

KINGS COUNTY WATER DISTRICT  
BOARD OF DIRECTORS REGULAR MEETING MINUTES  
THURSDAY, SEPTEMBER 10, 2020

As a results of the COVID-19 emergency, the public was able to participate through a conference call. Directors could choose to meet with Staff in the Board Room or participate through a conference call. President Taylor called the regular meeting to order at 1:30 p.m.

**DIRECTORS PRESENT:** Barry McCutcheon, Michael Murray (phone), Ernest Taylor

**DIRECTORS ABSENT:** Steven P. Dias, Joseph Freitas

**OTHERS PRESENT:** Dennis Mills, General Manager  
Ray Carlson, Attorney (phone)  
Johnny Gaily, Delta View WA (phone)

**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 AUGUST 6 MEETING**

President Taylor asked if there was a motion regarding the minutes circulated in this month's Board packets. Director McCutcheon made a motion to approve the regular August 6, 2020 meeting minutes with minor revisions proposed by counsel. Director Murray seconded the motion and the Board unanimously approved the regular August 6, 2020 meeting minutes. The vote for all of the Directors was as follows:

AYES: Michael Murray, Barry McCutcheon, Ernest Taylor

NOES: None

ABSTAINED: None

ABSENT: Steven P. Dias, Joseph Freitas

**COMMUNICATIONS**

None

**GENERAL MANAGER**

**STAFF**

Manager Mills reported that this month one of the District ditch tenders' family was quarantined for a while because an extended family member had tested positive. The staff member's immediate family got tested and were negative, so they both returned to work after the negative test.

## WATER SUPPLY

Manager Mills reported that on the Peoples/Settlers system the water run ended on Monday, August 17<sup>th</sup>. He also reported that invoices for water rental were being worked on and hopefully would be sent out soon. Manager Mills also reported on the issue that has come up with Grouse Creek and Colton teVelde.

## FACILITIES

Manager Mills reported that staff from HSR had been very persistent about communicating on the review of Riverside Ditch. Manager Mills discussed this with the Board.

Manager Mills relayed that Vice-President Dias had contacted him about the availability of an 80 acre parcel along East Settlers that could be a new recharge basin. Vice-President Dias communicated that he would like to sell the property to the District for a new basin, but could also sell it to other adjacent landowners that were interested. Manager Mills shared soils information and the well log that he had for the property. The Board discussed the potential and various things that were known about the area and the ditch system. Manager Mills asked whether the Board was interested in amending the agenda to add an emergency item to discuss this item in Closed Session. After some discussion, Director McCutcheon made a motion to amend the agenda to add the discussion of the Dias 80 acre property in closed session, Director Murray seconded it and President Taylor called for a vote. The vote for all of the Directors was as follows:

AYES: Michael Murray, Barry McCutcheon, Ernest Taylor

NOES: None

ABSTAINED: None

ABSENT: Steven P. Dias, Joseph Freitas

Manager Mills reported on efforts to evaluate the Independent Ditch through a survey and that generally the investigation had generally lead to the conclusion that subsidence was not a significant issue along the ditch alignment. The evaluation appeared to identify the measuring flume at the head of the Independent Ditch as the current primary restriction. However, since the flume hasn't been modified, the understanding was that the Last Chance East Branch must not be able to deliver the head conditions that it could in previous years. Manager Mills described the discussions and investigations that he had conducted over the last month, including some information that he had obtained from Summers Engineering related to a capacity increase project that had been commissioned in the mid-1980s. Manager Mills suggested that another survey be authorized for the Last Chance East Branch. This survey information would then be compared with the information from the Summers capacity project to see how they compared. After some discussion, Director McCutcheon made a motion to authorize the additional survey work, Director Murray seconded it and President Taylor called for a vote. The vote for all of the Directors was as follows:

AYES: Michael Murray, Barry McCutcheon, Ernest Taylor

NOES: None

ABSTAINED: None

ABSENT: Steven P. Dias, Joseph Freitas

Manager Mills reported that efforts on Weidman Basin continued to move forward. He relayed that he had met with Steve Walker of Mesa Alta and that Mr. Walker was willing to be contracted for the efforts to clean up the basin. There were discussions related to site-security, how brush removal would be handled and schedule. Mr. Walker thought that the soonest he could begin the efforts would be the last week of October.

Manager Mills also reported that Sheriff Robinson had contacted him about the homeless trespassers on the property and that the County would soon be funding additional occupancy at local shelters that would hopefully help the situation.

Manager Mills reported that he had made no progress on the rehabilitation of the Riverside crossing over the Last Chance Main Canal.

#### SGMA – MID-KINGS RIVER GSA

Manager Mills reported that the Mid-Kings River GSA had sent the JPA member agencies invoices for bridge funding related to the Tulare Lake Subbasin GSP and Annual Report development. Currently the MKR GSA has not received funds from the City of Hanford or the County of Kings.

Manager Mills relayed that the MKR GSA had responded to DWR on their Monitoring Network review and questions. Also, he relayed that the Tulare Lake GSAs had provided information to DWR on Spring 2020 groundwater levels. As previously discussed, DWR viewed that GSAs should have understood the requirement to submit this information, but acknowledged it was not communicated well. DWR has communicated that they will be sending a “late” letter, which will be sent to all GSAs sometime soon.

Manager Mills reported that there had recently been some progress on Round 2 SGM Grant closeout after contacting DWR’s Fresno Office manager. It appears that the retention reimbursement should come back to the MKR GSA sometime around late October.

Manager Mills reported on continued efforts to contract with Land IQ for either Kings CWD consumptive use estimates, or consumptive use estimates for the entire Tulare Lake subbasin.

Manager Mills reported on contact with Greg Gatzka about well permits from Kings County and coordination with the Tulare Lake GSAs.

Manager Mills reported on a SGMA Implementation Grant from DWR that is scheduled to become available later this fall. He emphasized the need to have projects ready for consideration in that timeframe.

Manager Mills reported that there had been no progress on Prop 218 efforts in the last month.

#### SGMA – GREATER KAWEAH GSA

Manager Mills reported that GK GSA staff had reached out to him related to developing a new CIMIS Station in the area.

#### ON-GOING EFFORTS

Manager Mills reported that there were continuing discussions with Land IQ related to consumptive use estimates for the District.

## **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: Michael Murray, Barry McCutcheon, Ernest Taylor

NOES: None

ABSTAINED: None

ABSENT: Steven P. Dias, Joseph Freitas

## **TRANSFER OF FUNDS**

Manager Mills conveyed that a transfer of \$350,000.00 from the District's LAIF account to Union Bank General Account was needed. Director McCutcheon made a motion to approve the transfer and Director Murray seconded the motion. President Taylor called for a vote and the vote for all of the Directors was as follows:

AYES: Michael Murray, Barry McCutcheon, Ernest Taylor

NOES: None

ABSTAINED: None

ABSENT: Steven P. Dias, Joseph Freitas

## **BOARD MEMBER DISCUSSION/ANNOUNCEMENTS OR REPORTS**

None.

## **CLOSED SESSION**

### **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Government Code Section § 54956.8

Property: Potential Basin Site

Agency negotiator: Dennis Mills, General Manager

Negotiating parties: Steven P. Dias, Kings County Water District

Under negotiation: Parcels, Price and terms of payment

President Taylor directed that the Board move into Closed Session to discuss potential property negotiations. Legal Counsel advised the Board that it has authority to hold a Closed Session under Government Code sections 54956.9(a) and 54956.8. All persons other than the Directors, the General Manager and Legal Counsel thereupon retired from the meeting.

## **RECONVENE TO OPEN SESSION**

Following the Closed Session, President Taylor reported that there was no reportable action in the Closed Session.

## **SET NEXT MEETING DATE**

The next regular Board of Directors meeting was set for October 8, 2020 at 1:30 p.m.

## **ADJOURNMENT**

There being no further business, the meeting was adjourned at approximately 3:30 p.m.

Respectfully submitted,

Dennis Mills  
MIN09.10.20