

## BOARD OF DIRECTORS - REGULAR MEETING

### AGENDA

Tuesday, September 14, 2021, 10:05 a.m.

8749 9<sup>th</sup> Street, Post Office Box 757, San Joaquin, California 93660-0757

[www.jamesid.org](http://www.jamesid.org)

#### **Executive Orders N-29-20 and N-35-20**

In accordance with the Governor's Executive Orders (N-29-20 and N-35-20) and the declared State of Emergency, including social distancing directives as a result of the threat of the COVID-19 virus, this meeting will be conducted by telephone and in person to the extent possible given local government directives. Board members and select District Staff will be participating in this meeting by teleconference from a conference room provided by the District or from a remote location of their choosing. Members of the public may participate in this meeting by attending in person or by using the teleconference information referenced above. The District will strictly adhere to all public health directives and guidance. Attendees will be required to wear masks at all times and will maintain the appropriate distance from other attendees. In-person attendance will be limited to twenty (20) people, including Directors and District Staff. Members of the public are encouraged to use the call-in number, which will allow them to fully participate in the meeting without having to be present in person. If members of the public have any problems using the call-in number during the meeting, please contact the District Office at (559) 693-4356.

#### **Americans With Disabilities Act**

A person with a qualifying disability under the Americans With Disabilities Act of 1990 may request the District provide a disability-related modification or accommodation in order to participate in any public meeting of the District. Such assistance includes appropriate alternative formats for the Agendas and Agenda packets used for any public meetings of the District. Requests for such assistance and for Agendas and Agenda packets shall be made in person, by telephone, facsimile or written correspondence to the General Manager at the District office at least 48 hours before a public District meeting.

#### **Standing Request for Notice**

Any request for mailed copies of Regular and Special Board Meeting agendas shall be valid for the calendar year in which it is filed and must be renewed in writing January 1<sup>st</sup> of each year. The District reserves the right to establish a fee for mailing agendas provided the fee does not exceed the cost of providing the service. Materials related to an agenda item submitted to the Board of Directors after distribution of the agenda are available for public inspection at the District office during normal business hours.

#### **Public Comment on Agenda Items**

Any member of the public may address the Board concerning any item on the Agenda before or during consideration of that item, as appropriate.

#### Join Zoom Meeting

<https://us06web.zoom.us/j/8327377635?pwd=Z05aOXp6WUM3Y09ZUDg2RnN4Ymk5QT09>

Meeting ID: 832 7377 7635

Passcode: 119242

One tap mobile

+16699006833,,8327377635#,,,,\*119242# US (San Jose)

+13462487799,,8327377635#,,,,\*119242# US (Houston)

Dial by your location

+1 669 900 6833 US (San Jose)

+1 346 248 7799 US (Houston)

+1 253 215 8782 US (Tacoma)

+1 929 205 6099 US (New York)

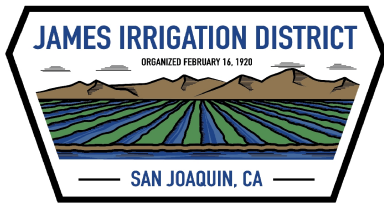
+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

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Find your local number: <https://us06web.zoom.us/j/8327377635>



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#### I. CALL TO ORDER (R.CHANEY / J.HUGHES)

#### II. OTHER BUSINESS / PUBLIC COMMENTS

- A. PUBLIC COMMENTS - Any member of the public may address the Board concerning any matter not on the agenda, but within the Board's jurisdiction. Public comment is limited to no more than three minutes per person. For good cause, the Chair of the Board may waive this limitation.
- B. MOMENT OF SILENCE - To observe the passing of MILDRED C. PETTIT at nearly 104 years of age (1917-2021), former long-time resident, landowner & business operator
- C. ► ADDITIONS/CORRECTIONS TO THE AGENDA - Consider approving additions/corrections as necessary
- D. POTENTIAL CONFLICTS OF INTEREST - Any Board member who has a potential conflict-of-interest may now identify the item(s) and recuse themselves from discussing and voting on the matter(s). FPPC §87105

#### III. BOARD OF EQUALIZATION MEETING - The Board of Directors will convene as a Board of Equalization from the hours of 10:00 a.m.-12:00 p.m. to hear public comments regarding the 2021-2022 assessments. The Board will recognize members of the public between Agenda items throughout the course of the meeting. Action will be taken at the end of the meeting to levy annual assessments against lands within the District in accordance with California Water Code §25650.

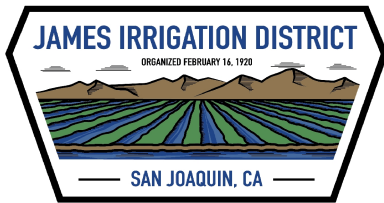
#### IV. MINUTES

Minutes of the following meetings will be presented for consideration of approval:

- A. ► REGULAR MEETING: AUGUST 10, 2021
- B. ► SPECIAL MEETING: AUGUST 16, 2021

#### V. TREASURER'S REPORT (Water Code §24273)

- A. FINANCIAL REPORTS - Reports reflecting the financial status of the District will be presented.
  - 1. ► Interim Warrants: August 11-September 14, 2021 - Review checks and supporting invoices issued since last meeting; presented for approval.
  - 2. ► Accounts Payable - Examine unpaid invoices presented for approval.
  - 3. Payroll Certification: Pay Periods Ending August, 2021 - President, General Manager & Office Manager to certify listing of payroll checks issued.
  - 4. Income Statements (Budget-to-Actual): August 31, 2021 (Unaudited)
  - 5. Cash Position Report: August 31, 2021 (Water Code §24273)
  - 6. Accounts Receivable Activity Report: August 31, 2021
- B. FISCAL AUDIT: MARCH 1, 2019-FEBRUARY 28, 2020 - Presentation of Auditor's Report (Water Code §24274)



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#### VI. GENERAL MANAGER'S REPORT

The General Manager will report on operations, maintenance, projects and other District matters.

#### VII. SUPERINTENDENT'S REPORT

Report on operations, maintenance, projects, equipment and other District matters

#### VIII. DIRECTORS' REPORTS (Gov. Code §53232.3)

Directors will report on meetings and/or conferences attended on behalf of the District.

#### IX. ACTION ITEMS

A. ► SOLAR PROJECT: WHITE PINE RENEWABLES (03/09/2021) - Project update. Discuss & potentially approve potential changes to project construction.

#### X. REPORT ITEMS

A. CAPITAL IMPROVEMENT PROJECTS (07/28/2021) - Continued discussion on potential projects.

B. HEAVY EQUIPMENT PURCHASE(S) (08/10/2021) - Discuss possible heavy equipment purchase(s).

The public may comment on the following Closed Session items prior to the Board's adjourning to Closed Session.

### CLOSED SESSION

#### XI. CLOSED SESSION: GOVERNMENT CODE §54956.9 - CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

4 CASES

#### XII. 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 BERNHARDT, ET AL

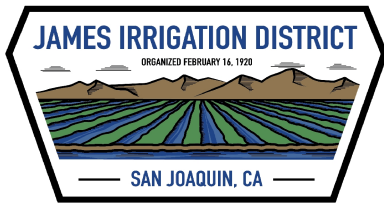
U.S. District Court for the Eastern District of California

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



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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. FRESNO COUNTY APN 030-370-32S  
Eminent Domain proceedings for District wellsite on property owned by the Frank V. Motte Testamentary Trust

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

### XIII. 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. KINGS SUBBASIN GROUNDWATER RECHARGE EFFORTS (12/11/2018)

Negotiating Parties: James Irrigation District: General Manager/Designee

McMullin Area GSA Landowners: Various

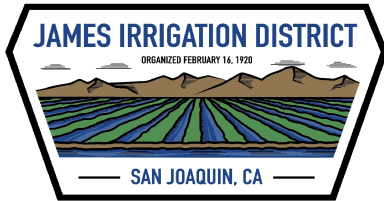
Under Negotiation: Price, terms & conditions of possible real property and/or water supply transactions

C. FRESNO COUNTY APN #030-370-32S (05/11/2021)

Negotiating Parties: James Irrigation District: General Manager/Designee

Landowner: The Frank V. Motte Testamentary Trust

Under Negotiation: Price, terms and conditions of possible real property and/or water supply transactions.



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#### OPEN SESSION

- XIV. **REPORT ON ANY ACTION TAKEN DURING CLOSED SESSION** (Gov.Code §54957.1)  
The presiding officer will report on any actions taken during the above Closed Session items.
- XV. **BOARD OF EQUALIZATION**  
A. ➤ 2021-2022 DISTRICT ASSESSMENTS - Action will be taken to levy 2021-2022 annual assessments against lands within the District in accordance with California Water Code §25650.
- XVI. **ADJOURN**  
➤ ADJOURN to next Regular Meeting scheduled for Tuesday, October 12, 2021, unless otherwise decided by the Board.