

JAMES IRRIGATION DISTRICT

BOARD OF DIRECTORS - REGULAR MEETING

MINUTES November 14, 2023

ATTENDANCE

DIRECTORS PRESENT

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

EXCUSED

Micah Combs, Vice-President

ABSENT

None

STAFF PRESENT

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

PUBLIC / CONSULTANTS

- RECLAMATION DISTRICT NO. 1606
Gerald W. Kinnunen, President
- LANDOWNERS / GROWERS
Thomas Coleman
Salvador Parra, Jr.
- McMULLIN AREA GROUNDWATER SUSTAINABILITY AGENCY
Matt Hurley, General Manager

LEGAL COUNSEL

- YOUNG WOOLDRIDGE, LLP
Brett A. Stroud, Esq. (Zoom)
- BARTKIEWICZ KRONICK & SHANAHAN / CLOSED SESSION
Ryan S. Bezerra, Esq. (Zoom)

I. CALL TO ORDER

A Regular Meeting of the Board of Directors of JAMES IRRIGATION DISTRICT ("District") was held Tuesday, November 14, 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.

ADJOURNED TO CLOSED SESSION AT 10:00 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
Brett A. Stroud, Esq. (Zoom)
- Bartkiewicz Kronick & Shanahan
Ryan S. Bezerra, Esq. (Zoom)

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

A. AS PLAINTIFF

1. JAMES IRRIGATION DISTRICT VS. KINGS RIVER WATER ASSOCIATION ET AL
Fresno County Superior Court Case No. 19CECG00769

RECONVENED IN OPEN SESSION AT 10:29 A.M.

III. REPORT ON ANY ACTION TAKEN DURING CLOSED SESSION (Gov. Code §54957.1)

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

IV. OTHER BUSINESS / PUBLIC COMMENTS

A. PUBLIC COMMENTS

▶ XIV. CLOSED SESSION: GOVERNMENT CODE §54956.8 - CONFERENCE WITH REAL PROPERTY NEGOTIATOR

A. FRESNO COUNTY APN 030-090-24S (15.98 ACRES), 030-090-28S (366.07 ACRES)

The Board previously approved a Water Delivery Agreement to severed parcels effective November 1, 2022, pending construction/activation of a private groundwater well. (Min: 12/13/2022) Thomas Coleman appeared before the Board to report a well has been constructed; however, Pacific Gas & Electric is unable to provide power until their substation upgrades are completed sometime late 2024/early 2025. As these circumstances are beyond his control, Mr. Coleman requested the Board approve continuing irrigation service under the terms and conditions of the Agreement through 2024.

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.

V. MINUTES

A. REGULAR MEETING: OCTOBER 10, 2023

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

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

EXCUSED: 1 (M.Combs)

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VI. TREASURER'S REPORT

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

A. FINANCIAL REPORTS

1. Interim Warrants: October 11-November 14, 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.CHANEY / R.BARCELLOS), to RATIFY/APPROVE Interim Warrants totaling \$377,253.76 and AUTHORIZE/APPROVE payment of Accounts Payable totaling \$107,810.13 by the following vote:
AYES: 4 (R.Chaney, R.Barcellos, W.Carvalho, R.Motte)
EXCUSED: 1 (M.Combs)
3. Payroll Certification: Pay Periods Ending October, 2023 (Att.3)
A listing of payroll checks totaling \$79,214.57 (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 October 31, 2023
5. Cash Position Report: October 31, 2023
6. Accounts Receivable Activity Report: October 31, 2023

VII. GENERAL MANAGER'S REPORT

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

OPERATIONS

- ▶ Water Deliveries: October, 2023 - Water deliveries for the month of October were 2,983 acre-feet which is 156 acre-feet more than was delivered during October, 2022. The fiscal year-to-date total deliveries are at 42,572 acre-feet which is 11,004 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 November 5, 2023, totaled 1,135 CFS-days.

MAINTENANCE

- ▶ Well Repairs - Welljet arrived October 30th and began rehabilitation of wells D-70 and D-79.

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AGENCIES

- ▶ Reclamation District No. 1606 Board of Trustees met October 26th and awarded new, 5-year (2024-2028) grazing/agricultural leases to successful bidders.
- ▶ Kings Basin Water Authority (KBWA) met on October 18th. Discussed the future of the organization.
- ▶ Kings Basin Coordinating Committee met on October 20th. GSAs continue working cooperatively to gather and analyze data.

ADMINISTRATIVE ITEMS

- ▶ District Website - Met with Streamline representatives on October 25th to review progress on new website design/function.
- ▶ Wheeled Excavator rental unit was delivered October 30th.

VIII. SUPERINTENDENT'S REPORT

Superintendent, Kenneth Mancini, reported on the following activities.

- ▶ James Weir repairs
- ▶ Washouts
- ▶ Canal banks
- ▶ Weed Control
- ▶ Grower Requisitions

IX. DIRECTORS' REPORTS

None presented.

X. ACTION ITEMS

A. CAPITAL EQUIPMENT PURCHASE: HEAVY EQUIPMENT (11/14/2023)

- ▶ Excavator - Mr. Amorelli reviewed excavator quotes ranging from \$125,781/used-track to \$407,846/new-wheeled. A wheeled unit is currently being rented. In response to comments from Superintendent Mancini indicating the District's needs are limited and may not justify the purchase of an additional excavator, it was the consensus of the Board to continue renting units as needed.
- ▶ Backhoe - Mr. Mancini stated having three backhoes has been of great benefit as all units are continually in use. He requested the Board consider trading in one unit on a new backhoe next year, budget permitting. Mr. Amorelli will secure bids for consideration next meeting.

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

To allow for annual system maintenance/repair, Friday, December 8, 2023, was set as the termination date for 2023 irrigation deliveries.

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XI. REPORT ITEMS

A. WINTER OFFICE HOURS (11/14/2023)

Effective Monday, November 27, 2023, office hours will be 8:00 a.m.-4:30 p.m. Regular hours will resume Tuesday, January 2, 2024, when the office will close at 5:00 p.m.

ADJOURNED TO CLOSED SESSION AT 10:57 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

- Bartkiewicz Kronick & Shanahan
Ryan S. Bezerra, Esq. (Zoom)

XII. 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

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

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B. AS PLAINTIFF: 2 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 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

XIV. CLOSED SESSION: GOVERNMENT CODE §54956.8 - CONFERENCE WITH REAL PROPERTY NEGOTIATOR

A. FRESNO COUNTY APN 030-090-24S (15.98 ACRES), 030-090-28S (366.07 ACRES) (10/16/2012)

Negotiating Parties: James Irrigation District: General Manager/Designee

Landowner: Marilyn Fay Briggs, Trustee

Tenant: Thomas Coleman

Under Negotiation: Price, terms & conditions of possible real property and/or water supply transactions

B. 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

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:

Matthew Hurley, General Manager

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

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E. FRESNO COUNTY APN 030-111-48S (66.64 ACRES), APN 030-111-49S (39 ACRES)

Negotiating Parties: James Irrigation District: General Manager/Designee

Under Negotiation: Price, terms and conditions of possible real property and/or water supply transaction.

RECONVENED IN OPEN SESSION AT 11:44 A.M.

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

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

XVI. ADJOURN

There being no further business to come before the Board, the meeting was ADJOURNED at 11:45 a.m., until the next Regular Meeting scheduled for Tuesday, December 7, 2023.

RECORDED BY:

APPROVED BY:

Donna Y. Hanneman, Secretary

Riley Chaney, President

Manny Amorelli, General Manager

ATTACHMENTS:

1. Interim Warrants: October 11-November 14, 2023, \$377,253.76
2. Accounts Payable: \$107,810.13
3. Payroll Certification: Pay Periods Ending October, 2023, \$79,214.57 (net)