

JAMES IRRIGATION DISTRICT

BOARD OF DIRECTORS - SPECIAL MEETING

MINUTES
October 4, 2022

ATTENDANCE

DIRECTORS PRESENT

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

LANDOWNERS / GROWERS

George Ayerza, Jr.
Justin Ayerza
Steve Cantu
Thomas Coleman (Zoom)
Andrew Groppetti
Gerald Kinnunen
Sal Parra, Jr.

EXCUSED

None

ABSENT

None

STAFF PRESENT

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

PUBLIC / CONSULTANTS

- **PROVOST & PRITCHARD CONSULTING GROUP**
Brian Ehlers, P.E.
Eric Abrahamsen, P.E.
- **IRRIGATION TRAINING & RESEARCH CENTER,
CAL/POLY, SAN LUIS OBISPO**
Charles M. Burt, Ph.D., P.E., CID
Kyle E. Feist, P.E., CAIS
- **WATER WISE**
Kristi Robinson

LEGAL COUNSEL

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

I. CALL TO ORDER

A Special Meeting of the Board of Directors of JAMES IRRIGATION DISTRICT (“District”) was held Tuesday, October 4, 2022, in the District office located at 8749 Ninth Street, San Joaquin, California. The meeting was called to order at 10:02 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 use 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. 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.

- ▶ Director Jeremy Hughes declared he had a potential conflict-of-interest with VII. 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), and stated he would be recusing himself from discussing, initiating any action or voting on the matter.

- ▶ Director Micah Combs declared he had a potential conflict-of-interest with VII. 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.

IV. ACTION ITEMS

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

General Manager, Manny Amorelli, expressed appreciation to all attending in person and remotely for their interest and participation in this meeting.

- ▶ Eric Abrahamsen and Brian Ehlers, Provost & Pritchard Consulting (P&P), reviewed the draft "Main Canal Feasibility Study", September, 2022, which was charged "to investigate necessary improvements to its Main Canal check/booster structures to gain the ability to increase structure flow capacity. Through the analysis, P&P determined that the existing

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check structures along the Main Canal are at or [have] surpassed their useful life and should be replaced with new structures and equipment.”

- Mr. Ehlers noted they were uncertain of the District’s goals and indicated the cost of replacement will be dependent on the desired rate of flow. He noted structures can be designed to allow for larger pumps but the draft report assumes all will be replaced. The Main Canal can accommodate a maximum flow of 400 CFS (currently averages 300 CFS); however, constrictions at Floral, Boosters E and P are impeding flow. The Board indicated the District’s goal is to capture more floodwater when available.
- ▶ Also, discussed observations regarding the P&P report provided by Dr. Charles Burt, Irrigation Training & Research Center, Cal/Poly San Luis Obispo.

A very robust period of discussion ensued during which various design/cost options were explored. Provost & Pritchard was requested to update the Main Canal Feasibility Study to maximize Main Canal flow rate at 400 CFS by:

- Performing necessary surveys.
- Providing calculations on alternate designs.
- Developing a schedule for phased construction for future planning.
- Investigating availability of grant funding.
- Monthly progress reports were requested for each Regular Board Meeting.

The Board expressed appreciation to all in attendance for contributing to this “brainstorming” effort.

ADJOURNED TO CLOSED SESSION AT 11:33 A.M.

Directors Attending:

Riley Chaney, President

Jeremy Hughes, Vice-President

Robert Motte, Secretary-Treasurer

Robert Barcellos, Assessor-Collector

Micah Combs, Director

Staff Attending

Manny Amorelli, General Manager

Legal Counsel

- Young Wooldridge, LLP

Alan F. Doud, Esq. (Zoom)

V. 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

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VI. 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

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VII. 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 PROPERTIES.

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 12:27 P.M.

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

No reportable actions were taken during the Closed Session.

IX. ADJOURN

There being no further business to come before the Board, the meeting was ADJOURNED at 12:28 p.m., until the next Regular Meeting scheduled for Tuesday, October 11, 2022.

RECORDED BY:

APPROVED BY:

Donna Y. Hanneman, Executive Assistant

Riley Chaney, President

Manny Amorelli, General Manager