

# JAMES IRRIGATION DISTRICT

BOARD OF DIRECTORS - REGULAR MEETING

## MINUTES May 14, 2024

### ATTENDANCE

#### DIRECTORS PRESENT

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

#### EXCUSED

None

#### ABSENT

None

#### VACANT

One

#### PUBLIC / CONSULTANTS

- RECLAMATION DISTRICT NO. 1606  
Gerald W. Kinnunen, President
- LANDOWNERS / GROWERS  
Jerry Gragnani, Gragnani et al
- McMULLIN AREA GROUNDWATER SUSTAINABILITY AGENCY  
Matt Hurley, General Manager

#### LEGAL COUNSEL

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

#### STAFF PRESENT

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

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### 1. CALL TO ORDER

The Regular Meeting of the Board of Directors of JAMES IRRIGATION DISTRICT (“District”) was held Tuesday, May 14, 2024, 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.

### 2. ADDITIONS / CORRECTIONS TO THE AGENDA

There were no corrections/additions to the Agenda.

### 3. 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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## 4. PUBLIC COMMENTS

Members of the public were given an opportunity to directly address the Board on any item of interest before or during consideration of the item. There were no public comments.

## 5. OTHER BUSINESS

### a. MOMENT OF SILENCE

A moment of silence was observed to honor the passing of NADYNE YRIBARREN (1928-2024), landowner, grower & wife of former Board member, Joe Yribarren.

## 6. MINUTES

### a. REGULAR MEETING: FEBRUARY 13, 2024

M/S/C (R.BARCELLOS / W.CARVALHO), to AMEND as follows (redlined).

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

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#### ➤ TITLE: OFFICE MANAGER

WALTER FLORES-BARBOZA - M/S/C (W.CARVALHO / R.MOTTE) to APPROVE A MERIT INCREASE OF \$3,000.00/YEAR EFFECTIVE ~~FEBRUARY 16, 2024~~ FEBRUARY 1, 2024, to be exempted from consideration during the June 1, 2024, annual salary review process.

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

### b. REGULAR MEETING: APRIL 9, 2024

M/S/C (W.CARVALHO / R.BARCELLOS), to APPROVE as presented by the following vote:

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

## 7. TREASURER'S REPORT

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

### a. Interim Warrants: April 10-May 14, 2024 (Att.1)

### b. 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 \$503,687.45 and AUTHORIZE/APPROVE payment of Accounts Payable totaling \$468,137.52 by the following vote:

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

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- c. Payroll Certification: Pay Periods Ending April, 2024 (Att.3)  
A listing of payroll checks totaling \$74,711.37 (net) issued to employees and Board members was reviewed and certified by the President, General Manager and Office Manager.
- d. Income Statements (Budget-to-Actual): Period Ending April 30, 2024
- e. Cash Position Report: April 30, 2024
- f. Accounts Receivable Activity Report: April 30, 2024

## 8. **GENERAL MANAGER'S REPORT**

Mr. Amorelli presented his verbal report encompassing operations, maintenance, projects and other District matters for the month of April, 2024, as follows:

### OPERATIONS

- ▶ Water Deliveries: April, 2024 - Water deliveries for the month of April were 3,205 acre-feet which is 607 acre-feet more than was delivered during April, 2023. The fiscal year-to-date total deliveries are at 4,848 acre-feet which is 1,565 acre-feet more than was delivered at this time during the last fiscal year.
- ▶ Weekly TDS Readings: May 6, 2024
- ▶ Kings River Water Association (KRWA)
  - KRWA Storage Operations in Pine Flat Reservoir as of April 28, 2024, totaled 2,758 CFS-days.

### PROJECTS

- ▶ Solar Project: White Pine Renewables - K Basin, Project 2 is now online. Kings River releases are being diverted to flood this dual-purpose facility for the first time.
- ▶ Main Canal Project - Staff met with Dr. Charles Burt April 11<sup>th</sup> and discussed options for Boosters H, J and P as well as construction at Lateral C/Colorado Avenue. Dr. Burt will communicate changes to Summers Engineering who will compile a complete, updated estimate.
- ▶ Rathmann On-Farm Recharge Project funding was completed April 30<sup>th</sup> by Holman Capital and escrow closed. Staff is working with lenders to complete the transaction for disbursement of funds to the property owner.
- ▶ Groundwater Recharge - Met with Parjana, Inc., representatives on April 10<sup>th</sup>. They specialize in maximizing groundwater recharge infiltration by use of proprietary, below-ground tubes. Staff is exploring the potential for a pilot program at the K Basin facility.

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## ACTIVITIES

- ▶ Mendota Pool Group (MPG) meeting of April 24<sup>th</sup> focused on water quality monitoring and potential relocation of meters formerly sited within the Mendota Wildlife Refuge as they do not plan to replace damaged meters.

## EVENTS

- ▶ Association of California Water Agencies Spring Conference was held May 6-May 9<sup>th</sup>, Sacramento. Mr. Amorelli reported he attended meetings with various partners and water leaders. In all, he felt it to be a very productive few days with a few new contacts made.

## 9. SUPERINTENDENT'S REPORT

Superintendent, Kenneth Mancini reported on the following activities:

- ▶ Office sewer line replacement project was completed.
- ▶ Well maintenance continues. Wells are tested every other year and water samples drawn; tests/samples will be scheduled later this year.
- ▶ Aquatic weed control efforts are underway for control of algae, pond weed.
- ▶ Ditchtenders are at full staff.
- ▶ STORM Water Management software debugging continues as staff adjusts to the new processes.
- ▶ Weed control continues (spraying, mowing, disking).

## 10. DIRECTORS' REPORTS

Directors were given an opportunity to report on meetings and/or conferences attended on behalf of the District. None were reported.

## 11. ACTION ITEMS

### a. RESOLUTION APPOINTING TO FILL A VACANCY IN THE OFFICE OF DIRECTOR (05/14/2024)

Reviewed letter of resignation submitted by Director Micah Combs effective April 9, 2024. (Att.4)  
M/S/C (R.CHANEY/W.CARVALHO) to ACCEPT LETTER OF RESIGNATION / MICAH COMBS EFFECTIVE APRIL 9, 2024:

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

A Notice of Vacancy was posted (Gov. Code 1780) and the Fresno County Clerk/Registrar of Voters and Clerk/Fresno County Board of Supervisors were notified by letter ( 05/02/2024). Subsequently, Andrew Groppetti submitted his application and satisfies the qualifications for the office of Director. As Mr. Groppetti was the only applicant, M/S/C (R.CHANEY / W.CARVALHO) to APPROVE RESOLUTION 2024-04 APPOINTING ANDREW GROPPETTI TO FILL A VACANCY IN THE OFFICE OF DIRECTOR: (Att.5)

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

This information will be forwarded to the Clerk/Fresno County Board of Supervisors requesting Mr. Groppetti's appointment be ratified.

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- b. CONSIDERATION OF APPROVAL OF NOTICE OF EXEMPTION REGARDING RATHMANN ON-FARM RECHARGE PROJECT (05/14/2024) - Acquisition of Rathmann properties APN #030-111-48S (66.64 Acres), #030-111-49s (39 acres) require filing a CEQA<sup>1</sup> Notice of Exemption confirming there will be no changes to the land or its utilization as it will continue to be irrigated/farmed as before and, on occasion, utilized for on-farm groundwater recharge. M/S/C (R.MOTTE / W.CARVALHO) to APPROVE NOTICE OF EXEMPTION FOR THE RATHMANN ON-FARM RECHARGE PROJECT. (Att.6)

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

- c. RULES & REGULATIONS GOVERNING WATER DISTRIBUTION & CANAL MAINTENANCE (05/14/2024)  
Updated policies were discussed due to the recent upgrade in the District's water ordering system. The Board reviewed a progressive penalty infraction schedule as well as requiring any changes performed outside standard office hours to be immediately followed-up with a phone call to staff. M/S/C (W.CARVALHO / R.MOTTE) to APPROVE CHANGES TO THE RULES & REGULATIONS GOVERNING WATER DISTRIBUTION & CANAL MAINTENANCE, 5.3 ORDERS. (Att.7).

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

Growers/Landowners will be immediately notified of these changes. Also, the Board requested Ditchtender schedules be posted to the District website and updated regularly.

- d. ANNUAL SALARY REVIEW (05/14/2024)  
Mr. Amorelli reported he and Directors Riley Chaney and Robert Motte met April 24<sup>th</sup> as the ad hoc Salary/Benefit Committee to develop a recommendation to the Board for 2024 wage increases. The Committee recommended the Board consider approving an aggregate total of salary increases to not exceed 3% District-wide.

M/S/C (R.BARCELLOS / R.MOTTE) to UNANIMOUSLY APPROVE THE AD HOC SALARY/BENEFIT COMMITTEE RECOMMENDATION AUTHORIZING MERIT INCREASES NOT TO EXCEED AN AGGREGATE TOTAL OF 3% DISTRICT-WIDE EFFECTIVE JUNE 1, 2024.

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

- e. FLOOD & EXCESS WATER DELIVERIES (03/14/2023)  
Kings River excess water releases reached the District Tuesday, May 7<sup>th</sup> and are being diverted for irrigation and recharge. It is uncertain how long releases will last. A Special Meeting will be scheduled if runs can be anticipated to last long enough to facilitate deliveries to lands outside the District.

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<sup>1</sup>California Environmental Quality Act

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## ADJOURNED TO CLOSED SESSION AT 10:42 A.M.

Directors Attending:

Riley Chaney, 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)

### 12. 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

### 13. CLOSED SESSION: GOVERNMENT CODE §54956.9 - CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

AS DEFENDANT: 2 CASES

- a. 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

- b. 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

AS PLAINTIFF: 2 CASES

- c. KINGS RIVER WATER ASSOCIATION ET AL V. JAMES VERBOON ET AL  
Kings County Superior Court, Case No. 15 C0304

- d. JAMES IRRIGATION DISTRICT V. McMULLIN AREA GROUNDWATER SUSTAINABILITY AGENCY Santa Clara County Superior Court, Case No. 23CV417565

AS INTERVENOR: 1 CASE

- e. 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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## 14. 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: MCMULLIN AREA GSA (06/22/2021)

Negotiating Parties: James Irrigation District: General Manager/Designee

McMullin GSA: Matthew Hurley, General Manager

Under Negotiation: Price, terms and conditions of possible water supply transactions.

e. TERRANOVA RANCH, INC. (05/16/2023)

Negotiating Parties: James Irrigation District: General Manager/Designee

Terranova Ranch, Inc.: Don Cameron

Under Negotiation: Price, terms and conditions of possible water supply transactions.

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

a. TITLE: GENERAL MANAGER

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**RECONVENED IN OPEN SESSION AT 11:48 A.M.**

## 16. REPORT ON ACTIONS TAKEN DURING CLOSED SESSION (Gov. Code 54957.1)

General Manager, Manny Amorelli stated NO REPORTABLE ACTIONS WERE TAKEN during Closed Session.

Following Closed Session deliberation, the following actions were taken in Open Session:

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

#### a. GENERAL MANAGER

M/S/C (W.CARVALHO / R.MOTTE) to APPROVE SALARY INCREASE FROM \$210,000.00 TO \$218,500.00/YEAR EFFECTIVE JUNE 1, 2024:

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

## 17. ADJOURN

There being no further business to come before the Board, M/S/C(R.BARCELLOS/W.CARVALHO), to ADJOURN the meeting at 11:49 a.m., until the next Regular Meeting scheduled for Tuesday, June 11, 2024.

**AYES:** 4 (R.Barcellos, W.Carvalho, 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: April 10-May 14, 2024, \$503,687.45
2. Accounts Payable: \$468,137.52
3. Payroll Certification: Pay Periods Ending April, 2024, \$74,711.37 (net)
4. Letter of Resignation: Micah Combs, April 9, 2024
5. Resolution 2024-04 Appointing Andrew Groppetti to Fill a Vacancy in the Office of Director, Adopted May 14, 2024
6. Notice of Exemption: Rathmann On-Farm Recharge Project, Approved May 14, 2024
7. Amendments to James Irrigation District Rules & Regulations Governing Water Distribution & Canal Maintenance, 5.3, Orders, Approved May 14, 2024