

KINGS COUNTY WATER DISTRICT  
BOARD OF DIRECTORS REGULAR MEETING MINUTES  
THURSDAY, NOVEMBER 5, 2020

As a result 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:** Joseph Freitas, Barry McCutcheon, Ernest Taylor,  
Michael Murray (phone),  
**DIRECTORS ABSENT:** Steven P. Dias  
**OTHERS PRESENT:** Dennis Mills, General Manager  
Ray Carlson, Attorney (phone)  
Johnny Gailey, Delta View Water Association (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 OCTOBER 8 MEETING**

President Taylor asked if there was a motion regarding the minutes circulated in this month's Board packets. Director Freitas made a motion to approve the regular October 8, 2020 meeting minutes. Director McCutcheon seconded the motion and the Board unanimously approved the regular October 8, 2020 meeting minutes. The vote for all of the Directors was as follows:

AYES: Joseph Freitas, Barry McCutcheon, Michael Murray, Ernest Taylor

NOES: None

ABSTAINED: None

ABSENT: Steven P. Dias

**COMMUNICATIONS**

Manager Mills relayed that the District had received a request for a letter of support from Johnny Gailey of the Delta View Water Association for Watershed Coordinator Grant application. Also the District had received a letter from Amanda Peisch, DWR on Tribal Advisory Group SGMA Update, dated October 22.

## **GENERAL MANAGER**

### **STAFF-ADMINISTRATION**

#### ***2021 WATER RENTAL RATES***

Manager Mills presented information on the last season's water rental rates and made a recommendation on water rates for the coming season. Most of Manager Mills' recommendation related to increase the rates the District paid stockholders for renting their stock. After much discussion on the recommendation Director Murray proposed the Board approve the following rental rates for Water Year 2021:

<b>Ditch Systems</b>	<b>Rental</b>	<b>District Rental</b>
Peoples/Settlers/Riverside =	\$60/AF	\$90/acre Peoples, \$45/acre Settlers
New Deal & Lone Oak =	\$70/AF	\$90/acre
Last Chance Main =	\$60/AF	\$50/acre
Last Chance Side Ditches =	\$60/AF	\$50/acre

Director McCutcheon seconded the motion and President Taylor called for a vote. The vote for all of the Directors was as follows:

AYES: Joseph Freitas, Barry McCutcheon, Michael Murray, Ernest Taylor

NOES: None

ABSTAINED:None

ABSENT: Steven P. Dias

#### ***2021 WATER RENTAL CONTRACT***

Manager Mills explained that a few instances of the last year had arose that indicated that the section in the District's water rental contract regarding flow meters needed improvement. Manager Mills suggested a paragraph be added to the contract, but a few Directors were concerned about the implications of one sentence. The Board gave Manager Mills direction as to the concept they found acceptable related to that statement. Director Freitas made a motion to authorize Manager Mills to revise the 2021 Water Rental Contract as discussed and Director McCutcheon seconded the motion. President Taylor called for a vote and the vote of all the Directors was as follow:

AYES: Joseph Freitas, Barry McCutcheon, Michael Murray, Ernest Taylor

NOES: None

ABSTAINED:None

ABSENT: Steven P. Dias

#### ***FISCAL YEAR 2020-2021 BUDGET***

Manager Mills presented a proposed budget for Fiscal Year 2020-2021. The Directors reviewed the proposed budget with Manager Mills and asked a number of questions. After the discussion, Director McCutcheon made a motion that the proposed Fiscal Year 2020-2021 be approved. Director Freitas seconded the motion and President Taylor called for a vote. The vote for all of the Directors was as follows:

AYES: Joseph Freitas, Barry McCutcheon, Michael Murray, Ernest Taylor

NOES: None

ABSTAINED:None

ABSENT: Steven P. Dias

*GENERAL*

Manager Mills reported that staff has remained healthy and been focused on the regular maintenance of Riverside Ditch over the last month. Manager Mills also reported that related to 2020 water season invoices, the District has received all but one payment and is sure that one will be paid very soon.

Manager Mills reported on the Land IQ Proposal to the Tulare Lake Subbasin and that the TLS GSAs indicated generally that did not want to pursue that Proposal this year. Manager Mills then recommend the Board authorize him to proceed with proposal and contract for Kings CWD area and MKR GSA areas for both WY 2020 and 2021. There was much discussion about the effort and proposal. There was a motion made by Director Murray to authorize the effort, but the motion failed as there was no second. The Directors asked that Manager Mills bring this back for consideration at a special meeting later in the month.

Manager Mills reported on the Ramboll Proposal for a tow TEM geologic evaluation of seven potential basin areas. Manager Mills recommended the Board authorize him to proceed with the proposal for the tow TEM geologic evaluation for roughly \$30,000 as a kind of “test” of the tow TEM method. There was much discussion about the effort and proposal. After the discussion, Director McCutcheon made a motion to authorize the Ramboll proposal and Manager Mills’ signature on the District’s behalf, Director Freitas seconded the motion and President Taylor called for a vote. The vote for all of the Directors was as follows:

AYES: Joseph Freitas, Barry McCutcheon, Michael Murray, Ernest Taylor

NOES: None

ABSTAINED:None

ABSENT: Steven P. Dias

FACILITIES

*WEIDMAN BASIN*

Manager Mills reported on the efforts at the Weidman Basin. He relayed that Sheriff Robinson had been in contact, asking for an update on efforts and issues with the homeless. Manager Mills also relayed that Provost and Pritchard had recently discovered an exemption for the planned efforts at the basin. Manager Mills reviewed the content of the memo P&P staff developed on the rational for complying with regulations, which concluded that man-made recharge basins are exempt and that efforts to clean up the basin can begin outside of normal avian (or migratory bird) nesting season.

Manager Mills recommended that the Board authorize him to develop, sign and submit a Notice of Exemption on behalf of the District related to CEQA documentation for the Weidman Basin efforts, as the clean-up efforts were now understood to be exempt. Director McCutcheon made that motion and Director Murray seconded it. President Taylor called for a vote and the vote for all Directors was as follows:

AYES: Joseph Freitas, Barry McCutcheon, Michael Murray, Ernest Taylor

NOES: None

ABSTAINED:None

ABSENT: Steven P. Dias

Manager Mills conveyed that Attorney Carlson had recommended that the Board adopt a Declaration of Emergency related to the work to be done on the Weidman Basin property. Attorney Carlson had prepared a Declaration of Local Emergency for the Board to consider. The declaration was read and discussed by the Board. Director Murray moved that the District adopt the Declaration of Local Emergency and Director McCutcheon seconded it. President Taylor called for a vote and the vote for all Directors was as follows:

AYES: Joseph Freitas, Barry McCutcheon, Michael Murray, Ernest Taylor

NOES: None

ABSTAINED:None

ABSENT: Steven P. Dias

#### *CHSRA*

Manager Mills relayed that recently CHSRA's contractor had built a road across Riverside Ditch without prior authorization. Also it was recently learned that CHSRA's contractor had begun building the culvert at Batti Basin without final approved plans. Manager Mills requested the Board authorize him to send letters to CHSRA regarding the District's current issues with construction efforts in the area. Director McCutcheon made that motion and Director Freitas seconded it. President Taylor called for a vote and the vote for all Directors was as follows:

AYES: Joseph Freitas, Barry McCutcheon, Michael Murray, Ernest Taylor

NOES: None

ABSTAINED:None

ABSENT: Steven P. Dias

Manager Mills relayed that he had reviewed the most recent set of CHSRA construction plans for the Riverside Culvert and it appeared that all identified issues had been resolved. The plans were briefly reviewed and discussed. He relayed that CHSRA was requesting approval of the plans and that he planned to sign them on the District's behalf unless the Board had an issue with what was being proposed. No such issue was expressed.

#### *RIVERSIDE – LAST CHANCE CROSSING*

This facility has been failing for the last few years and has even been worked on in order to address an emergency issue that developed in the last season. Manager Mills reported that he had developed a conceptual design for a replacement facility. He had contracted with Provost and Pritchard to verify some key hydraulic information through additional topographic surveying. Manager Mills relayed that he had been consulting with Roger Reynolds at Summers Engineering on issues related to the use of steel pipes in the design. Also, Manager Mills relayed that he was working with Mattos Underground on an estimate of construction cost for the developed conceptual design.

#### SGMA – MID-KINGS RIVER GSA

##### *ANNUAL REPORT*

Manager Mills reported that the Annual Report for the Tulare Lake Subbasin is apparently being pursued through GeoSyntec. Kings CWD will need to gather surface water delivery

information throughout the service area. The hope will be to use the ag demand estimates from Land IQ in MKR GSA, but other areas will use estimates developed from CropScape.

#### *IMPLEMENTATION GRANT PROJECT*

DWR has released a grant opportunity known as the SGM Implementation Grant, Round 1 and the MKR GSA is looking at pursuing the Kings CWD's Griswold Basin project through a grant application. Currently the Tulare Lake Subbasin GSAs are considering which projects should be included in the application for grant funds and what the arrangement with DWR will require in terms of cost share.

#### *MKR GSA ON-GOING EFFORTS*

None

#### SGMA – GREATER KAWEAH GSA

#### *ANNUAL REPORT*

None

#### *GK GSA ON-GOING EFFORTS*

None

#### KCWD ON-GOING EFFORTS

#### *LAST CHANCE CENTER BRANCH – PEOPLES WEST BRANCH SURVEY*

Manager Mills reported that Provost and Pritchard surveyors had recently accomplished a survey on the Last Chance Center Branch from roughly Iona Ave. back to the head, and the Peoples West Branch from Fargo Ave. back to Highway 43. Manager Mills plans to use the survey results to evaluate current capacity, potential subsidence along the alignments and other issues along those systems, as time allows.

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

On a motion by Director McCutcheon, with a second by Director Murray, 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: Joseph Freitas, Barry McCutcheon, Michael Murray, Ernest Taylor

NOES: None

ABSTAINED: None

ABSENT: Steven P. Dias

### **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 December 10, 2020 at 1:30 p.m.

## **ADJOURNMENT**

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

Respectfully submitted,

Dennis Mills

MIN11.05.20