

# JAMES IRRIGATION DISTRICT

## BOARD OF DIRECTORS - REGULAR MEETING

### MINUTES August 8, 2023

#### ATTENDANCE

##### DIRECTORS PRESENT

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

##### EXCUSED

None

##### ABSENT

None

##### STAFF PRESENT

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

##### PUBLIC / CONSULTANTS

- WILCOX HOKOKIAN BAINS & DILL LLC  
Vicki Hokokian, CPA (10:00 a.m.-10:23 a.m.)
- RECLAMATION DISTRICT NO. 1606  
Gerald W. Kinnunen, President
- LANDOWNERS / GROWERS  
Jerry Gragnani, Gragnani Farms et al  
Donny Gragnani, Gragnani Farms et al
- McMULLIN AREA GROUNDWATER SUSTAINABILITY AGENCY  
Matt Hurley, General Manager

##### LEGAL COUNSEL

- YOUNG WOOLDRIDGE, LLP  
Alan F. Doud, Esq. (Zoom: 10:46 a.m.-11:26 a.m.)

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#### I. CALL TO ORDER

A Regular Meeting of the Board of Directors of JAMES IRRIGATION DISTRICT ("District") was held Tuesday, August 8, 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

None were offered.

##### 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. MINUTES

### A. REGULAR MEETING: JULY 11, 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 his verbal report as follows:

### A. FINANCIAL REPORTS

1. Interim Warrants: July 12-August 8, 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 \$196,563.76 and AUTHORIZE/APPROVE payment of Accounts Payable totaling \$90,319.65 by the following vote:

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

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

A listing of payroll checks totaling \$88,945.81 (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 July 31, 2023

5. Cash Position Report: July 31, 2023

6. Accounts Receivable Activity Report: July 31, 2023

### B. FEE WAIVERS

1. ARIANA FARMS, LLC (08/08/2023)

Grower has written the Board requesting waiver of fees for delinquent payment of May irrigation billing, indicating that the District billing was postmarked June 5<sup>th</sup>, 2023; however, the billing was received after the due date of June 22<sup>nd</sup>. (Att.4)

In consideration of their favorable payment history, M/S/C (M.COMBS / W.CARVALHO) to APPROVE A ONE-TIME WAIVER OF PENALTIES TOTALING \$421.62.

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

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2. APN #030-170-30S, 030-170-31S / ARIAFA, LLC (08/08/2023)

Landowner has written the Board requesting waiver of penalties and costs charged for delinquent first installment due December 20, 2022. Their payment was returned by the U.S. Post Office during the holidays; and due to insufficient staff, landowner was not made aware of the delinquency until after costs & penalties had been applied. (Att.5)

In consideration of their favorable payment history, M/S/C (M.COMBS / W.CARVALHO) to APPROVE A ONE-TIME WAIVER OF PENALTIES & COSTS TOTALING \$212.80.

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

C. FISCAL AUDIT: MARCH 1, 2020-FEBRUARY 28, 2021

D. FISCAL AUDIT: MARCH 1, 2021-FEBRUARY 28, 2022

Vicki Hokokian, CPA, appeared before the Board to present Audit Reports for periods indicated. Completion of reports was delayed by the COVID pandemic. The following points were highlighted:

- ▶ Power costs, as usual, fluctuated greatly.
- ▶ Positive impact of retiring indebtedness to the U.S. Bureau of Reclamation for construction of the Central Valley Project.
- ▶ Urged closer attention to budget projections. Suggested mid-year revisions.

M/S/C (R.MOTTE / W.CARVALHO) to APPROVE REPORTS AS PRESENTED.

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

Mrs. Hokokian indicated the audit for Fiscal Year March 1, 2022-February 28, 2023 is in process. She and her staff were thanked for their assistance and she exited the meeting.

## V. GENERAL MANAGER'S REPORT

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

### OPERATIONS

- ▶ Water Deliveries: July, 2023 - Water deliveries for the month of July were 10,998 acre-feet which is 1,069 acre-feet less than was delivered during July, 2022. The fiscal year-to-date total deliveries are at 28,793 acre-feet which is 9,956 acre-feet less than was delivered at this time during the last fiscal year.
- ▶ Kings River Water Association
  - Pine Flat Flood Releases started in February and were terminated mid-July.
  - KRWA Storage Operations in Pine Flat Reservoir as of August 6, 2023, totaled 8,665 CFS-days

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## MAINTENANCE

- ▶ Replacement Wells (2023-2024) - Mr. Amorelli is budgeting 2 wells for fiscal 2023-24. Potential wellsites are being evaluated now. He noted the impacts of the Sustainable Groundwater Management Act finds well drillers looking for work. The Board urged Mr. Amorelli to expedite the process.
- ▶ James Bypass / Water Hyacinth - The water hyacinth group meeting consisting of local water agencies and government resources met July 26<sup>th</sup> to discuss controlling growth of water hyacinth in the Mendota Pool facilities.
- ▶ Weed Control - Messrs. Amorelli & Mancini met with Simplot representative, Mason Lewis, on July 28<sup>th</sup> to review the District's needs. Copies of the "Simplot Spray Estimate" were distributed for review. (Att.6) Mr. Amorelli indicated prices quoted include Simplot applicator labor/equipment.

## AGENCIES

- ▶ Reclamation District No. 1606 held a Special Meeting July 20<sup>th</sup> to begin the grazing/agricultural lease renewal process as current leases expire December 31, 2023. Solicitations for bids have been mailed to James ID landowners and growers.
- ▶ Mid-Valley Water District met July 31<sup>st</sup> and rescinded their Sphere of Influence thereby allowing the Raisin City Water District to expand to include Mid-Valley.
- ▶ Raisin City Water District (RCWD) passed a resolution to start the annexation process. Provost & Pritchard Consulting & LAFCo have been notified.

## EVENTS

- ▶ Association of California Water Agencies - Fall Conference is scheduled for November 28-30 in Indian Wells, CA. Staff will assist Board members interested in attending.

## **VI. SUPERINTENDENT'S REPORT**

Superintendent, Kenneth Mancini, reported on the following activities:

- ▶ Recharge Sites - Locations for additional sites are being evaluated.
- ▶ Well Repair/Maintenance continues.
- ▶ Maintenance of Ditch banks/Levees is under way; dirt is being hauled to areas needing attention.

## **VII. DIRECTORS' REPORTS**

Directors were given an opportunity to report on meetings and/or conferences attended on behalf of the District; none were presented.

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## VIII. ACTION ITEMS

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

Mr. Amorelli reported there have been no new applications submitted. With the termination of flood releases, no more will be accepted. A total of 648 acre-feet has been recharged to date under the 2023 On-Farm Recharge Program.

B. WINTER DELIVERIES (08/13/2019)

Evaluated potential for winter deliveries and coordination of maintenance activities, establish billing rate. Mr. Amorelli noted he has received a few grower inquiries re: 2023 winter deliveries. It was the consensus of the Board to carry this matter forward to the next meeting.

C. BOARD OF EQUALIZATION MEETING (08/08/2023)

M/S/C (R.CHANEY/M.COMBS) to CONVENE AS A BOARD OF EQUALIZATION ON TUESDAY, SEPTEMBER 12, 2023, FROM THE HOURS OF 10:00 A.M.-12:00 P.M., to hear objections, if any, to the valuation, acreage, or any matter pertaining to the 2023-2024 District Assessments.

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

Notice will be published as prescribed by California Water Code §25550-25559 in *The San Joaquin-Tranquillity West Side Advance*.

D. TERRANOVA RANCH PROJECT (05/16/2023)

Mr. Amorelli indicated Don Cameron, Vice-President /General Manager of Terranova Ranch, was again invited to appear before the Board to discuss operations & maintenance of the Terranova Project; however, Mr. Cameron did not respond.

Mr. Amorelli inquired of Matt Hurley, General Manager of the McMullin Area Groundwater Sustainability Agency (MAGSA), if he would like to offer any comments; however, Mr. Hurley offered none.

- ▶ Jerry Gragnani, a James ID and MAGSA landowner, indicated he would like to work with the District to divert some water through the Terranova Project to serve his property on McMullin Grade. Mr. Gragnani acknowledged he'd discussed this matter with Don Cameron, President of the MAGSA Board of Directors, prior to attending this meeting. As this matter was not on the Agenda, the Board indicated it would take this matter under consideration at another time.

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## IX. REPORT ITEMS

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

As Kings River flood releases have ceased, deliveries of flood and excess water to areas outside of the District boundaries have been discontinued for the season.

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

Board members were reminded that a biennial training class (2 hours) required by State law (SB1343) is scheduled for Tuesday, August 29, 2023, 10:00 a.m.-12:00 p.m. Lunch will be provided.

### ADJOURNED TO CLOSED SESSION AT 10:48 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)

## 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

## 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

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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

## 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

B. 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.

C. 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.

**RECONVENED IN OPEN SESSION AT 11:25 A.M.**

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

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

### ➤ **CLOSED SESSION: GOVERNMENT CODE §54956.9 - CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION**

AS PLAINTIFF:

3. JAMES IRRIGATION DISTRICT V. WESTLANDS WATER DISTRICT

Fresno County Superior Court Case No. -20CECG00688

Disposition: Mr. Amorelli advised this case has been settled.

## **XIV. ADJOURN**

There being no further business to come before the Board, the meeting was ADJOURNED at 11:26 a.m., until the next Regular Meeting scheduled for Tuesday, September 12, 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: July 12-August 8, 2023, \$196,563.76
2. Accounts Payable: \$90,319.65
3. Payroll Certification: Pay Periods Ending July, 2023, \$88,945.81 (net)
4. Correspondence: Ariana Farms (Pistacia Global), Requesting Fee Waiver, July 24, 2023
5. Correspondence: Ariaifa, Farms LLC, Requesting Waiver of Penalties/Costs
6. Simplot Spray Estimate