

JAMES IRRIGATION DISTRICT

BOARD OF DIRECTORS - REGULAR MEETING

MINUTES June 11, 2024

ATTENDANCE

DIRECTORS PRESENT

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

EXCUSED

None

ABSENT

None

STAFF PRESENT

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

PUBLIC

• LANDOWNERS / GROWERS

Donnie Gragnani, Donnie Gragnani Farms

• McMULLIN AREA GROUNDWATER SUSTAINABILITY AGENCY

Matt Hurley, General Manager

• SAN LUIS & DELTA-MENDOTA WATER AUTHORITY

Rebecca Akroyd, Esq., General Counsel (Zoom)

• WATER WISE

Seraphina Bedoyan

LEGAL COUNSEL

• YOUNG WOOLDRIDGE, LLP

Brett A. Stroud, Esq. (Zoom)

1. CALL TO ORDER

The Regular Meeting of the Board of Directors of JAMES IRRIGATION DISTRICT ("District") was held Tuesday, June 11, 2024, 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.

2. REORGANIZATION

a. ELECTION OF OFFICERS

M/S/C (R.BARCELLOS / W.CARVALHO), to ELECT the ROBERT MOTTE as Vice-President (replacing Micah Combs):

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

b. AGENCY / COMMITTEE APPOINTMENTS

i. James Irrigation District Retirement / Deferred Compensation Plan

M/S/C (R.CHANEY / R.MOTTE) to APPOINT ANDREW GROPPETTI as Trustee (replacing Micah Combs):

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

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3. ADDITIONS / CORRECTIONS TO THE AGENDA

There were no corrections/additions to the Agenda.

4. POTENTIAL CONFLICTS OF INTEREST

Directors were given an opportunity to identify potential conflicts-of-interest with items appearing on the Agenda; none were reported.

5. 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. No comments were offered.

6. OTHER BUSINESS

None

7. MINUTES

a. REGULAR MEETING: MAY 14, 2024

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

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

8. TREASURER'S REPORT

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

FINANCIAL REPORTS

a. Interim Warrants: May 15-June 11, 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/W.CARVALHO), to RATIFY/APPROVE Interim Warrants totaling \$410,946.22 and AUTHORIZE/APPROVE payment of Accounts Payable totaling \$57,216.41 by the following vote:

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

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

A listing of payroll checks totaling \$81,928.94 (net) issued to employees and members of the Board was reviewed and certified by the President, General Manager and Office Manager.

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

e. Cash Position Report: May 31, 2024

f. Accounts Receivable Activity Report: May 31, 2024

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9. GENERAL MANAGER'S REPORT

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

OPERATIONS

- ▶ Water Deliveries: May, 2024 - Water deliveries for the month of May were 6,237 acre-feet which is 665 acre-feet more than was delivered during May, 2023. The fiscal year-to-date total deliveries are at 11,086 acre-feet which is 2,231 acre-feet more than was delivered at this time during the last fiscal year.
- ▶ Weekly TDS Readings: June 10, 2024
- ▶ Kings River Water Association (KRWA)
 - Entitlement Water - Remains in storage at Pine Flat Lake.
 - Kings River Flood Releases have been intermittent and brief.
 - KRWA Storage Operations in Pine Flat Reservoir as of June 5th totaled 9,819 CFS-days.

AGENCIES

- ▶ Fresno Irrigation District (FID) - Attended a FID Board meeting in early June; discussion centered upon the collaborative agreement which was signed earlier this year. Both districts expressed gratitude to be able to bring this project to fruition culminating in over 15 years of work fulfilling the visions of former FID General Manager, Gary Serrato (Ret. 2019), and former James ID General Manager, John Mallyon (Ret. 2016).
- ▶ North Fork Kings GSA - Met with representatives on May 30th to explore collaboration with the GSA and its growers.
- ▶ Raisin City Water District (RCWD) - Attended the RCWD Board Meeting on May 21st when they discussed expansion of their district boundaries which would include James ID infrastructure. This matter is expected to be heard by Fresno County Local Agency Formation Commission in July.

ADMINISTRATIVE ITEMS

- ▶ Security Services - Staff has been investigating utilization of an outside security service to deter the rash of theft and vandalism against District facilities and grower equipment. As Board members were aware of instances where farms have been having theft problems, it was suggested an article be placed in the next monthly newsletter inquiring if there might be interest in a cost-sharing program.
- ▶ John Mallyon visited the District on May 23rd and toured various projects. Mr. Amorelli has consulted with Mr. Mallyon from time-to-time for historical information.

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10. SUPERINTENDENT'S REPORT

Superintendent, Kenneth Mancini, reported on the following activities:

- ▶ Floral Basin crossing has been completed.
- ▶ Repairs to the deck of the lowbed have been finished.
- ▶ Aquatic weed control applications
- ▶ Usual summer maintenance activities (discing, etc.)

11. DIRECTORS' REPORTS

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

PRESIDENT, RILEY CHANEY

- ▶ STORM Water Management Software / Irrigation Orders - President Chaney inquired whether the new ordering software is working. He expressed concerns over having to phone Dichtenders. Board members and staff responded that making changes are not a problem but sufficient notice (minimum 24 hours) is required for Dichtenders to adjust their delivery schedules. Dichtenders are worried that Wi-Fi is sporadic and unreliable in certain areas of the District which could hinder their ability to provide the best possible service to growers. Superintendent Mancini stated Dichtenders are proud of what they do and are doing the best job they can. They are trying to maintain the system at maximum capacity and provide deliveries as ordered avoiding postponements. Board members indicated they appreciated the Dichtenders' commitment and were glad they communicated their concerns.

12. ACTION ITEMS

- a. RESOLUTION AUTHORIZING ADOPTION OF THE SECOND AMENDED JOINT EXERCISE OF POWERS AGREEMENT & ACTIONS RELATED THERETO / SAN LUIS & DELTA-MENDOTA WATER AUTHORITY (06/11/2024) - Rebecca Akroyd, General Counsel for the San Luis & Delta-Mendota Water Authority ("SLDMWA"), appeared via Zoom to discuss their efforts to achieve approval of member units of the "Second Amended & Restated Joint Exercise of Powers Agreement" between the SLDMWA and the Friant Water Users Authority ("FWA"). (Atts.4,5,6) The current agreement has been in place since 1992. The District's General Counsel, Alan Doud, has reviewed the documents. Mr. Amorelli assured the Board that these changes would cumulatively benefit the District in the long term.

M/S/C (A.GROPPETTI/W.CARVALHO) to ADOPT RESOLUTION 2024-05 AUTHORIZING ADOPTION OF THE SECOND AMENDED & RESTATED JOINT EXERCISE OF POWERS AGREEMENT AND ACTIONS RELATED THERETO. (Att.7)

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

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b. CORPORATE AUTHORIZATION RESOLUTION (06/11/2024)

M/S/C (W.CARVALHO/R.MOTTE) to ADOPT RESOLUTION 2024-06 (Att.8) authorizing any one of the following as signatories on James Irrigation District bank/investment accounts:

1. Riley Chaney
2. Robert Barcellos
3. Wm. Cory Carvalho
4. Andrew Groppetti (Replacing Micah Combs)
5. Robert Motte
6. Manny Amorelli

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

c. DISTRICT ELECTIONS: 2024 (06/11/2024)

As terms of office for Directors Chaney, Carvalho and Groppetti will expire December, 2024, M/S/C (R.MOTTE / A.GROPPETTI) to ADOPT RESOLUTION 2024-07 CALLING GENERAL DISTRICT ELECTION. (Att.9)

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

13. REPORT ITEMS

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

Mr. Amorelli provided an update on the Main Canal improvement project and his discussions with Dr. Charles Burt. In response to the Board's previous comments, Dr. Burt modified the project and submitted the modifications to Summers Engineering for an updated plan. Comprehensive design will include engineering the Main Canal to accommodate a maximum flow at 200 CFS north/south as well as relieving the bottleneck at Lateral C (Floral Avenue) at South Colorado Avenue. The Board requested Summers Engineering provide a pay schedule by phase as well as a construction schedule. Mr. Amorelli will request Summers Engineering report next meeting.

ADJOURNED TO CLOSED SESSION AT 10:54 A.M.

Directors Attending:

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

Staff Attending

Manny Amorelli, General Manager

Legal Counsel

- Young Wooldridge, LLP
Brett A. Stroud, Esq. (Zoom)

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14. 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

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

AS DEFENDANT: 2 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

AS PLAINTIFF: 2 CASES

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

AS INTERVENOR: 1 CASE

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

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

- a. TITLE: SUPERINTENDENT

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17. 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.

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.

e. TERRANOVA RANCH, INC. (05/16/2023)

Negotiating Parties: James Irrigation District: General Manager/Designee

Terranova Ranch, Inc.: Don Cameron

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

RECONVENED IN OPEN SESSION AT 11:39 A.M.

18. 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.

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Following Closed Session deliberation, action was taken on the following matters:

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

a. TITLE: SUPERINTENDENT

M/S/C (W.CARVALHO / R.MOTTE) to APPROVE AN ANNUAL INCREASE OF \$6,000/YEAR TO \$161,500/YEAR EFFECTIVE JUNE 1, 2024:

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

19. ADJOURN

There being no further business to come before the Board, M/S/C (A.GROPPETTI/R.BARCELLOS), to ADJOURN the meeting at 11:40 a.m., until the next Regular Meeting scheduled for Tuesday, July 9, 2024.

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

RECORDED BY:

APPROVED BY:

Donna Y. Hanneman, Secretary

Riley Chaney, President

Manny Amorelli, General Manager

ATTACHMENTS:

1. Interim Warrants: May 15-June 11, 2024, \$410,946.22
2. Accounts Payable: \$57,216.41
3. Payroll Certification: Pay Periods Ending May, 2024, \$81,928.94 (net)
4. Memorandum: Resolutions Authorizing Adoption of the Second Amended and Restated Joint Exercise of Powers Agreement & Adoption of Amendments to the Bylaws, San Luis & Delta-Mendota Water Authority, May 13, 2024
5. San Luis & Delta-Mendota Water Authority Resolution No. 2024-529, Adopted May 16, 2024
6. San Luis & Delta-Mendota Water Authority, Second Amended and Restated Joint Exercise of Powers Agreement, Adopted July 1, 1990; First Amendment, January 1, 1992, Second Amendment (Redlined)
7. Resolution 2024-05 Authorizing Adoption of the Second Amended Joint Exercise of Powers Agreement and Actions Related Thereto, Adopted June 11, 2024
8. Resolution 2024-06 Corporate Authorization, Adopted June 11, 2024
9. Resolution 2024-07 Calling General District Election, Adopted June 11, 2024