

KINGS COUNTY WATER DISTRICT  
BOARD OF DIRECTORS REGULAR MEETING MINUTES  
THURSDAY, AUGUST 8, 2019

President Taylor called the regular meeting to order at 1:37 p.m.

<b>DIRECTORS PRESENT:</b>	Barry McCutcheon, Michael Murray, Ernest Taylor
<b>DIRECTORS ABSENT:</b>	Steven P. Dias, Joseph Freitas,
<b>OTHERS PRESENT:</b>	Dennis Mills, General Manager Ray Carlson, Attorney Andy Hemans, Peoples DC Johnny Gailey, Delta View WA Geoff Vanden Huevel, Milk Producers Council

**ESTABLISH QUORUM**

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

**CONFLICT OF INTEREST**

None.

**PUBLIC COMMENT PERIOD**

None.

**APPROVAL OF MINUTES OF THE REGULAR JULY 11 MEETINGS**

President Taylor asked if there was a motion regarding the minutes circulated in this month's Board packets. Attorney Carlson noted a minor correction. Director McCutcheon made a motion to approve the regular July 11, 2019 meeting minutes with the noted minor correction. Director Murray seconded the motion and the Board unanimously approved the regular July 11, 2019 meeting minutes with the noted minor correction. The vote for all of the Directors was as follows:

AYES: Barry McCutcheon, Michael Murray, Ernest Taylor

NOES: None

ABSTAINED: None

ABSENT: Steven P. Dias, Joseph Freitas

**COMMUNICATIONS**

Manager Mills reported that in early August, Tim Sanchez had contacted the District about the homeless that were camping in Weidman Basin. Mr. Sanchez reported significant problems including recent trespassing and an altercation. Manager Mills relayed that District staff again checked the no trespassing signs on the facility and contacted the Sheriffs about the report. Manager Mills discussed a plan to begin removing trees from the Weidman Basin later this fall after it dries and an excavator can be used. The Board generally agreed that efforts to modify the facility were warranted.

## GENERAL MANAGER

### ON-GOING EFFORTS

This item was moved to the beginning of the General Manager's report so that Andy Hemans, Peoples Ditch Manager, wouldn't have to wait through the whole meeting.

Manager Mills reported on a recent situation with Richard and Kyle Guecho. Mr. Hemans was also part of the discussion with the Board. As background, Manager Mills reported that the Guecho's are "option" holders. They sold the District 20 acres of Peoples stock in 1985 and 20 acres in 1995. Their historic option amount has been 80 AF. This season they have already run 70 AF outside of the Flood Release period.

Manager Mills reported that Mr. Hemans had relayed that this morning there was an issue with Kyle Guecho demanding that he be allowed to start water his irrigation from the ditch immediately. There was a switch as one grower was going off, and the Guecho's were scheduled to come on in a few hours related to the distance between the switching turnouts. Mr. Hemans reported that Kylie was very aggressive, unprofessional and wouldn't listen. It sounds like when Richard got re-engaged it became more productive, but Mr. Hemans conveyed that if they started early, they would be violating Peoples policy, they would be shut off and they would get a fine.

The Board discussed the situation and agreed what was described seemed unreasonable. They affirmed Mr. Hemans view that if the Guecho's, as renters, do not abide by the Ditch Company policy on start and stop times, they would be shut off and fined.

### OFFICE AC PROBLEMS

Manager Mills reported that air conditioning problems issues continue to occur. Crane's is looking into the matter now and more will hopefully be reported next meeting

### ADOPT UPDATED KINGS IRWM PLAN – RESOLUTION 2019-3

Manager Mills reported that he had been contacted by the Kings Basin Water Authority (KBWA) and notified that the Kings IRWM Plan had been updated. KBWA requested that Kings CWD, as a member agency, adopt the updated plan by resolution. Consistent with this Manager Mills presented Resolution 2019-3 whereby Kings CWD would adopt the Kings IRWM Plan as a member agency of the KBWA. Director McCutcheon moved that Resolution 2019-3 be adopted, Director Murray seconded the motion and President Taylor called for the vote. The vote for all of the Directors was as follows:

AYES: Barry McCutcheon, Michael Murray, Ernest Taylor

NOES: None

ABSTAINED: None

ABSENT: Steven P. Dias, Joseph Freitas

### ESAJIAN BASIN PROJECT

#### MITIGATED NEGATIVE DECLARATION – RESOLUTION 2019-4

Manager Mills reported that the previously discussed Environmental Checklist, Initial Study and Draft Mitigated Negative Declaration for the District's Esajian Basin Project had been noticed and circulated for comment through the State Clearinghouse (SCH #2019069120) from June 28 to July 29, 2019. The District received two letters from responsible agencies. The first

was from CalTrans stating they had no comment. The second was from DWR relaying information from Division of Safety of Dams that did not pertain to the Project.

President Taylor opened the Public Hearing for comments related to the District's Esajian Basin Project. However, no one had any comments related to the Project. Therefore, the Public Hearing was closed.

Manager Mills recommended that the Board consider Resolution 2019-4 which would document the District's approval of the Initial Study, Environmental Checklist and Mitigated Negative Declaration for the District's Esajian Basin Project. Director McCutcheon moved that Resolution 2019-4 be adopted, Director Murray seconded the motion and President Taylor called for the vote. The vote for all of the Directors was as follows:

AYES: Barry McCutcheon, Michael Murray, Ernest Taylor

NOES: None

ABSTAINED: None

ABSENT: Steven P. Dias, Joseph Freitas

#### COUNTY SMARA EXEMPTION

Manager Mills reported that through discussions with County staff he understood that in order to obtain a County SMARA construction exemption the District would need to produce a letter requesting the exemption, and engineering drawing of the basin facility, and supply the approved environmental documents. Manager Mills asked the Board for their approval to develop the needed documents and to request the SMARA exemption from the County upon their completion. Director McCutcheon made a motion to accept Manager Mills' recommendation, Director Murray seconded the motion and President Taylor called for the vote. The vote for all of the Directors was as follows:

AYES: Barry McCutcheon, Michael Murray, Ernest Taylor

NOES: None

ABSTAINED: None

ABSENT: Steven P. Dias, Joseph Freitas

#### HSR MEETING – RIVERSIDE XING

Manager Mills reported that at a recent meeting it appeared that he and Brian Ehlers finally got through to DFJV was the District's concerns were. They are considering how to respond and mitigate the impacts they are causing. However, DFJV wants to receive the District's approval on the plans ASAP because they need to build the Riverside Crossing this fall in order to make any progress on the facilities between Dover and Hwy 43. They asked if they could receive a written access to Riverside Ditch for construction efforts. They have also said that they want to begin work on the Riverside Crossing as soon as Riverside stops delivering water this season.

Related to the potential approval of HSR Plans several items were discussed. They included construction phasing, right-of-way, schedule, temporary facilities and the proposed Joint Use Agreement. Manager Mills recommended that additional information would be needed on almost all of these before the Riverside Crossing plans could be approved. The Board discussed the recommendation and agreed.

## SGMA UPDATE

### GREATER KAWEAH GSA

Manager Mills reported that a Draft Coordination Agreement had been made available and was under review. He related that the Greater Kaweah GSA Manager was identified as the Point of Contact for the subbasin and responsible for GSP uploads. Also the agreement seems to intentionally not have any teeth in it.

Manager Mills also reported that in reviewing information provided by the modelers he found 32 hydrographs out of 116 that seem to have an odd increase in groundwater levels over the first 5 years of implementation period. The consultant's (GEI/GSI) are looking into it, but they had no immediate answer.

Related to the Greater Kaweah GSP Progress, there is a new GEI staff member working with the Greater Kaweah GSA and he is making significant progress. Currently, the target is for Draft GSP to be out on August 12, but that seems unlikely. Indications are that the Greater Kaweah GSP should look a lot like the Mid-Kaweah GSP.

### MID-KINGS RIVER GSA

Manager Mills reported that the Prop 218 Services Contract was executed in July and the MKR August Board meeting moved to Monday, August 12. At that meeting, the MKR Board needs to approve a GSP Budget increase for GSP progress to continue. Related to this Manager Mills will be presenting this matter to South Fork Kings GSA Board on August 15. The current understanding is that Supervisor Neves, who is the SFK Board Chair, doesn't want to approve the budget increase. Manager Mills has had discussions and emailed with Doug Verboon, Tony Azevedo, Bill Newton, Nathan Olson, Ceil Howe, Jr. Julianne Phillips, and others in order to explain the issues to SFK parties.

Outside of those efforts, there have been discussions about outreach through the end of the year with SFK. Also there has been a revised Monitoring Chapter out for review. The next Tulare Lake GSA Parties meeting is scheduled for August 9.

### DRAFT NORTH FORK KINGS GSP – EXECUTIVE SUMMARY

Manager Mills reported on the information in the Draft North Fork Kings GSP's executive summary to the Board.

### DRAFT MID-KAWEAH GSP

Manager Mills reported on the information in the Draft Mid-Kaweah GSP to the Board.

## **EXPENDITURE LIST APPROVAL & FINANCING STATEMENT ACCEPTANCE**

Accounting Technician Renee Davis gave the quarterly reports (April, May and June of 2019) on the District's investments.

On a motion by Director Murray, 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: Barry McCutcheon, Michael Murray, Ernest Taylor

NOES: None

ABSTAINED: None

ABSENT: Steven P. Dias, Joseph Freitas

**TRANSFER OF FUNDS**

None.

**BOARD MEMBER DISCUSSION/ANNOUNCEMENTS OR REPORTS**

None.

**SET NEXT MEETING DATE**

The next regular Board of Directors meeting was set for September 5, 2019 at 1:30 p.m.

**CLOSED SESSION**

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Government Code Section § 54956.9(b)

President Taylor asked if a Closed Session was needed and staff relayed that it was not.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at approximately 4:25 p.m.

Respectfully submitted,

Dennis Mills

MIN08.08.19