

JAMES IRRIGATION DISTRICT

BOARD OF DIRECTORS - REGULAR MEETING

MINUTES May 10, 2022

ATTENDANCE

DIRECTORS PRESENT

Riley Chaney, President
Robert Motte, Secretary-Treasurer
Robert Barcellos, Assessor
Micah Combs

EXCUSED

Jeremy Hughes, Vice-President

ABSENT

None

STAFF PRESENT

Manny Amorelli, General Manager
Walter Flores, Office Manager
Kenneth Mancini, Superintendent
Donna Hanneman, Executive Assistant

LANDOWNERS / GROWERS

Thomas Coleman (Zoom)

PUBLIC / CONSULTANTS

- ARTHUR & ORUM WELL DRILLING, INC.
Alyssa Lewis
Kim Hammond
- WATER WISE
Sarah Woolf
Kristi Robinson (Zoom)
- McMULLIN AREA GROUNDWATER SUSTAINABILITY AGENCY
Matt Hurley, General Manager (Zoom)
Matthew Abercrombie (Zoom)

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, May 10, 2022, 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. RESOLUTION RENEWING USE OF REMOTE TELECONFERENCE MEETINGS UNDER AB361

No action taken.

III. OTHER BUSINESS / PUBLIC COMMENTS

A. PUBLIC COMMENTS

None.

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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.

IV. MINUTES

A. REGULAR MEETING: APRIL 12, 2022

B. SPECIAL MEETING: APRIL 26, 2022

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

AYES: 4 (M.Combs, R.Motte, R.Barcellos, R.Chaney)

EXCUSED: 1 (J.Hughes)

V. TREASURER'S REPORT

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

A. FINANCIAL REPORTS

1. Interim Warrants: April 13-May 10, 2022 (Att.1)

Interim Warrants (bills paid) with supporting invoices were presented for review/approval.

M/S/C (M.COMBS / R.BARCELLOS), to RATIFY/APPROVE Interim Warrants totaling \$755,027.63 by the following vote:

AYES: 4 (M.Combs, R.Barcellos, R.Motte, R.Chaney)

EXCUSED: 1 (J.Hughes)

2. Accounts Payable

Not available. Will be paid and presented as Interim Warrants next meeting.

3. Payroll Certification: Pay Periods Ending April, 2022 (Att.2)

A listing of payroll checks totaling \$69,043.06 (net) issued to employees and Board members for pay periods ending April, 2022, was reviewed and certified by the President, General Manager and Office Manager.

4. Income Statements (Budget-to-Actual): Period Ending April 30, 2022

5. Cash Position Report: April 30, 2022

6. Accounts Receivable Activity Report: April 30, 2022

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VI. GENERAL MANAGER'S REPORT

Mr. Amorelli presented his verbal report encompassing operations, maintenance, projects and other District matters for the month of April, 2022, as follows:

OPERATIONS

- ▶ Water Deliveries: April, 2022 - Water deliveries for the month of April were 4,165 acre-feet which is 922 acre-feet less than was delivered during April, 2021. The fiscal year-to-date total deliveries are at 7,393 acre-feet which is 124 acre-feet more than was delivered at this time during the last fiscal year.
- ▶ Weekly TDS Readings: May 9, 2022
- ▶ U.S.B.R. / Central Valley Project
 - Allocations remain at 0% to South-of-Delta agricultural contractors.
 - Mendota Pool - Pumping reports for the Delta-Mendota Canal Check#21 were reviewed.
- ▶ Kings River Water Association
 - KRWA Storage Operations in Pine Flat Reservoir as of April 30, 2022, totaled 2,248 CFS-days, or approximately 4,458 acre-feet in the District's 20,000 acre-feet share of storage space in Pine Flat Reservoir.

MAINTENANCE

- ▶ Replacement Wells - Myers Bros. has completed development of two replacement wells.

PROJECTS

- ▶ Solar Project: White Pine Renewables
 - Project #1 cleared the CEQA public review process. Construction is anticipated to begin this fall with activation targeted for the first quarter 2023.
 - Project #2 is currently undergoing CEQA.
 - The Board inquired if there are other opportunities available to develop additional solar. Mr. Amorelli is discussing this with PWRPA and will be providing information.
- ▶ Main Canal Feasibility Study is wrapping up. Meeting with Provost & Pritchard next week. Report should be available next meeting.
- ▶ Long-Term Planning - Dr. Burke is developing a plan for infrastructure improvements and will submitting it shortly. Funding not yet available. President Chaney requested Rubicon Water be consulted as they have indicated they have access to grant funding.

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AGENCIES

- ▶ Kings River Water Association (KRWA) meeting was held May 19th. Kings River Watershed snowpack at 39% of average.
- ▶ Kings Basin Coordinating Committee
 - Meetings are continuing in an effort to correct Groundwater Sustainability Plan insufficiencies. The May 13th meeting will be conducted remotely and will be a question & answer session with the California Department of Water Resources (DWR) on groundwater pumping. Member GSAs are extending every effort to comply with DWR mandates.
- ▶ James Groundwater Sustainability Agency (James GSA) met on April 21st. The Governor issued an Executive Order on March 28th mandating GSAs review/approve permits for drilling agricultural wells. Residential/municipal wells producing less than 2 acre-feet per year are excluded. Counties are working with GSAs to establish policies/procedures.

ACTIVITIES

- ▶ Association of California Water Agencies Spring Conference was held May 3-5 in Sacramento. Attended a ceremony where the DWR awarded grants to various agencies. Representatives from the Kings Groundwater Subbasin were in attendance.

ADMINISTRATIVE ITEMS

- ▶ Case Backhoe purchased from Sequoia Equipment, Inc., may be delivered next week.

VII. SUPERINTENDENT'S REPORT

Mr. Mancini discussed ongoing maintenance issues including well repair/replacement, herbicide applications and grower work orders.

VIII. DIRECTORS' REPORTS

None were presented.

IX. ACTION ITEMS

- A. PROCEDURES FOR A MAJORITY PROTEST HEARING ON A PROPOSED INCREASE IN THE DISTRICT'S WATER RATE (03/08/2022) - Mr. Amorelli distributed a five-year forecast for years 2023-2027 projecting impacts of potential billing rate increases against accelerating PG&E power costs with/without solar project activation and resulting surplus/deficits. (Att.3) General Counsel Alan Doud indicated it would take three months to complete the Proposition 218 process.

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M/S/C (R.CHANEY / R.BARCELLOS), to AUTHORIZE GENERAL COUNSEL, ALAN DOUD, TO PREPARE A RESOLUTION CALLING FOR A MAJORITY PROTEST HEARING ON A PROPOSED INCREASE IN THE DISTRICT'S WATER RATE STARTING AT THE CURRENT \$140.00/ACRE-FOOT TO A MAXIMUM OF \$300.00 PER ACRE-FOOT.

AYES: 4 (R.Chaney, R.Barcellos, M.Combs, R.Motte)

NAYS: 0

ABSTAIN: 0

EXCUSED: 1 (J.Hughes)

ABSENT: 0

X. REPORT ITEMS

A. WELL OPERATIONS (05/10/2022)

Mmes. Alyssa Lewis and Kim Hammond representing Arthur & Orum Well Drilling, Inc., appeared before the Board to discuss recent events affecting their drilling operations. Following the unexpected death of her uncle, Steve Arthur, Arthur & Orum has been undergoing a period of transition after which the business was ultimately transferred to Ms. Lewis. She discussed delays encountered with licensing, COVID19 staffing problems, etc., but assured the Board that Arthur & Orum is continuing business and is available to serve.

ADJOURNED TO CLOSED SESSION AT 10:35 A.M.

Directors Attending:

Riley Chaney, President

Robert Motte, Secretary-Treasurer

Robert Barcellos, Assessor-Collector

Micah Combs, Director

Staff Attending

Manny Amorelli, General Manager

Consultants:

- Water Wise
Sarah Woolf

Legal Counsel

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

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

A. TITLE: GENERAL MANAGER

XII. CLOSED SESSION: GOVERNMENT CODE §54956.9 - CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

3 CASES

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XIII. 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. WESTLANDS WATER DISTRICT
Fresno County Superior Court Case No. 20CECG00688

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

XIV. 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

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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

C. WATER BANKING & TRANSFERS (06/22/2021)

Negotiating Parties: James Irrigation District: General Manager/Designee
McMullin GSA: General Manager/Designee

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
To Be Determined

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

RECONVENED IN OPEN SESSION AT 11:14 A.M.

XV. REPORT ON ACTIONS TAKEN DURING CLOSED SESSION

No reportable actions were taken during the Closed Session.

XVI. CHANGES TO EXECUTIVE COMPENSATION OR BENEFITS (SB1346)

Pursuant to California SB1346, the Board will orally report a summary recommendation in Open Session and discuss & 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.

A. TITLE: GENERAL MANAGER

M/S/C (R.CHANEY / R.MOTTE), to APPROVE AN INCREASE OF \$15,000/YEAR FROM \$175,000/YEAR TO \$190,000/YEAR EFFECTIVE MAY 1, 2022.

AYES: 4 (R.Chaney, R.Motte, R.Barcellos, M.Combs)

NAYS: 0

ABSTAIN: 0

EXCUSED: 1 (J.Hughes)

ABSENT: 0

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XVII. ADJOURN

There being no further business to come before the Board, M/S/C (M.COMBS / R.BARCELLOS), to ADJOURN the meeting at 11:16 a.m., until the next Regular Meeting scheduled for Tuesday, June 14, 2022, by the following vote:

AYES: 4 (M.Combs, R.Barcellos, R.Motte, R.Chaney)

EXCUSED: 1 (J.Hughes)

RECORDED BY:

APPROVED BY:

Donna Y. Hanneman, Executive Assistant

Riley Chaney, President

Manny Amorelli, General Manager

ATTACHMENTS:

1. Interim Warrants: April 13-May 10, 2022, \$755,027.63
2. Payroll Certification: Pay Periods Ending April, 2022, \$69,043.06 (net)
3. Five-Year Forecast: 2023-2027