

# JAMES IRRIGATION DISTRICT

BOARD OF DIRECTORS - ADJOURNED REGULAR MEETING

## MINUTES January 16, 2024

### ATTENDANCE

#### DIRECTORS PRESENT

Riley Chaney, President  
Micah Combs, Vice-President  
Robert Barcellos  
Wm. Cory Carvalho  
Robert Motte

#### STAFF PRESENT

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

#### EXCUSED

None

#### PUBLIC / CONSULTANTS

- McMULLIN AREA GROUNDWATER SUSTAINABILITY AGENCY  
Matt Hurley, General Manager

#### ABSENT

None

#### LEGAL COUNSEL

- BARTKIEWICZ KRONICK & SHANAHAN / CLOSED SESSION  
Ryan S. Bezerra, Esq. (Zoom)

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### **I. CALL TO ORDER**

A Regular Meeting of the Board of Directors of JAMES IRRIGATION DISTRICT (“District”) was held Tuesday, January 16, 2024, in the District office located at 8749 Ninth Street, San Joaquin, California. The meeting was called to order at 10:05 a.m., by President, Riley Chaney. A quorum was at all times present and acting.

### **II. OTHER BUSINESS / PUBLIC COMMENTS**

#### A. PUBLIC COMMENTS

None were offered.

#### B. MEETING DATE CHANGE

It was noted for the record that the January 9, 2024, Regular Meeting was ADJOURNED to this date due to scheduling conflicts. Notice was posted as prescribed.

#### C. MOMENT OF SILENCE

A moment of silence was observed to honor the passing of ESMERALDA CHAVEZ-MORFIN (1980-2024), Office Clerk.

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D. ADDITIONS / CORRECTIONS TO THE AGENDA

There were no corrections/additions to the Agenda.

E. 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.

### III. MINUTES

A. REGULAR MEETING: DECEMBER 5, 2023

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

**AYES:** 5 (R.Motte, W.Carvalho, R.Barcellos, M.Combs, R.Chaney)

### IV. TREASURER'S REPORT

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

A. FINANCIAL REPORTS

1. Interim Warrants: December 6, 2023-January 16, 2024 (Att.1)

M/S/C (M.COMBS / R.MOTTE), to RATIFY/APPROVE Interim Warrants totaling \$1,248,719.38 by the following vote:

**AYES:** 5 (M.Combs, R.Motte, R.Barcellos, W.Carvalho, R.Chaney)

2. Accounts Payable

Due to delay of meeting, paid/reported in Interim Warrants, above.

3. Payroll Certification: Pay Periods Ending December, 2023 (Att.2)

A listing of payroll checks totaling \$108,914.90 (net) issued to employees and Board members was reviewed and certified by the President, General Manager and Office Manager.

4. Report of Remuneration to Board of Directors: January 1-December 31, 2023

5. Income Statements (Budget-to-Actual): Period Ending December 31, 2023

6. Quarterly Report of Financial Investments: December 31, 2023 Gov. Code §53646

7. Cash Position Report: December 31, 2023

8. Reserve Account Balance Trend Report: December 31, 1999-December 31, 2023

9. Schedule of Long-Term Debt/Notes Payable: December 31, 2023

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10. Accounts Receivable Activity Report: December 31 , 2023

11. District Labor Cost / Acre Foot: 2023

## V. **GENERAL MANAGER'S REPORT**

Mr. Amorelli presented his verbal report encompassing operations, maintenance, projects and other District matters for the month of December, 2023, as follows:

### OPERATIONS

- ▶ Water Deliveries: December, 2023 - Water deliveries for the month of December were 386 acre-feet which is 386 acre-feet more than was delivered during December, 2023. The fiscal year-to-date total deliveries are at 44,412 acre-feet which is 10,137 acre-feet less than was delivered at this time during the last fiscal year.
- ▶ U.S.B.R. / Central Valley Project
  - Schedule II / Riparian Rights - Met with USBR representatives, Tranquillity Irrigation District. The Bureau approved the District's request submitted earlier 2023 to divert its Rights water off schedule. The Bureau toured the District including K Basin and the Floral Basin Complex.
- ▶ Kings River Water Association
  - KRWA Storage Operations in Pine Flat Reservoir as of January 1, 2024, totaled 1,412 CFS-days of storage space in Pine Flat Reservoir.

### PROJECTS

- ▶ Solar Project: White Pine Renewables
  - K Basin, Project #1 went live late November, 2023. Project #2 is awaiting PG&E approval.
  - Power is being generated and WhitePine is working with PG&E to finalize power allocation among meter sites. The Board directed no payment be made until final meter sites are determined. Mr. Amorelli noted Evan Riley has been requested to appear before the Board next month.

### AGENCIES

- ▶ Kings Basin Coordinating Committee continues meeting and is focusing on interconnected waterways and subsidence issues.
- ▶ Raisin City Water District (RCWD) is moving forward with annexation to include District wells, infrastructure, etc. They are working with LAFCo. Mr. Amorelli has been in contact with Provost & Pritchard's Randy Hopkins, RCWD Manager, and has voiced the District's concerns and intent to object before LAFCo. He has requested a meeting to explore the possibility of developing a Memorandum of Understanding.

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## EVENTS

- ▶ Mid-Pacific Water Users Conference is scheduled for January 23-26 in Reno, Nevada. Mr. Amorelli will be attending.

## **VI. SUPERINTENDENT'S REPORT**

Superintendent, Kenneth Mancini, reported on the following projects/activities.

- ▶ Excavating/cleaning ditches
- ▶ Annual maintenance on Main Canal booster flap valves
- ▶ Inspecting laterals before refilling the system
- ▶ Application of pre-emergent sprays
- ▶ Working with the new STORM water accounting/irrigation tracking software.

## **VII. DIRECTORS' REPORTS**

None were presented.

## **VIII. ACTION ITEMS**

### A. FISCAL AUDIT: MARCH 1, 2023-FEBRUARY 29, 2024 (01/09/2024)

M/S/C (R.CHANEY / M.COMBS) TO AUTHORIZE WILCOX HOKOKIAN BAINS & DILL LLC TO PERFORM THE 2023-2024 FISCAL AUDIT:

**AYES:** 5 (R.Chaney, M.Combs, R.Barcellos, W.Carvalho, R.Motte)

### B. DISTRICT INVESTMENT POLICIES (01/09/2024)

Conducted review of District investment policies which must be reviewed and/or re-approved annually. M/S/C (R.MOTTE / M.COMBS) to ADOPT RESOLUTION 2024-01 RE-APPROVING INVESTMENT POLICY (no change). (Att.3)

**AYES:** 5 (R.Motte, M.Combs, R.Barcellos, W.Carvalho, R.Chaney)

### C. RESERVE POLICY (01/09/2024)

Conducted review of District Reserve Guidelines adopted under Resolution 2023-04 (06/13/2023) which must be reviewed and/or re-approved annually. M/S/C (M.COMBS / W.CARVALHO) to RE-APPROVE RESOLUTION 2023-04 RESERVE POLICY (no change). (Att.4)

**AYES:** 5 (M.Combs, W.Carvalho, R.Barcellos, R.Motte, R.Chaney)

### D. DISTRICT EQUIPMENT RENTAL RATES (01/09/2024)

Conducted annual review of District equipment rental rate schedule. M/S/C (R.MOTTE / R.BARCELLOS) to INCREASE ALL RENTAL RATES BY 10% EFFECTIVE MARCH 1, 2024. (Att.5)

**AYES:** 4 (R.Motte, R.Barcellos, W.Carvalho, R.Chaney)

**NAYS:** 1 (M.Combs)

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## IX. REPORT ITEMS

### A. RETIREMENT: RICARDO COVARRUBIA (01/09/2024)

Discussed arrangements to honor Mr. Covarrubia's 44+ years of service. Suggestions of a dinner were made; date to be determined. Current and retired Board members and active staff to participate.

### ADJOURNED TO CLOSED SESSION AT 10:40 A.M.

#### Directors Attending:

Riley Chaney, President

Micah Combs, Vice-President

Robert Barcellos, Director

Wm. Cory Carvalho, Director

Robert Motte, Director

#### Staff Attending

Manny Amorelli, General Manager

#### Legal Counsel

• Bartkiewicz Kronick & Shanahan

Ryan S. Bezerra, Esq. (Zoom)

## X. 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

## XI. 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

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2. JAMES IRRIGATION DISTRICT VS. KINGS RIVER WATER ASSOCIATION ET AL  
Fresno County Superior Court Case No. 19CECG00769
3. JAMES IRRIGATION DISTRICT VS. McMULLIN AREA GROUNDWATER SUSTAINABILITY AGENCY -  
Santa Clara County Superior Court, Case No. 23CV417565

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

## XII. CLOSED SESSION: GOVERNMENT CODE §54956.8 - CONFERENCE WITH REAL PROPERTY NEGOTIATOR

- A. 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: Marilyn Fay Briggs, Trustee  
Tenant: Thomas Coleman  
Under Negotiation: Price, terms & conditions of possible real property and/or water supply transactions
- B. 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
- 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:  
Matthew Hurley, General Manager  
Under Negotiation: Price, terms and conditions of possible water supply transactions.

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- E. FRESNO COUNTY APN 030-111-48S (66.64 ACRES), APN 030-111-49S (39 ACRES)  
Negotiating Parties: James Irrigation District: General Manager/Designee  
Landowner  
Under Negotiation: Price, terms and conditions of possible real property and/or water supply transaction.
- F. FRESNO COUNTY APN 33-040-92S (61.06 ACRES), 033-040-60S (1.72 ACRES), SAN JOAQUIN, CA  
Negotiating Parties: James Irrigation District: General Manager/Designee  
Landowner: Jasbir S./Shinderpal K. Sran Trustees of the Jasbir S. Sran and Shinderpal K. Sran Trust of 2014  
Under Negotiation: Price, terms & conditions of possible real property and/or water supply transactions
- G. FRESNO COUNTY APN 033-050-41S, SAN JOAQUIN, CA  
Negotiating Parties: James Irrigation District: General Manager/Designee  
Landowner: PCR Farms LLC  
Under Negotiation: Price, terms & conditions of possible real property and/or water supply transactions

**RECONVENED IN OPEN SESSION AT 12:02 P.M.**

## **XIII. REPORT ON ACTIONS TAKEN DURING CLOSED SESSION** Gov. Code 54957.1

General Manager, Manny Amorelli stated the following reportable actions were taken during the Closed Session.

### **CLOSED SESSION: GOVERNMENT CODE §54956.8-CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

- A. 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: Marilyn Fay Briggs, Trustee  
Tenant: Thomas Coleman  
Under Negotiation: Price, terms & conditions of possible real property and/or water supply transactions  
Action: M/S/C/(R.BARCELLOS/M.COMBS) to continue providing irrigation deliveries to parcels through December 31, 2024, under Agreement effective November 1, 2022, as PG&E has not activated service to well.

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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.

Action: Fresno Irrigation District General Managers and James Irrigation District reached agreement on coordination of annual water supply.

## **XIV. ADJOURN**

There being no further business to come before the Board, the meeting was ADJOURNED at 12:03 p.m., until the next Regular Meeting scheduled for Tuesday, February 13, 2024.

**RECORDED BY:**

**APPROVED BY:**

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Donna Y. Hanneman, Secretary

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Riley Chaney, President

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Manny Amorelli, General Manager

### **ATTACHMENTS:**

1. Interim Warrants: December 6, 2023-January 16, 2024, \$1,248,719.38
2. Payroll Certification: Pay Periods Ending December, 2023, \$108,914.90 (net)
3. Resolution 2024-01, Re-Approving District Investment Policy, Adopted January 16, 2024
4. Resolution 2023-04, Reserve Policy, Re-approved January 16, 2024
5. James Irrigation District Equipment Rental Rates Effective March 1, 2024, Approved January 16, 2024