

BOARD OF DIRECTORS - REGULAR MEETING

AGENDA

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

8749 9th Street, Post Office Box 757, San Joaquin, California 93660-0757

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 1st 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/89358326271?pwd=ek4vZFBjOHZscEk1d2ZaZGhPSFVhZz09>

Meeting ID: 893 5832 6271

Passcode: 023178

One tap mobile

+16699006833,,89358326271#,,,,*023178# US (San Jose)

+13462487799,,89358326271#,,,,*023178# 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)

+1 301 715 8592 US (Washington DC)

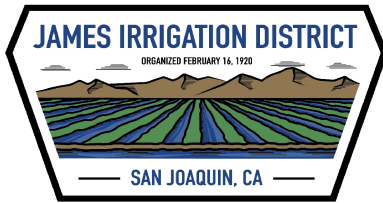
+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

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Find your local number: <https://us06web.zoom.us/j/89358326271>



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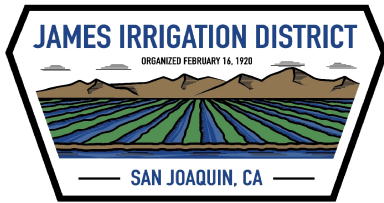
I. **CALL TO ORDER** (R.CHANEY / J.HUGHES)

II. **► RESOLUTION 2021-07 RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS UNDER AB361** (12/14/2021)

Consider re-approving findings made in Resolution 2021-04 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.

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. **MOMENT OF SILENCE** to honor the passing of STANLEY D. BULLA III (1942-11/21/2021), landowner.
- 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
- E. **► ELECTION OF OFFICERS**
1. Conduct election of officers: President, Vice-President, Secretary-Treasurer, Assessor-Collector
- F. **► AGENCY APPOINTMENTS** - Appoint representative(s) to the following agencies.
1. James Irrigation District Retirement Plan - Trustees (3)
 2. James Irrigation District Deferred Compensation Plan - Trustees (3)
 3. James Groundwater Sustainability Agency - Directors (4)
 4. San Luis & Delta-Mendota Water Authority, District 5 - Director & Alternate
 5. Kings River Water Association - Director & Alternate
 6. Kings River Watershed Coalition Authority - Director & Alternate
 7. Kings Basin Water Authority - Director & Alternate
 8. Power & Water Resources Pooling Authority - Director & Alternate
 9. Association of California Water Agencies Joint Powers Insurance Authority (ACWA/JPIA) Director & Alternate



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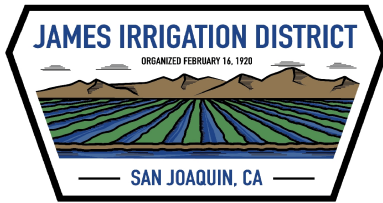
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- IV. **HEARING ON RESOLUTION 2021-08, RESOLUTION OF NECESSITY TO ACQUIRE AN EASEMENT FOR NEW WELL LOCATION BY EMINENT DOMAIN, FRESNO COUNTY APN 030-370-32**
- V. **► RESOLUTION 2021-08, RESOLUTION OF NECESSITY TO ACQUIRE AN EASEMENT FOR NEW WELL LOCATION BY EMINENT DOMAIN AT DECEMBER 14, 2021, PUBLIC HEARING BEFORE THE JAMES IRRIGATION DISTRICT BOARD OF DIRECTORS, FRESNO COUNTY APN 030-370-32** (12/14/2021) - Review resolution; consider taking action to approve.
- VI. **MINUTES**
Minutes of the following meetings will be presented for approval:
A. **► REGULAR MEETING: NOVEMBER 9, 2021**
- VII. **TREASURER'S REPORT** (Water Code §24273)
A. **FINANCIAL REPORTS** - Reports reflecting the financial status of the District will be presented.
1. **► Interim Warrants: November 10-December 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 November, 2021** - President, General Manager & Office Manager to certify listing of payroll checks issued.
4. **Income Statements (Budget-to-Actual): November 30, 2021** (Unaudited)
5. **Cash Position Report: November 30, 2021** (Water Code §24273)
6. **Accounts Receivable Activity Report: November 30, 2021**
- VIII. **GENERAL MANAGER'S REPORT**
The General Manager will report on operations, maintenance, projects and other District matters.
- IX. **SUPERINTENDENT'S REPORT**
Report on operations, maintenance, projects, equipment and other District matters within the purview of this position.
- X. **DIRECTORS' REPORTS** (Gov. Code §53232.3)
Directors will report on meetings and/or conferences attended on behalf of the District.
- XI. **ACTION ITEMS**
A. **► WATER POLICY: PURCHASE OF CLASS II WATER** (07/13/2021) - Discussion and possible action on policy authorizing purchase of Class II water for groundwater recharge. (Motte)



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- B. ► MAIN CANAL FEASIBILITY STUDY (12/14/2021) - Discussion and possible action to have Provost & Pritchard provide engineering services to study replacement and/or repair & maintenance of check structures & boosters on Main Canal. (Motte)
- C. ► WELL REPAIR & MAINTENANCE (12/14/2021) - Discussion & possible action on securing the services of WellJet for well repair & maintenance.
- D. ► FUTURE PROPOSITION 218 ELECTION: WATER RATES (12/14/2021) - Discussion & possible action regarding raising water rates.
- E. ► ON-FARM GROUNDWATER RECHARGE POLICY (11/09/2021) - Discussion and possible action to approve development of a program allowing flood irrigation on permanent crop land & establishing a policy for recharge. (Min: 11/09/2021)
- F. ► EMPLOYEE RETIREMENT: AGUSTIN VERDUZCO (12/14/2021) - Discussion & possible action for arrangements to honor Mr. Verduzco's 27+ years of service. (05/16/1994-12/31/2021)

XII. REPORT ITEMS

- A. RULES & REGULATIONS GOVERNING WATER DISTRIBUTION & CANAL MAINTENANCE (07/13/2021) - Report on legal counsel review of proposed amendments.

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

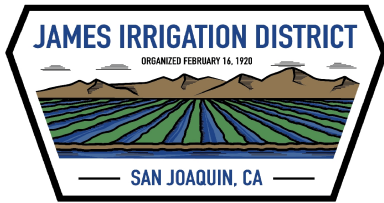
CLOSED SESSION

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

4 CASES

XIV. 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 ETAL (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

XV. 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. WATER BANKING & TRANSFERS (04/19/2018)

Negotiating Parties: James Irrigation District: General Manager/Designee

Various CVP Contractors: General Managers or Designees

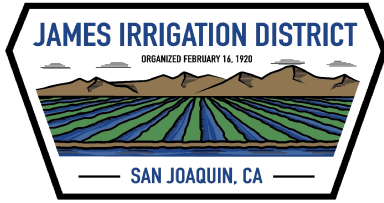
Under Negotiation: Price, terms and conditions of possible water supply transactions.

C. 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.



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- D. 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.

OPEN SESSION

- XVI. **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.
- XVII. **ADJOURN**
➤ ADJOURN to next Regular Meeting scheduled for Tuesday, January 11, 2022, unless otherwise decided by the Board.