

MEETING MINUTES OF THE PUBLIC MEETING OF THE MOHAVE VALLEY IRRIGATION & DRAINAGE DISTRICT

Held September 03, 2019
Public Meeting 4:00PM
Mohave Valley Irrigation & Drainage District
1460 E. Commercial Street, Mohave Valley, AZ 86440

Approved:
10-01-2019

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Mohave Valley Irrigation and Drainage District and to the general public that the Mohave Valley Irrigation and Drainage District will hold a meeting open to the public on Tuesday, September 03, 2019 at 2:00pm at 1460 E. Commercial Street, Mohave Valley, AZ 86440. As indicated in the agenda, pursuant to A.R.S. § 38-431.03(A) Items 2a, the Mohave Valley Irrigation & Drainage District may vote to go into executive session, which will not be open to the public, to discuss certain matters. The board will reconvene in Open Session beginning at 4:00 pm at the MVIDD district office.

If the public wishes to address the Board regarding Regular Agenda Items, they may fill out the Request to Speak Form located in the back of the room. The form should then be given to the General Manager of the Board prior to the meeting. The time limit rule of 3 minutes maximum will be enforced.

CALL TO ORDER. Chairman, Charles B. Sherrill, Jr., called the meeting to order at 2:08pm.

1. ROLL CALL.

Present: Charles B. Sherrill, Jr., Chairman/Director Division III
Vince Vasquez, Director Division II
Clay Vanderslice, Director at Large
Perry Muscelli, Treasurer/Director at Large
John Kai, Jr., Director Division I
Kerri Hatz, General Manager
Michael J. Pearce, District Counsel

Absent: None

2. Consideration of Action to go into Executive Session of the Board for the following purposes:

- a. Pursuant to A.R.S. §38-431.03(A)(3)(4) & (7), discussion and consultation with legal counsel of the District in order to consider legal questions on Items 8D, 8E, 8F, 8G and 8H. Perry Muscelli, made a motion to go into executive session, John Kai, Jr. seconded the motion. All in favor, executive session began at 2:09pm. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

At 4:10pm, Perry Muscelli made a motion to end the executive session, John Kai, Jr., seconded the motion. All in favor, executive session adjourned. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

[The discussions and minutes of the executive session shall be kept confidential. The executive session of the Board is not open to the public.]

3. RECONVENE IN OPEN SESSION. Open Session reconvened at 4:21pm.

4. PLEDGE OF ALLEGIANCE. Perry Muscelli led the Pledge of Allegiance.

5. WAIVER MOTION. Motion to waive the reading of full minutes and resolutions presented for approval or adoption. Perry Muscelli made a motion to waive the reading of the full minutes and or resolutions presented for approval or adoption, Vince Vasquez seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

6. AGENDA MODIFICATION. Possible action to withdraw from, or move, any item on the Agenda. No action taken.

7. REPORTS.

Water:

- a. Staff report on District water use. Staff reported the District water use to date ending July 2019.
- b. Bureau of Reclamation Lower Colorado Water Supply Report. Staff reported the current levels of Lake Mead and Lake Powell as of August 26, 2019.
- c. Bureau of Reclamation August 2019 24-Month Study. Staff reviewed the August 2019 24-Month Study with the board members.

Finances: Staff summarized the financial reports to the board.

- d. Profit & Loss Budget vs. Actual year to date July 1, 2019 thru July 31, 2019.
- e. Profit & Loss Statement for July 2019.
- f. Balance Sheet as of July 31, 2019.

8. REGULAR AGENDA

A. Approve the August 06, 2019 Regular Meeting Minutes. Discussion and possible action to approve the Regular Meeting Minutes from last month's meeting. Vince Vasquez made a motion to approve the regular meeting minutes from August 06, 2019, John Kai, Jr., seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.

B. Approve the August 06, 2019 Executive Meeting Minutes. Discussion and possible action to approve the Executive Meeting Minutes from last month's meeting. Vince Vasquez made a motion to approve the executive session meeting minutes from August 06, 2019, John Kai, Jr., seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vanderslice

– Y; Vasquez – Y; Sherrill – Y.

- C. **Ratify payment of Expenses for August 2019.** Discussion and possible action to ratify the payment of expenses for last month. Staff reviewed the payment of expenses with the board. Perry Muscelli made a motion to ratify the payment of the expenses for August, John Kai, Jr., seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y.
- D. ***Ratify 2020 ICS Plan of Creation.** Discussion and possible action to ratify the 2020 ICS Plan of Creation filed with USBR on August 23, 2019. District counsel advised the board members that the ICS Plan of Creation was still a work in progress and the report needs some adjustments so there is no need to ratify this today. No action taken. Board directed staff and counsel to make the changes necessary to complete the Plan of Creation.
- E. ***Draft Delivery Agreement for EC – ICS.** Discussion and possible action to approve the draft delivery agreement between the United States and MVIDD. District counsel advised the board members that this draft agreement will have some changes to it, the BOR has released it for solicitation of comments and with the anticipated changes, the BOR will resubmit a revised draft to the District for review, There will be no action taken on this matter today.
- F. ***Analysis of Crop Consumptive Use.** Discussion on the analysis of crop consumptive use within the District. Vince Vasquez reviewed the analysis process with board for the crop consumptive use identification. The study has included National Agriculture Imagery, Cropscape sensing, evapotranspiration rates including data from two local weather stations (AZMET) within the MVIDD boundaries. No action taken, this was a discussion item only.
- G. ***MVIDD Part 417 Responses.** Discussion and possible action to approve the response questionnaire for Calendar Year 2020. Staff and district counsel discussed some of the questions from the Part 417 report and advised the board that this report is still a work in progress. The board directed staff and counsel to finish it and submit it before the due date and they can ratify it at the next board meeting. No action taken.
- H. ***Calendar Year 2020 Water Order.** Discussion and possible action to approve the Water Order for 2020. Staff and district counsel reviewed the 2020 Water Order with the board. Vince wanted staff to verify some of the numbers on the EC-ICS Water amount and if incorrect to make the changes as necessary. John Kai, Jr., made a motion to approve the water order with any necessary changes, Vince Vasquez seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vanderslice – Y;

Vasquez – Y; Sherrill – Y.

9. CALL TO THE PUBLIC. *Those wishing to address the Board at the Call to the Public regarding matters not on the Board agenda must fill out and submit to the Administrative Assistant a Call to the Public – Request to Speak Form located in the back of the room prior to the meeting. Action Taken as a result of public comments will be limited to responding to criticism, referral to staff, or placing a matter on a future Agenda. Comments are restricted to items **NOT** on the Regular Agenda, and must relate to matters within the jurisdiction of the Board. No members of the public signed up to speak.*

10. ADJOURNMENT. Perry Muscelli made a motion to adjourn, John Kai, Jr., seconded the motion. All in favor, motion passed. Kai – Y; Muscelli – Y; Vanderslice – Y; Vasquez – Y; Sherrill – Y. Meeting adjourned at 5:10pm.

Agendas are available on our website www.mvidd.net, as well as posted outside the District office bulletin board outside the office door located at 1460 E. Commercial Street, Mohave Valley, AZ 86440. To subscribe to agenda notifications please visit our website.

Pursuant to the Americans with Disabilities Act (ADA), Mohave Valley Irrigation & Drainage District endeavors to ensure the accessibility of all its programs, facilities, and services to all persons with disabilities. For an accommodation please contact the District office at 928-768-3325. Requests should be made 48 hours prior to the meeting to arrange the accommodation.

Items on Agenda marked with an asterisk (*) will be discussed in executive session with District counsel in accordance with A.R.S. § 38-431.03(A)(3)(4) & (7).