

JAMES IRRIGATION DISTRICT

BOARD OF DIRECTORS - ADJOURNED REGULAR MEETING

MINUTES August 15, 2024

ATTENDANCE

DIRECTORS PRESENT

Riley Chaney, President
Robert Motte, Vice-President
Robert Barcellos
Wm. Cory Carvalho
Andrew Groppetti

STAFF PRESENT

Manny Amorelli, General Manager

LEGAL COUNSEL

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

EXCUSED

None

ABSENT

None

1. CALL TO ORDER

The Adjourned Regular Meeting of the Board of Directors of JAMES IRRIGATION DISTRICT ("District") was held Thursday, August 15, 2024, in the District office located at 8749 Ninth Street, San Joaquin, California. The meeting was called to order at 7:30 a.m., by President, Riley Chaney. A quorum was at all times present and acting.

ADJOURNED TO CLOSED SESSION AT 7:30 A.M.

Directors Attending:

Riley Chaney, President
Robert Motte, Vice-President
Robert Barcellos, Director
Wm. Cory Carvalho, Director
Andrew Groppetti, Director

Legal Counsel

- Young Wooldridge, LLP
Alan F. Doud, Esq. (Zoom)
Brett A. Stroud, Esq. (Zoom)
- Bartkiewicz Kronick & Shanahan
Ryan S. Bezerra, Esq. (Zoom)

Staff Attending

Manny Amorelli, General Manager

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

AS DEFENDANT: 3 CASES

- a. 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
- b. 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
- c. MCMULLIN AREA GROUNDWATER SUSTAINABILITY AGENCY V JAMES IRRIGATION DISTRICT Fresno
County Superior Court Case No. 24CECG03049 (08/13/2024)

AS PLAINTIFF: 2 CASES

- d. KINGS RIVER WATER ASSOCIATION ET AL V. JAMES VERBOON ET AL
Kings County Superior Court, Case No. 15 C0304
- e. JAMES IRRIGATION DISTRICT V. MCMULLIN AREA GROUNDWATER SUSTAINABILITY AGENCY
Santa Clara County Superior Court, Case No. 23CV417565

AS INTERVENOR: 1 CASE

- f. CITY OF FRESNO, ET AL V. UNITED STATES OF AMERICA
United States Court of Federal Claims, Case No. 1:16-CV-01276-MCW

4. 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.

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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: MCMULLIN AREA GSA (06/22/2021)

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

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

RECONVENED IN OPEN SESSION AT 8:30 A.M.

ATTENDANCE

DIRECTORS PRESENT

Riley Chaney, President
Robert Motte, Vice-President
Robert Barcellos
Wm. Cory Carvalho
Andrew Groppetti

STAFF PRESENT

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

LEGAL COUNSEL

Alan F. Doud, Esq. (Zoom)

PUBLIC

CONSULTANTS

Mason Lewis, JR Simplot

RECLAMATION DISTRICT NO. 1606

Gerald W. Kinnunen, President
Matt Carvalho, Trustee

LANDOWNERS / GROWERS

Sal Parra, Jr.

FRESNO COUNTY BOARD OF SUPERVISORS

Brian Pacheco, Supervisor, District 1
Marc Benjamin, Chief of Staff

McMULLIN AREA GROUNDWATER SUSTAINABILITY AGENCY

Matt Hurley, General Manager
Don Cameron, Terranova Ranch

5. REPORT ON ACTIONS TAKEN DURING CLOSED SESSION (Gov. Code 54957.1)

NO REPORTABLE ACTIONS WERE TAKEN during Closed Session.

6. ADDITIONS / CORRECTIONS TO THE AGENDA

There were no corrections/additions to the Agenda.

7. 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.

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8. PUBLIC COMMENTS

Members of the public were given an opportunity to directly address the Board on any item of interest before or during consideration of the item.

9. OTHER BUSINESS

a. MOMENT OF SILENCE

A moment of silence was observed to honor the passing of PAULA DIANE BEYHMER (1948-2024), former employee (04/17/1971-09/16/1983).

b. MEETING DATE CHANGE

It was **NOTED FOR THE RECORD** that the August 13 Regular Meeting was ADJOURNED to this date and notice posted as prescribed.

10. MINUTES

a. ADJOURNED REGULAR MEETING: JULY 16, 2024

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

AYES: 5 (R.Motte, R.Barcellos, W.Carvalho, A.Groppetti, R.Chaney)

11. TREASURER'S REPORT

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

a. Interim Warrants: July 17-August 15, 2024 (Att.1)

b. 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 (A.GROPPETTI / R.MOTTE), to RATIFY/APPROVE Interim Warrants totaling \$1,029,126.56 and AUTHORIZE/APPROVE payment of Accounts Payable totaling \$379,022.24 by the following vote:

AYES: 5 (A.Groppetti, R.Motte, R.Barcellos, W.Carvalho, R.Chaney)

c. Payroll Certification: Pay Periods Ending July, 2024 (Att.3)

A listing of payroll checks totaling \$88,008.09 (net) issued to employees and Board members was reviewed and certified by the President, General Manager and Office Manager.

d. Income Statements (Budget-to-Actual): Period Ending July 31, 2024

e. Cash Position Report: July 31, 2024

f. Accounts Receivable Activity Report: July 31, 2024

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12. GENERAL MANAGER'S REPORT

Mr. Amorelli presented his verbal report encompassing operations, maintenance, projects and other District matters for the month of July, 2024, as follows:

OPERATIONS

- ▶ Water Deliveries: July, 2024 - Water deliveries for the month of July were 11,360 acre-feet which is 362 acre-feet more than was delivered during July, 2023. The fiscal year-to-date total deliveries are at 32,424 acre-feet which is 3,631 acre-feet more than was delivered at this time during the last fiscal year.
- ▶ Weekly TDS Readings: August 12, 2024
- ▶ Kings River Water Association (KRWA)
 - KRWA Storage Operations in Pine Flat Reservoir as of August 11, 2024, totaled 7,445 CFS-days.

PROJECTS

- ▶ K Basin Solar Project - Investigating a cost estimate to develop an on-site battery storage facility.

AGENCIES

- ▶ Power & Water Resources Pooling Authority (PWRPA) - Attended a Special Meeting on August 8th devoted to Strategic Planning. They worked to define long-term goals, potential projects, and PG&E issues. PWRPA is also investigating development of battery storage facilities.

13. SUPERINTENDENT'S REPORT

- ▶ Mason Lewis, JR Simplot, Five Points, CA, noted Simplot's fiscal year is drawing to a close. They will be purchasing chemicals/supplies in bulk. Prices are unsure at this point but will advise.

Superintendent, Kenneth Mancini, reported on the following activities:

- ▶ Hyacinth control
- ▶ Applying copper for control of moss
- ▶ Road repairs
- ▶ Standard summer maintenance items including spraying, discing and meter repairs, etc.

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14. DIRECTORS' REPORTS

Directors were given an opportunity to report on meetings and/or conferences attended on behalf of the District. None were reported.

15. ACTION ITEMS

a. GROWER REBATES (08/15/2024)

Considering the positive impact of unexpected Kings River releases earlier this year, M/S/C (A.GROPPETTI / W.CARVALHO) to APPROVE ISSUING REBATES TO GROWERS FOR IRRIGATIONS APPLIED MARCH 1-AUGUST 31, 2024, AT \$20.00/ACRE-FOOT. Current irrigation billing rate of \$185.00/acre-foot remains in place.

AYES: 5 (A.Groppetti, W.Carvalho, R.Barcellos, R.Motte, R.Chaney)

b. DISTRICT ELECTIONS (06/11/2024)

As the total number of persons who filed a Declaration of Candidacy for director at-large did not exceed the number of offices of director at-large to be filled and no petition signed by 10 percent of the voters or 50 voters, whichever is the smaller number, in the District requesting that the General District Election be held, no election will be necessary. A Certificate was filed with the Clerk to the Fresno County Board of Supervisors requesting they appoint incumbents WM.CORY CARVALHO, RILEY CHANEY and ANDREW GROPPETTI to full, 4-year terms expiring 2028. (Elections Code §10515). (Att.4)

c. BOARD OF EQUALIZATION MEETING (08/15/2024)

M/S/C (R.MOTTE / W.CARVALHO) to CONVENE AS A BOARD OF EQUALIZATION on Tuesday, September 10, 2024, from the hours of 10:00 a.m. to 12:00 p.m. to hear objections, if any, to the valuation, acreage, or any matter pertaining to the 2024-2025 District assessments.

AYES: 5 (R.Motte, W.Carvalho, R.Barcellos, A.Groppetti, R.Chaney)

Notice will be published as prescribed by California Water Code §25550-25559 in *The San Joaquin-Tranquillity West Side Advance*.

16. REPORT ITEMS

a. MAIN CANAL PROJECT (10/26/2021)

Summers Engineering, Inc., and Bedrock Engineering, Inc., have been surveying the Main Canal and Lateral C gathering data for their preliminary report.

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17. ADJOURN

There being no further business to come before the Board, M/S/C (R.MOTTE / A.GROPPETTI), to ADJOURN the meeting at 8:57 a.m., until the next Regular Meeting scheduled for Tuesday, September 10, 2024, by the following vote:

AYES: 5 (R.Motte, A.Groppetti, R.Barcellos, W.Carvalho, R.Chaney)

RECORDED BY:

APPROVED BY:

Donna Y. Hanneman, Secretary

Riley Chaney, President

Manny Amorelli, General Manager

ATTACHMENTS:

1. Interim Warrants: July 17-August 15, 2024, \$1,029,126.56
2. Accounts Payable: \$379,022.24
3. Payroll Certification: Pay Periods Ending July, 2024, \$88,008.09 (net)
4. Correspondence to Clerk to the Board of Supervisors, County of Fresno, "James Irrigation district General district Election: November 5, 2024 Certification Pursuant to Elections Code Section 10515", August 12, 2024