

## BOARD OF DIRECTORS - REGULAR MEETING AGENDA

Tuesday, April 13, 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://zoom.us/j/94946011744?pwd=dHJZRlpnbjdBjVIZGNpN3FoNmpNUT09>

Meeting ID: 949 4601 1744 Passcode: 854886

One tap mobile

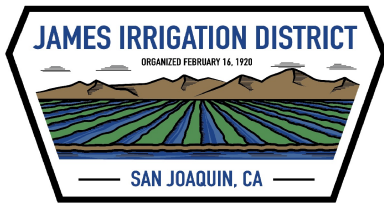
+16699006833,,94946011744#,,,,\*854886# US (San Jose)

Dial by your location

+1 669 900 6833 US (San Jose)

Meeting ID: 949 4601 1744 Passcode: 854886

Find your local number: <https://zoom.us/u/acfkwhlkfN>



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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. OBSERVE A MOMENT OF SILENCE IN HONOR OF FRANCISCO COVARRUBIA (11/14/1927-03/14/2021), father of employee, Ricardo Covarrubia.
- 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. MINUTES

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

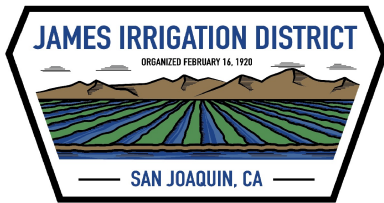
- A. ► REGULAR MEETING: MARCH 9, 2021
- B. ► SPECIAL MEETING: MARCH 16, 2021
- C. ► SPECIAL MEETING: MARCH 19, 2021
- D. ► SPECIAL MEETING: MARCH 31, 2021

Minutes of the following meeting require correction (P.8 of 9)

- E. ► REGULAR MEETING: FEBRUARY 9, 2021

### IV. TREASURER'S REPORT Water Code §24273

- A. FINANCIAL REPORTS - Reports reflecting the financial status of the District will be presented.
  - 1. ► Interim Warrants: March 10-April 13, 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 March, 2021 - President, General Manager Office Manager to certify listing of payroll checks issued.
  - 4. Income Statements (Budget-to-Actual): March 31, 2021 (*Unaudited*)
  - 5. Quarterly Report of Investments: March 31, 2021 Gov.Code §53646(b)(1)
  - 6. Cash Position Report: March 31, 2021 Water Code §24273
  - 7. Schedule of Long-Term Debt/Notes Payable: March 31, 2021 - Quarterly report
  - 8. Accounts Receivable Activity Report: March 31, 2021
- B. FISCAL AUDIT: MARCH 1, 2019-FEBRUARY 28, 2020 - Progress report



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**V. GENERAL MANAGER'S REPORT**

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

**II. SUPERINTENDENT'S REPORT**

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

**III. DIRECTORS' REPORTS Gov. Code §53232.3**

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

**IV. ACTION ITEMS**

- A. ► AGREEMENT PROVIDING FOR WATER SERVICE OUTSIDE DISTRICT BOUNDARIES (12/12/2017)  
Consider approval of agreement providing water service to Burford Family Farms.  
(Also, Closed Session §54956.8, below)
- B. ► GRANT OF EASEMENT: WELL D-40, APN 030-060-48 (PTN) (HARRIS) (04/13/2021) - Approve form of easement and authorize General Manager and President to execute easement document and other documents as needed.
- C. ► ANNUAL DEPOSIT FEE (02/02/2021) - Discuss processes required to potentially implement a policy requiring a minimum Annual Deposit Fee.

**V. REPORT ITEMS**

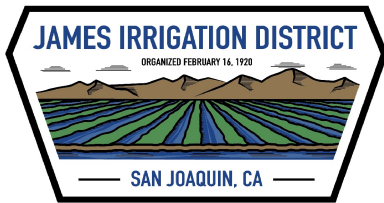
- A. SEXUAL HARASSMENT TRAINING & EDUCATION - Reminder: Class scheduled Tuesday, April 20<sup>th</sup>, 9:00 a.m.

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

**CLOSED SESSION**

**VI. CLOSED SESSION: GOVERNMENT CODE §54956.9 - CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION**

4 CASES



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**VII. 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. MCMULLIN AREA GROUNDWATER SUSTAINABILITY AGENCY VS. JAMES IRRIGATION DISTRICT; JAMES GROUNDWATER SUSTAINABILITY AGENCY  
Fresno County Superior Court Case No. 20CECG00507

**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

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

**A. BURFORD FARMS (03/10/2020)**

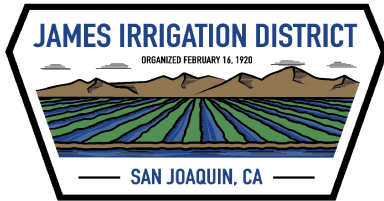
Negotiating Parties: James Irrigation District: General Manager/Designee  
Burford Farms: Jill Burford Minnick

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

**B. WHITE PINE RENEWABLES (04/13/2021)**

Negotiating Parties: James Irrigation District: General Manager/Designee  
White Pine Renewables: Dylan Dupre

Under Negotiation: Price, terms and conditions of possible land lease.



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- IX. CLOSED SESSION: GOVERNMENT CODE §54957 - PUBLIC EMPLOYEE PERFORMANCE EVALUATION**  
A. TITLE: GENERAL MANAGER (1)

**OPEN SESSION**

- X. 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.
- XI. ADJOURN**  
► ADJOURN to next Regular Meeting scheduled for Tuesday, May 11, 2021, unless otherwise decided by the Board.