

KINGS COUNTY WATER DISTRICT
BOARD OF DIRECTORS REGULAR MEETING MINUTES
THURSDAY, APRIL 4, 2019

President Taylor called the regular meeting to order at 1:30 p.m.

DIRECTORS PRESENT: Steven P. Dias, Barry McCutcheon, Michael Murray, Ernest Taylor

DIRECTORS ABSENT: Joseph Freitas

OTHERS PRESENT: Dennis Mills, General Manager
Ray Carlson, Attorney
Johnny Gailey
Geoff Vanden Heuvel

ESTABLISH QUORUM

It was determined that a quorum was present at the meeting.

CONFLICT OF INTEREST

None.

PUBLIC COMMENT PERIOD

Mr. Gailey addressed the Board and explained that a group of landowners in the Delta View area had formed a non-profit group (501c(5)) called the Delta View Water Authority. The group had hired him as their manager and point of contact as the group worked toward dealing with SGMA related issues.

APPROVAL OF MINUTES OF THE REGULAR MARCH 7, 2019 MEETING

President Taylor asked if there was a motion regarding the minutes circulated in this month's Board packets. Vice President Dias made a motion to approve the March 7, 2019 meeting minutes as submitted. Director McCutcheon seconded the motion and the Board unanimously approved the meeting minutes of March 7, 2019. The vote for all of the Directors was as follows:

AYES: Steven P. Dias, Barry McCutcheon, Michael Murray, Ernest Taylor

NOES: None

ABSTAINED: None

ABSENT: Joseph Freitas

COMMUNICATIONS

Geoff Vanden Huevel, Mario Mattos, Johnny Gailey, Jack De Jong – Manager Mills reported that he spoke with each of these gentlemen last month about demand in the Delta View area and whether there was enough ag demand to warrant bringing in a purchased CVP supply. The outcome was that there wasn't much demand. However, after some initial conversations, the message got warped and a few parties tried getting Corcoran ID to deliver water to them claiming Manager Mills authorized the delivery. To their credit, Corcoran ID called to check and things were sorted out quickly. The situation was very frustrating, and Manager Mills communicated that back to the parties.

Leonard Souza – Mr. Souza called this month to complain about the condition of Riverside Ditch. He conveyed that the weeds are awful, and thought that the District should have run water in the ditch sooner. Manager Mills explained the personnel issues that related to the weed issue, and also that there were two efforts that delayed running water down to Mr. Souza's portion of the Ditch. The first was that when Lakeside sloped the banks, they clipped a pipeline in Riverside. Staff worked with Mr. Bettencourt and gave him enough time to get it fixed and set before the District ran water by that location. Also the District had a contractor working on the Kelley basin and held off in order to let the contractor finish work. During that whole period about 60 CFS of floodwater was being delivered to the Old River through the upper section of Riverside Ditch.

Gene Kilgore – Mr. Kilgore relayed that representatives from Sandridge Partners LLC and Reclamation District 761 had sent a complaint to the Kings River Water Master that Corcoran ID was delivering water during controlled flood release to Lakeside IWD. This was a baseless allegation and Manager Mills was aware of the limited deliveries to the northern portion of LIWD which is in the Kings River service area.

Manager Mills made a presentation on progress toward SGMA compliance at a joint meeting of the Kings County Water Commission & Ag Committee on March 25.

Kings County – County Staff communicated there was a visibility complaint at 13th & Iona intersection related to a bush on the south edge of Kishuie Basin. Manager Mills visited the site, took pictures, and there doesn't appear to be a significant issue, but the County has determined they want to prune the bush.

Riverside Minor Spill – Last weekend the culvert pipe into the Kelley Basin got plugged and a small amount of water got out onto an adjacent property. Director Murray's workers were out helping try to get the culvert unplugged. Manager Mills understands that the landowner is not upset, but since then we have had a call that we think is the same party asking about putting up a fence.

Dennis Kim from CHSRA – Mr. Kim is requesting a meeting and Manager Mills is trying to find time to accommodate the request.

California Farm Water Coalition – In the past the District has contributed \$5,000/year for membership, but recently the District received a request for \$25,000/year associated with a new effort. Manager Mills suggested that the District stay with the previous commitment level and the Board concurred.

GENERAL MANAGER

FY 2017-2018 AUDIT REPORT

Manager Mills reported that this agenda item was still being worked on and would be postponed until next month.

WATER SUPPLY UPDATE

Manager Mills reported that the Kings River Water Master (Steve Haugen) is in England right now and recent discussions have been with his Assistant (Matt Meadows). The Kings River Flood Release is being shut-off Thursday April 4 at 24:00 hours. Peoples DC plans to drain down the river pool and stop delivering on Saturday morning. There are several parties on the river that think that KRWA is ending the flood release too soon. Manager Mills views that flood release should continue mostly based on the magnitude of the projected runoff numbers.

Manager Mills discussed potential operational options with the Board and received feedback. Also, Manager Mills brought up the potential exchange with Fresno ID that was put on hold when the flood release started. The Board confirmed that at this point they are not interested in pursuing it further.

LATE SIGN-UP REQUESTS

Manager Mills reported that he had received a late signup request from Rick Rocha, who had recently bought a property and wanted to sign up for surface water rental. The Board discussed this and had no problem extending a waiver to Mr. Rocha.

Manager Mills reported that he received a late signup request from Flavio Martin of Top Line Dairy. Manager Mills reviewed that Mr. Martin was very late in paying the District in 2017, and was therefore not allowed to rent water in 2018. Mr. Martin then didn't sign up in January, but had his staff call us to see if they could take water during the flood release. Also, Manager Mills has been getting reports that Mr. Martin's operation is in financial trouble. The Board discussed the request and agreed to extend a waiver, but only if Mr. Martin was willing to pre-pay for half of the expected water delivered to him. Then half way through the season, he would again be billed early for a pre-payment on the expected remainder.

BASIN PROJECTS

Azevedo

Manager Mills reported the existing turnout at this facility can only deliver 7-8 CFS and is apparently 15-inch pipe. That rate was enough to wet the bottom, but not fill the basin. Manager Mills contracted with Mattos Underground to develop a temporary 12-inch siphon to supplement deliveries and was able to double the flow. This made much better progress on filling the basin. However, trash is an issue for the setup and it needs a different style of meter. There is a second turnout at this location that could be put back into service with some effort.

Smith

Manager Mills reported the existing turnout at this facility can only deliver roughly 10 CFS and is apparently 15-inch pipe. That rate was enough to wet the bottom, but not fill the basin. Manager Mills did not attempt any temporary setup at this location because of access related issues. But this turnout will need to be replaced or supplemented with a second pipe to develop the needed capacity to optimize the basin.

Kelley

Manager Mills reported that a lot of earth moving was done at this basin to raise the bank on the south side and also improve the flow characteristics inside the basin. It was expected that finishing work on sloping and grading would wrap up in the next few days.

Lopez

Manager Mills reported that this basin wasn't repaired in time to be put in service for flood water deliveries. However it was found that water was leaking through the gate at a pretty good rate and making its way into the basin. Manager Mills contacted Mattos Underground about a fix for this location and a schedule for repairs is being developed.

Griswold

Manager Mills reported that he met with Mesa Alta at the Griswold Slough and talked through planned efforts. Arnie Netto was interested in using the excavated material so Mesa

Alta talked with him, but his needs ended up being relatively small. Given that Manager Mills told Mesa Alta to stand down for now.

NEW DITCH TENDER

Manager Mills reported that over the last month he'd begun to understand that John Scribner suffered more impairment from his heart issues and mild stroke than previously thought. Manager Mills expressed his belief that Mr. Scribner would need help to accomplish the ditch tending throughout the coming water season.

Manager Mills explained that he had recently met a candidate that appeared to be a reasonable potential for a new ditch tender. Eddie Miranda is originally from Virginia and has lived in Oregon and now California. He's been working construction with smaller contractors, reports are he is a good worker and has been looking for more stable work for the last six months. Manager Mills discussed this potential hiring with Attorney Carlson and he seems comfortable with the process given Mr. Scribner's physical condition.

The Board discussed the situation and associated issues like salary and vehicle. There was a consensus that hiring Mr. Miranda was appropriate to make sure issues on Riverside Ditch were addressed through the season. Manager Mills also relayed that since neither of Mr. Miranda or Mr. Scribner currently have a spray licenses, he was going to contract a firm to spray weeds on Riverside Ditch this season.

NEW BASIN PROPERTY (7TH AVE)

Manager Mills reported that over the last month he and Attorney Carlson had worked through contract details with Eric Ward for his custom farming services. Mr. Ward's staff have been out on the property this week getting things started. Other items dealt with this month include the PGE electrical service being transferred to the District, setting up a County Spray Permit through Mr. Ward, discussion of gophers and the investment on irrigation system related to surface water deliveries. Manager Mills also reported that he did not pursue transferring crop insurance for the property. Reports are that the one variety of the trees look very well set.

CEQA documents are under development through Provost & Pritchard. The current schedule is for CEQA circulation in June and Board adoption in July. Vice-President Dias relayed that there was interest from Gabe Dias to potentially partner on an effort just south of the basin and provided contact information to Manager Mills for follow-up.

SGMA UPDATE

Manager Mills reported that he had begun to be concerned about the development of Sustainable Management Criteria in the Tulare Lake and Kaweah subbasin and felt it was prudent to develop a document from the District on what is significant and unreasonable in the District's service area. To that end Manager Mills developed a draft memorandum on that topic that he reviewed with the Board. The intent was to take the information in the memorandum and present it in a letter to the Mid-Kings River GSA and the Greater Kaweah GSA separately. The hope was that the letters would be a starting point for discussions on the topics and tools that would further coordination of local parties prior to the development of the related GSP sections. The Board discussed the information in the memorandum and was generally supportive of what was presented. Director McCutcheon requested that a section on the effects of reduced surface water supplies over the last few decades be added to the material. Director McCutcheon made a motion to authorize Manager Mills to develop letters consistent with the presented information included the requested surface water supply information for delivery to the Mid-Kings River GSA and the Greater Kaweah GSA to express the District's view of Sustainable Management

Criteria in its service area. Vice-President Dias seconded the motion and President Taylor called for a vote. The vote for all of the Directors was as follows:

AYES: Steven P. Dias, Barry McCutcheon, Michael Murray, Ernest Taylor

NOES: None

ABSTAINED:None

ABSENT: Joseph Freitas

On-going Efforts

None.

MONTHLY REPORTS

Manager Mills informed the Board members that the monthly budget review showing each category and the quarterly report (October - December 2018) were available for review in their packets.

EXPENDITURE LIST APPROVAL & FINANCING STATEMENT ACCEPTANCE

On a motion by Vice-President Dias, with a second by Director McCutcheon, it was unanimously approved by the Board that the expenditure list and financial statement be accepted as submitted. The vote for all of the Directors was as follows:

AYES: Steven P. Dias, Barry McCutcheon, Michael Murray, Ernest Taylor

NOES: None

ABSTAINED:None

ABSENT: Joseph Freitas

TRANSFER OF FUNDS

Manager Mills conveyed that a transfer of \$200,000 from the District's LAIF Account to the Union Bank General Account was needed this month. Vice-President Dias made a motion to approve the transfer and Director McCutcheon seconded the motion. President Taylor called for a vote and the vote for all of the Directors was as follows:

AYES: Steven P. Dias, Barry McCutcheon, Michael Murray, Ernest Taylor

NOES: None

ABSTAINED:None

ABSENT: Joseph Freitas

BOARD MEMBER DISCUSSION/ANNOUNCEMENTS OR REPORTS

None.

SET NEXT MEETING DATE

The next regular Board of Directors meeting was set for May 9, 2019 at 1:30 p.m.

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Government Code Section § 54956.9(a)

(Case Name: KRAPOA v. KCWD)

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Government Code Section § 54956.9(b)

No closed session was held.

ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 4:00 p.m.

Respectfully submitted,

Dennis Mills

MIN04.04.19