

## BOARD OF DIRECTORS - REGULAR MEETING

### AGENDA

Tuesday, September 12, 2023, 10:15 a.m.

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

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

#### **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.

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

### 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. For comment on matters on the current Agenda, public comment will be taken when the Agenda item is called. 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) The Board is prohibited by law from taking any action on matters discussed that are not on the Agenda.
- B. **MOMENT OF SILENCE** to honor the passing of VIVIAN VALENTINO BARCELLOS (1935-2023), landowner/grower, wife of retired Board member, Martin Barcellos.
- C. **ADDITIONS/CORRECTIONS TO THE AGENDA** - Consider additions/corrections to the Agenda.
- 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 2023-2024 District 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.

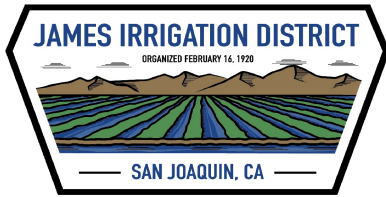
### IV. **MINUTES**

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

- A. **REGULAR MEETING: AUGUST 8, 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: August 9-September 12, 2023** - Review warrants and invoices paid since last meeting; presented for ratification/approval.
  - 2. **Accounts Payable** - Examine unpaid invoices presented for approval.



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3. Payroll Certification: Pay Periods Ending August, 2023 - President, General Manager, & Office Manager to certify listing of payroll checks issued.
  4. Income Statements (Budget-to-Actual): August 31, 2023 (Unaudited)
  5. Cash Position Report: August 31, 2023 (Water Code §24273)
  6. Accounts Receivable Activity Report: August 31, 2023
- B. ASSESSMENTS - Update on sale of delinquent properties conducted September 6, 2023, as published in *The San Joaquin-Tranquillity West Side Advance* (Water Code §26105)

#### 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. ► WATER POLICY: ON-FARM RECHARGE (12/14/2021) - Discussion/possible action regarding grower participation in the 2023 On-Farm Recharge Program
- B. ► DISTRICT EQUIPMENT RENTAL RATES (09/12/2023) - Discussion/possible action regarding rental rate schedule. (Min: 06/07/1994)
- C. ► TERMINATION OF 2023 DISTRICT DELIVERIES (09/12/2023) - Discussion/possible action determining termination date for 2023 deliveries to allow for annual canal maintenance/repair.
- D. ► TERRANOVA RANCH PROJECT (05/16/2023) - Discussion/possible action regarding operations & maintenance of Terranova Project.

#### X. REPORT ITEMS

None

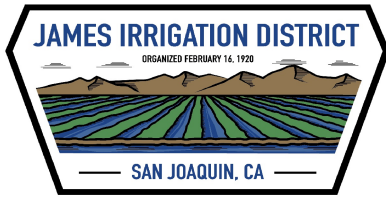
The public may comment on the following Closed Session items prior to the Board's adjourning to Closed Session.

#### 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. MCMULLIN AREA GROUNDWATER SUSTAINABILITY AGENCY - Fresno County Superior Court Case No. 23CECG00749

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

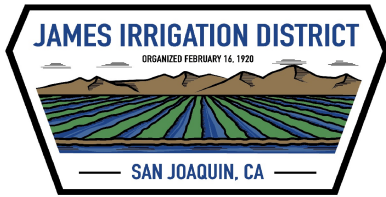
Negotiating Parties: James Irrigation District: General Manager/Designee  
Tranquillity Irrigation District: Danny Wade  
Kings River Lower River Units: Scott Sills

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

B. 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.



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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.

### 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** - Action will be taken to levy 2023-2024 annual assessments against lands within the District pursuant to landowner vote and Board Resolution 2021-05 adopted October 12, 2021, in accordance with California Water Code §25650.

XVI. **ADJOURN**

► **ADJOURN** to next Regular Meeting scheduled for Tuesday, October 10, 2023, unless otherwise decided by the Board.