

## BOARD OF DIRECTORS - REGULAR MEETING

### AGENDA

Tuesday, February 14, 2023, 10:00 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/81212577259?pwd=RzNNN2R2QkNTWGN3RFNDeS9aTmIvQT09>

Meeting ID: 812 1257 7259

Passcode: 066989

One tap mobile

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+16694449171,,81212577259#,,,,\*066989# US

Dial by your location

+1 669 900 6833 US (San Jose)

+1 669 444 9171 US

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 719 359 4580 US

+1 253 205 0468 US

+1 301 715 8592 US (Washington DC)

+1 305 224 1968 US

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

+1 360 209 5623 US

+1 386 347 5053 US

+1 507 473 4847 US

+1 564 217 2000 US

+1 646 931 3860 US

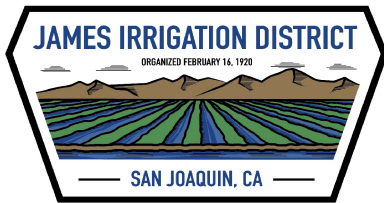
+1 689 278 1000 US

+1 929 205 6099 US (New York)

Meeting ID: 812 1257 7259

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Find your local number: <https://us06web.zoom.us/j/81212577259>



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#### I. CALL TO ORDER (R.CHANEY / M.COMBS)

#### II. ► RESOLUTION RENEWING USE OF REMOTE TELECONFERENCE MEETINGS UNDER AB361

If necessary, consider re-approving findings made in Resolution 2022-01 (01/11/2022) to enable remote teleconference and/or internet meetings to continue under the Ralph M. Brown Act so long as a state of emergency continues to exist from COVID-19. If no action is taken, meetings will continue in-person.

#### III. 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. Gov. Code §54954.3(a)
- B. JAMES IRRIGATION DISTRICT ANNIVERSARY OF FORMATION - February 16 marks the 103<sup>rd</sup> anniversary of the District's formation
- 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

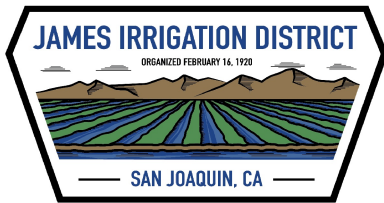
#### IV. MINUTES

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

- A. ► REGULAR MEETING: JANUARY 10, 2023
- SPECIAL MEETING: JANUARY 16, 2023

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

- A. FINANCIAL REPORTS - Reports reflecting the financial status of the District will be presented.
  - 1. ► Interim Warrants: January 11, 2023 - February 14, 2023 - 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 January, 2023 - President, General Manager, & Office Manager to certify listing of payroll checks issued.
  - 4. Income Statements (Budget-to-Actual): January 31, 2023 (Unaudited)
  - 5. Cash Position Report: January 31, 2023 (Water Code §24273)
  - 6. Accounts Receivable Activity Report: January 31, 2023



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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 within the purview of this position.

#### 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. ► FISCAL BUDGET: MARCH 1, 2023-FEBRUARY 29, 2024 (01/10/2023) - Discussion/possible action regarding review, discuss and consider approval of Budget. In accordance with California Water Code §24274
- B. ► DISTRICT EQUIPMENT RENTAL RATES (01/10/2023) - Conduct annual review of District Rental rate schedule. Discussion/possible action to update rates, if warranted; otherwise re-approve. (Min: 06/07/1994)

#### X. REPORT ITEMS

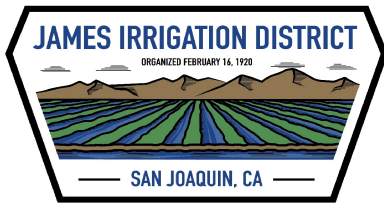
- A. STRATEGIC PLANNING (02/08/2022) - Discussion/possible action on District Strategic Planning, Plan Development & Plan Implementation.

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

- A. SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO PARAGRAPH (2) OR (3) OF SUBDIVISION (D):  
4 Cases



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#### **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 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
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

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

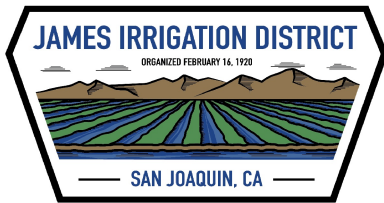
Negotiating Parties: James Irrigation District: General Manager/Designee  
Tranquillity Irrigation District: Danny Wade  
Kings River Lower River Units: Scott Sills

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

B. 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/Department of Water Resources Proposition 84 Grant Application



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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 (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.
- E. WHITE PINE RENEWABLES (04/13/2021)  
Negotiating Parties: James Irrigation District: General Manager/Designee White Pine Renewables: Evan Riley  
Under Negotiation: Price, terms and conditions of possible real property transaction.
- F. FRESNO COUNTY APN 030-090-29S (4.66 ACRES), APN 030-090-30S (2.03 ACRES) (06/11/2019)  
Negotiating Parties: James Irrigation District: General Manager/Designee Landowner  
Under Negotiation: Price, terms of payment.
- G. FRESNO COUNTY APN #040-030-46S (6.51 ACRES)  
Negotiating Parties: James Irrigation District: General Manager/Designee Landowner  
Under Negotiation: Price, terms and conditions of possible real property and/or water supply transactions.

### 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. **ADJOURN**  
▶ ADJOURN to next Regular Meeting scheduled for Tuesday, March 14, 2023, unless otherwise decided by the Board.