

JAMES IRRIGATION DISTRICT

BOARD OF DIRECTORS - SPECIAL MEETING

MINUTES June 22, 2023

ATTENDANCE

DIRECTORS PRESENT

Riley Chaney, President (Zoom)
Micah Combs, Vice-President
Robert Barcellos
Robert Motte

LANDOWNERS / GROWERS

None

EXCUSED

Wm. Cory Carvalho

ABSENT

None

PUBLIC / CONSULTANTS

- LIGHTHOUSE PUBLIC AFFAIRS, LLC
Steve Hansen (Zoom)
Andy Lynch (Zoom)
Erin Evans Fudem (Zoom)

STAFF PRESENT

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

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 Thursday, June 22, 2023, in the District office located at 8749 Ninth Street, San Joaquin, California. The meeting was called to order at 12:04 p.m., by Vice-President, Micah Combs. A quorum was at all times present and acting.

II. OTHER BUSINESS / PUBLIC COMMENTS

A. PUBLIC COMMENTS

None.

JAMES IRRIGATION DISTRICT

BOARD OF DIRECTORS - SPECIAL MEETING

MINUTES - June 22, 2023

B. ADDITIONS / CORRECTIONS TO THE AGENDA

Per request of the General Manager, M/S/C(R.BARCELLOS/R.MOTTE), to ADD the following item (**redlined**) to the Agenda as there was deemed to be a need to take immediate action and that the need for action came to the attention of the District subsequent to the posting of the Agenda by the following vote:

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

EXCUSED: 1 (W.Carvalho)

ACTION ITEM

Added: B. **▶ WATER POLICY: ON-FARM RECHARGE** (12/14/2021) - Discussion/possible action reviewing/ approving grower applications (Addendum: Att.1)

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.

ADJOURNED TO CLOSED SESSION AT 12:05 P.M.

Directors Attending:

Riley Chaney, President (Zoom)

Micah Combs, Vice-President

Robert Barcellos, Director

Robert Motte, Director

Staff Attending

Manny Amorelli, General Manager

Consultants:

- Lighthouse Public Affairs, LLC
Steve Hansen (Zoom)
Andy Lynch (Zoom)
Erin Evans Fudem (Zoom)

Legal Counsel

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

III. 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

IV. 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

JAMES IRRIGATION DISTRICT

BOARD OF DIRECTORS - SPECIAL MEETING

MINUTES - June 22, 2023

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: 4 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
4. 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

V. 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.

JAMES IRRIGATION DISTRICT

BOARD OF DIRECTORS - SPECIAL MEETING

MINUTES - June 22, 2023

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.

VI. CLOSED SESSION: GOVERNMENT CODE §54957 - PUBLIC EMPLOYMENT

A. TITLE: PUBLIC RELATIONS CONSULTANT

RECONVENED IN OPEN SESSION AT 1:15 P.M.

VII. 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 EMPLOYMENT

A. TITLE: PUBLIC RELATIONS CONSULTANT

M/S/C (R.CHANEY / R.BARCELLOS) to ENTER INTO A CONTRACT TO RETAIN LIGHTHOUSE PUBLIC AFFAIRS, LLC, AS CONSULTANTS:

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

EXCUSED: 1 (W.Carvalho)

RECONVENED IN OPEN SESSION AT 1:15 P.M.

VIII. ACTION ITEMS

A. CALIFORNIA DEPARTMENT OF WATER RESOURCES EMERGENCY PUMP PROGRAM (06/22/2023)

Discussed to Resolution required for participation in the "RIP AND CHIP" program to reduce flooding in the Tulare Lake Bottom by increasing the use of surface water for irrigation/recharge and authorizing the General Manager to take the necessary measures to effectuate the process.

M/S/C (R.BARCELLOS / R.MOTTE) to ADOPT RESOLUTION 2023-05 CALIFORNIA DEPARTMENT OF WATER RESOURCES EMERGENCY PUMP PROGRAM (Att.2)

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

EXCUSED: 1 (W.Carvalho)

JAMES IRRIGATION DISTRICT

BOARD OF DIRECTORS - SPECIAL MEETING

MINUTES - June 22, 2023

Added:

B. WATER POLICY: ON-FARM RECHARGE (12/14/2021)

As delinquencies have been brought current and account is in good standing, M/S/C (M.COMBS / R.MOTTE) to APPROVE APPLICATION SUBMITTED BY CHRIS CHANEY FOR PARTICIPATION IN THE 2023 FALLOW-LAND GROUNDWATER RECHARGE PROGRAM (OUTLETS GH2-1, K-13, L-6) (Att.3):

AYES: 3 (M.Combs, R.Motte, R.Barcellos)

NAYS: 1 (R.Chaney)

EXCUSED: 1 (W.Carvalho)

The Board firmly stated if there are any infractions/breaches in the terms of the Agreement, it will be immediately nullified.

IX. ADJOURN

There being no further business to come before the Board, the meeting was ADJOURNED at 1:23 p.m., until the next Regular Meeting scheduled for Tuesday, July 11, 2023.

RECORDED BY:

APPROVED BY:

Donna Y. Hanneman, Secretary

Micah Combs, Vice-President, Presiding

Manny Amorelli, General Manager

ATTACHMENTS:

1. Addendum to the Agenda: June 22, 2023
2. Resolution 2023-05 California Department of Water Resources Emergency Pump Program, Adopted June 22, 2023
3. Fallow-Land Groundwater Recharge Program, 2023 Application, Chris Chaney, Approved June 22, 2023