

# JAMES IRRIGATION DISTRICT

BOARD OF DIRECTORS - REGULAR MEETING

## MINUTES September 12, 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  
Donna Hanneman, Secretary

#### PUBLIC

- COYULA / BURFORD FARMS  
Sal Parra, Jr.
- McMULLIN AREA GROUNDWATER SUSTAINABILITY AGENCY (MAGSA)  
Matt Hurley, General Manager  
Don Cameron, Board President

#### 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, September 12, 2023, in the District office located at 8749 Ninth Street, San Joaquin, California. The meeting was called to order at 10:15 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. MOMENT OF SILENCE

A moment of silence was observed to honor the passing of VIVIAN VALENTINO BARCELLOS (1935-2023), landowner/grower, wife of retired Board member, Martin Barcellos, and mother of Director Robert Barcellos.

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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.

- ▶ Director Micah Combs declared he had a potential conflict-of-interest with Action Item, B. District Equipment Rental Rates, and stated he would be recusing himself from discussing, initiating any action or voting on the matter as he is a tenant of Reclamation District No. 1606 (RD 1606).

### III. BOARD OF EQUALIZATION MEETING

The Board of Directors convened as a Board of Equalization at 10:00 a.m. to hear public comments regarding the 2023-2024 District Assessments. The Board was prepared to recognize members of the public between Agenda items throughout the course of the meeting with action to be taken at the end of the meeting.

### IV. MINUTES

A. REGULAR MEETING: AUGUST 8, 2023

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

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

### V. TREASURER'S REPORT

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

A. FINANCIAL REPORTS

1. Interim Warrants: August 9-September 12, 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 \$434,811.73 and AUTHORIZE/APPROVE payment of Accounts Payable totaling \$147,432.16 by the following vote:

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

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

A listing of payroll checks totaling \$89,217.07 (net) issued to employees and Board members was reviewed and certified by the President, General Manager and Office Manager.

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4. Income Statements (Budget-to-Actual): Period Ending August 31, 2023
5. Cash Position Report: August 31, 2023
6. Accounts Receivable Activity Report: August 31, 2023

B. ASSESSMENTS

A sale for delinquent 2022-2023 assessments was conducted Wednesday, September 6, 2023, at 10:00 a.m., for the following properties:

APN 030-370-350          \$610.06

Notice was published in *The San Joaquin-Tranquillity West Side Advance* pursuant to Water Code §26105. Publication costs will be added to the delinquency and a Certificate of Sale will be recorded thereby enabling the District to begin charging interest (compounded daily).

VI. GENERAL MANAGER'S REPORT

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

OPERATIONS

- ▶ Water Deliveries: August, 2023 - Water deliveries for the month of August were 7,315 acre-feet which is 136 acre-feet less than was delivered during August, 2022. The fiscal year-to-date total deliveries are at 36,108 acre-feet which is 10,092 acre-feet less than was delivered at this time during the last fiscal year.
- ▶ U.S.B.R. / Central Valley Project
  - Mendota Pool - Dewatering is under discussion for winter maintenance.
- ▶ Kings River Water Association
  - KRWA Storage Operations in Pine Flat Reservoir as of September 6, 2023, totaled 3,545 CFS-days.

MAINTENANCE

- ▶ James Bypass / Water Hyacinth - A coordination meeting was recently held with representatives from Tranquillity Irrigation District, Central California Irrigation District, San Luis & Delta-Mendota Water Authority, Fresno County. Fresno County has been addressing growth in the Mendota Pool above Highway 180. Tranquillity is actively spraying, as well. District staff is being vigilant for infestation, especially since Kings River flood releases are tapering off.

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## PROJECTS

- ▶ Solar Project: White Pine Renewables - Whitepine is scheduled to retest tomorrow.
- ▶ Main Canal Feasibility Study - Recently met with Dr. Charles Burt, Cal/Poly San Luis Obispo Irrigation Training & Research Center, whose staff is verifying data collected. A restriction on Lateral C at Colorado was noted. Their report is anticipated to be presented to the ad hoc committee.

## AGENCIES

- ▶ Reclamation District No. 1606 held a Special Meeting, September 5, 2023, to review/award bids submitted for farming/grazing leases for 2024-2028.
- ▶ James Groundwater Sustainability Agency (James GSA) has learned their Groundwater Sustainability Plan (GSP), an integral component of the Kings Groundwater Subbasin GSP, has been approved by the California Department of Water Resources. Coordination Committee meetings are ongoing to coordinate compliance efforts.

## **VII. SUPERINTENDENT'S REPORT**

In the Superintendent's absence, Mr. Amorelli reported District staff has been working on the following projects:

- ▶ Standard operations/maintenance activities (trash, weed control, etc.)
- ▶ Sand removal in the RD 1606 eastside channel and construction of an access road.
  - President Chaney inquired if RD 1606 generates enough income to cover O&M expenses after flood flows and suggested the area might be considered for recharge. These comments will be forwarded to the RD 1606 Board of Trustees.

## **VIII. DIRECTORS' REPORTS**

None were presented.

## **IX. ACTION ITEMS**

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

Mr. Amorelli reported the project will continue utilizing surface water supply for recharge.

Mr. Amorelli noted he approached Thomas Chaney about his property where prior recharge activities were very successful, inquiring whether he would be interested in selling/renting the parcel to the District. Mr. Chaney was not interested in selling but indicated he might consider renting. Discussions are ongoing.

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B. DISTRICT EQUIPMENT RENTAL RATES (09/12/2023)

In reviewing the District's equipment rate schedule, President Riley Chaney acknowledged charges are lower than market rates for the benefit of District growers/landowners; however, he expressed concern that "we went backwards on work done on Reclamation District No. 1606" properties. General Manager, Manny Amorelli, indicated he will report to the Board at season's end when work has been completed.

C. TERMINATION OF 2023 DISTRICT DELIVERIES (09/12/2023)

Discussion action determining termination date for 2023 deliveries to allow for annual canal maintenance/repair was TABLED to the October Regular Meeting.

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

During discussion regarding operations & maintenance of the Terranova Project, Mr. Amorelli noted James ID submitted a letter to the Kings River Conservation District regarding project operation indicating the Board wishes to continue discussions with Terranova. Both Matthew Hurley and Don Cameron were in attendance and when asked if there were any ideas on how to move forward, Mr. Cameron declined comment and stated he attended "to listen only", that the prior offer was "off the table".

Mr. Amorelli expressed concerns for the District's wellfield and Mr. Cameron indicated, "Those are two separate issues, one involving MAGSA and one involving Terranova". Mr. Amorelli pressed that the very nature of Mr. Cameron being the MAGSA Board President made it a single issue. Mr. Cameron again rejected the premise.

Director Motte stated the James ID Board is close to resolving its Kings River matter without involving counsel by meeting in committees. Mr. Hurley responded there was nothing to talk about regarding the current lawsuit and that will resolve itself. He then proceeded to say, "We don't have much to talk about".

President Chaney stated that although the James ID Board rejected an offer made by MAGSA, a counter offer was submitted but was ignored by MAGSA. Mr. Hurley continued to state there was "nothing to discuss".

X. REPORT ITEMS

None

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## ADJOURNED TO CLOSED SESSION AT 10:51 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)

## 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

### 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. MCMULLIN AREA GROUNDWATER SUSTAINABILITY AGENCY -

Fresno County Superior Court Case No. 23CECG00749

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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 §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 11:55 A.M.**

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

No reportable actions were taken during the Closed Session.

## XV. BOARD OF EQUALIZATION

The Board of Directors convened as a Board of Equalization from the hours of 10:00 a.m. to 12:00 p.m., to hear and determine objections to the valuation, acreage, or any matter pertaining to the 2023-2024 assessments coming before it. Pursuant to California Water Code §25550-25559, notice was published in *The San Joaquin-Tranquillity West Side Advance*.

Hearing no objections and ordering no changes, M/S/C(M.COMBS/R.MOTTE), to APPROVE annual assessments be levied against lands within the District pursuant to landowner vote and adoption of Board Resolution 2021-05 on October 12, 2021, at the rate of \$50.00 (no change) in accordance with California Water Code §25650 as follows:

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

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## **XVI. ADJOURN**

There being no further business to come before the Board, M/S/C (R.BARCELLOS/W.CARVALHO), to ADJOURN the meeting at 12:02 p.m., until the next Regular Meeting scheduled for Tuesday, October 10, 2023, by the following vote:

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

**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: August 9-September 12, 2023, \$434,811.73
2. Accounts Payable: \$147,432.16
3. Payroll Certification: Pay Periods Ending August, 2023, \$89,217.07 (net)