

JAMES IRRIGATION DISTRICT

BOARD OF DIRECTORS - REGULAR MEETING

MINUTES November 8, 2022

ATTENDANCE

DIRECTORS PRESENT

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

EXCUSED

None

ABSENT

None

STAFF PRESENT

Manny Amorelli, General Manager
Kenneth Mancini, Superintendent
Donna Hanneman, Executive Assistant
Melissa Benner, Office Clerk

LANDOWNERS / GROWERS

Andrew Groppetti (Zoom)
iPhone (Unidentified-Zoom)

RECLAMATION DISTRICT NO. 1606

Gerald W. Kinnunen, President
Wm. Cory Carvalho, Vice-President

PUBLIC / CONSULTANTS

- MUJERES PODEROSAS, LLC
Amy Wolfe, MPPA, CFRE (Arr. 12:12 p.m.)
- PROVOST & PRITCHARD CONSULTING GROUP
Eric Abrahamsen, PE (Zoom)
- POWER & WATER RESOURCES POOLING AUTHORITY (PWRPA)
Bruce McLaughlin (Zoom)
- WATER WISE
Kristi Robinson (Zoom)
- FRESNO-MADERA FARM CREDIT, FRESNO
David Scheidt
Mikayla Hageman
- McMULLIN AREA GROUNDWATER SUSTAINABILITY AGENCY
Matt Hurley, General Manager (Zoom)
Matt Abercrombie

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, November 8, 2022, in the District office located at 8749 Ninth Street, San Joaquin, California. The meeting was called to order at 10:01 a.m., by President, Riley Chaney. A quorum was at all times present and acting.

Members of the public were encouraged to access the meeting via internet/Zoom or by utilizing the call-in number to allow them to fully participate in the meeting without having to be present.

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II. RESOLUTION RENEWING USE OF REMOTE TELECONFERENCE MEETINGS UNDER AB361

As all members of the Board of Directors were present, NO ACTION WAS TAKEN to adopt this Resolution allowing the Board to conduct meetings via teleconference and/or remotely in conformity with Government Code section 54953(e) as amended by AB361.

III. OTHER BUSINESS / PUBLIC COMMENTS

A. PUBLIC COMMENTS

None.

B. MOMENT OF SILENCE

A moment of silence was observed to honor the passing of the following:

1. MELVIN "MEL" COMBS (12/04/1933-10/13/2022), landowner, former grower, father to Director Micah Combs;
2. LYNDA MARIE BULLA (02/27/1943-10/10/2022), landowner, business owner; and
3. KENNETH R. HALE (06/17/1953-11/03/2022), grower, landowner and former Director (1999-2013).

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 JEREMY HUGHES declared he had a potential conflict-of-interest with item **XIV. CLOSED SESSION: GOVERNMENT CODE §54956.8-CONFERENCE WITH REAL PROPERTY NEGOTIATOR**, Item G., FRESNO COUNTY APN 030-090-29S (4.66 ACRES), APN 030-090-30S (2.03 ACRES). Mr. Hughes stated he would be recusing himself from discussing, initiating any action or voting on the matter as he is the owner of the property.
- ▶ DIRECTOR MICAH COMBS declared he had a potential conflict-of-interest with item **XIV. CLOSED SESSION GOVERNMENT CODE §54956.8-CONFERENCE WITH REAL PROPERTY NEGOTIATOR**, Item H., FRESNO COUNTY APN #040-030-46S (6.51 ACRES), and stated he would be recusing himself from discussing, initiating any action or voting on the matter as his sister, Kimberly Combs, is the Landowner.

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IV. MINUTES

A. REGULAR MEETING: OCTOBER 11, 2022

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

AYES: 5 (M.Combs, R.Barcellos, J.Hughes, R.Motte, R.Chaney)

B. SPECIAL MEETING: NOVEMBER 7, 2022

Not available; report next meeting.

V. TREASURER'S REPORT

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

A. FINANCIAL REPORTS

1. Interim Warrants: October 12-November 8, 2022 (Att.1)

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

M/S/C (J.HUGHES / R.MOTTE), to RATIFY/APPROVE Interim Warrants totaling \$437,468.30 by the following vote:

AYES: 5 (J.Hughes, R.Motte, R.Barcellos, M.Combs, R.Chaney)

- ▶ In the future, Staff was requested to have all Provost & Pritchard Consulting invoices reviewed at the Board meetings.

2. Accounts Payable

No report.

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

A listing of payroll checks totaling \$70,3352.83 (net) issued to employees and Board members for pay periods ending October, 2022, was reviewed and certified by the President, General Manager and Office Manager.

4. Income Statements (Budget-to-Actual): Period Ending October 31, 2022

5. Cash Position Report: October 31, 2022

6. Accounts Receivable Activity Report: October 31, 2022

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VI. GENERAL MANAGER'S REPORT

General Manager, Manny Amorelli, presented his verbal report encompassing operations, maintenance, projects and other District matters for the month of October, 2022, as follows:

OPERATIONS

- ▶ Water Deliveries: October, 2022 - Water deliveries for the month of October were 2,827 acre-feet which is 537 acre-feet more than was delivered during October, 2021. The fiscal year-to-date total deliveries are at 53,577 acre-feet which is 3,607 acre-feet more than was delivered at this time during the last fiscal year.
- ▶ Weekly TDS Readings: October 24, 2022
- ▶ U.S.B.R. / Central Valley Project
 - Mendota Pool - Pumping reports (TDS, electroconductivity) for the Mendota Wildlife Area and Delta-Mendota Canal Check#21 through October 31, 2022, were reviewed.
- ▶ Kings River Water Association
 - KRWA Storage Operations in Pine Flat Reservoir as of October 30, 2022, totaled 2,204 CFS-days in Pine Flat Reservoir.

MAINTENANCE

- ▶ James Bypass / Water Hyacinth - The Coordinating Committee met in October and discussed efforts to control water hyacinth. A total of 240 acres has been treated. Before/after pictures were shared. It is hoped the area can be treated twice annually. Mr. Amorelli noted assistance from the San Luis & Delta-Mendota Water Authority has been of great help. They are hoping to get owners of land north of the Hwy. 180 bridge involved as well.

AGENCIES

- ▶ James Groundwater Sustainability Agency (James GSA) met on October 27th.
 - Groundwater Sustainability Plan (GSP) - Two comment letters were received regarding the revised GSP.
 - Grant Funding from the State is available but mostly to urban areas.
 - Shallow Well Mitigation Study - No action will be taken until the DWR determination is confirmed.

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VII. SUPERINTENDENT'S REPORT

Superintendent, Kenneth Mancini, reported staff is working on the following projects/activities:

- ▶ Mowing
- ▶ Preparation for pre-emergent
- ▶ Installation of new outlets
- ▶ During recent rains, the crew has been servicing equipment, doing meter repairs, shop clean-up.

VIII. DIRECTORS' REPORTS

None were presented.

IX. ACTION ITEMS

A. POWER & WATER RESOURCES POOLING AUTHORITY

Bruce McLaughlin, General Manager of the Power & Water Resources Pooling Authority (PWRPA), discussed the potential for growers to achieve power savings under the Westlands Water District model for energy sharing under the RES BCT¹ program.

Director Jeremy Hughes farms in Westlands Water District and noted PWRPA rates are 1/3 less than PG&E. He inquired if there is a potential for James to achieve the same savings? Mr. McLaughlin indicated he would investigate/report. He complimented the Board on its investigation.

B. MAIN CANAL FEASIBILITY STUDY (12/14/2021)

Eric Abrahamsen, PE, presented a monthly update of the Main Canal Feasibility Study performed by Provost & Pritchard Consulting Group. He noted they are currently reviewing the survey data. At the outset it appears E check can be removed and a new "smart" headgate installed at Lateral C.

X. REPORT ITEMS

A. ETHICS TRAINING (06/20/2006)

Board members were reminded that the Biennial Ethics Training class is scheduled for Tuesday, December 13th (2 hours) after the Regular Meeting is adjourned. Lunch will be provided. General Counsel, Alan Doud, Esq., will conduct the training.

B. WINTER OFFICE HOURS (11/08/2022)

Mr. Amorelli noted office hours will change starting November 28, 2022, to 8:00 a.m.-4:30 p.m.

¹Renewable Energy Self-Generation Bill Credit Transfer

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ADJOURNED TO CLOSED SESSION AT 10:36 A.M.

Directors Attending:

Riley Chaney, President
Jeremy Hughes, Vice-President
Robert Motte, Secretary-Treasurer
Robert Barcellos, Assessor-Collector
Micah Combs

Staff Attending

Manny Amorelli, General Manager

Legal Counsel

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

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

- A. TITLE: OFFICE MANAGER (1)

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

- 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

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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

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

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/Department of Water Resources Proposition 84 Grant Application

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

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

E. WHITE PINE RENEWABLES (04/13/2021)

Negotiating Parties: James Irrigation District: General Manager/Designee

White Pine Renewables: Evan Riley

Under Negotiation: Price, terms and conditions of possible real property transaction.

F. 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

Under Negotiation: Price, terms of payment.

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CITING A CONFLICT-OF-INTEREST, DIRECTOR JEREMY HUGHES EXCUSED HIMSELF FROM THE MEETING PRIOR TO DISCUSSION OF THE FOLLOWING MATTER AS HE IS THE OWNER OF THE SUBJECT PROPERTY.

G. FRESNO COUNTY APN 030-090-29S (4.66 ACRES), APN 030-090-30S (2.03 ACRES) (06/11/2019)

Negotiating Parties: James Irrigation District: General Manager/Designee
Landowner

Under Negotiation: Price, terms of payment.

CITING A CONFLICT-OF-INTEREST, DIRECTOR MICAH COMBS EXCUSED HIMSELF FROM THE MEETING PRIOR TO DISCUSSION OF THE FOLLOWING MATTER AS HIS SISTER OWNS THE SUBJECT PROPERTY.

H. FRESNO COUNTY APN #040-030-46S (6.51 ACRES)

Negotiating Parties: James Irrigation District: General Manager/Designee
Landowner

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

RECONVENED IN OPEN SESSION AT 12:12 P.M.

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

Discussion and actions were taken in the following manner in Open Session:

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

A. TITLE: OFFICE MANAGER (1)

EMPLOYEE: WALTER FLORES-BARBOZA

Employed: February 22, 2001 / 18-month Review

Action: M/S/C (M.COMBS / R.BARCELLOS), to APPROVE A SALARY INCREASE OF \$5,000/YEAR FROM \$65,184 TO \$70,184/YEAR RETRO-ACTIVE TO AUGUST 16, 2022.

AYES: 5 (M.Combs, R.Barcellos, J.Hughes, R.Motte, R.Chaney)

LUNCH BREAK 12:12-12:31 P.M.

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ATTENDANCE

DIRECTORS PRESENT

Riley Chaney, President
Jeremy Hughes, Vice-President
Robert Barcellos, Assessor-Collector
Robert Motte, Secretary-Treasurer
Micah Combs

RECLAMATION DISTRICT NO. 1606

Gerald W. Kinnunen, President
Wm. Cory Carvalho, Vice-President

GROWERS/LANDOWNERS

Andrew Groppetti (Zoom)

STAFF

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

MUJERES PODEROSAS, LLC

Amy Wolfe, MPPA, CFRE

XVI. ACTION ITEM

A. STRATEGIC PLANNING (02/08/2022)

Amy Wolfe returned to continue discussion on developing and implementing the Strategic Plan by determining:

- ▶ Who/how to get actual work done.
- ▶ How/when the Plan status will be communicated to the Board of Directors.
- ▶ Development of a formal best/worst-case scenario plans (including land fallowing policy) now, before policies are actually needed.
- ▶ When water is lost to SGMA, purchase policy if water is available to replace SGMA losses, seeking grower input as to how much are they willing/able to pay (above/beyond flood water) and budgeting for contingencies. Important to communicate with growers regarding availability and price.
- ▶ Reporting Frequency - Individual ad hoc committees will determine how often they will report to the full Board.

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XVII. ADJOURN

There being no further business to come before the Board, the meeting was ADJOURNED at 1:27 p.m., until the next Regular Meeting scheduled for Tuesday, December 13, 2022.

RECORDED BY:

APPROVED BY:

Donna Y. Hanneman, Executive Assistant

Riley Chaney, President

Manny Amorelli, General Manager

ATTACHMENTS:

1. Interim Warrants: October 12-November 8, 2022, \$437,468.30
2. Payroll Certification: Pay Periods Ending October, 2022, \$70,332.83 (net)