President

Manny Amorelli, General Manager

ATTACHMENTS:

1. Interim Warrants: May 17-June 13, 2023, \$167,641.63
2. Accounts Payable: \$181,142.27
3. Payroll Certification: Pay Periods Ending May, 2023, \$87,561.39 (net)
4. Fiscal Budget: March 1, 2023-February 29, 2024 (K), Adopted June 13, 2023
5. Form: "Agreement Fallowed-Land Groundwater Recharge Program", Approved June 13, 2023
6. Resolution 2023-04 Reserve Policy, Adopted June 13, 2023
7. Salary Schedule effective June 1, 2023