

KINGS COUNTY WATER DISTRICT
BOARD OF DIRECTORS REGULAR MEETING MINUTES
THURSDAY, FEBRUARY 10, 2022

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 McCutcheon called the regular meeting to order at 1:00 p.m.

DIRECTORS PRESENT: Steven P. Dias (phone), Joseph Freitas (phone),
Barry McCutcheon

DIRECTORS ABSENT: Ernest Taylor, Michael Murray

OTHERS PRESENT: Dennis Mills, General Manager
Ray Carlson, Attorney (phone)
Mike Cuttone, Auditor (phone)
Shawn Corley, Lakeside IWD (phone)
Sebastian Silveira, Griswold LaSalle (phone)

ESTABLISH QUORUM

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

CONFLICT OF INTEREST

None.

PUBLIC COMMENT PERIOD

None.

REORGANIZATION OF THE BOARD

President McCutcheon asked if there were any motions related to reorganizing the Board officers. Vice-President Dias made a motion to reappoint the current slate of officers, being Barry McCutcheon as President, himself as Vice-President and Manager Dennis Mills as Secretary. Director Freitas seconded the motion and President McCutcheon called for a vote. The vote for all of the Directors was as follows:

AYES: Steven P. Dias, Joseph Freitas, Barry McCutcheon

NOES: None

ABSTAINED: None

ABSENT: Michael Murray, Ernest Taylor

MINUTES OF THE REGULAR JANUARY 13, 2022 MEETING

Manager Mills explained that due to the various efforts currently going on, and also his recent time off because of Covid, he was still developing the minutes for the regular January Board meeting.

COMMUNICATIONS

None.

GENERAL MANAGER

FISCAL YEAR 2021 AUDIT

Manager Mills reported that Cuttone & Mastro had recently completed the Fiscal Year 2021 Audit on the District's financials. Mike Cuttone of Cuttone & Mastro was on the line to discuss the audit report that he had developed. Mr. Cuttone reported that the report conveyed a clean opinion on the District's financials. In the interest of time, Vice-President Dias made the motion that the Board approve the Financial Audit as presented and ask Mr. Cuttone to be available at next months meeting if any questions come up. Director Freitas seconded the motion and President McCutcheon called for a vote. The vote for all of the Directors was as follows:

AYES: Steven P. Dias, Joseph Freitas, Barry McCutcheon

NOES: None

ABSTAINED:None

ABSENT: Michael Murray, Ernest Taylor

Mr. Cuttone thanked the Board for the opportunity to be with them, and left the call.

TULARE LAKE SUBBASIN SGM IMPLEMENTATION GRANT APPLICATION

Recharge Basin Efforts

Manager Mills reported that the Tulare Lake Subbasin Implementation Grant selection committee had selected three of the District's basin projects as part of the available grant. The three efforts were the development of the Griswold Basin and associated structures, the expansion of the Cody Slough Basin and the expansion/improvement of another existing basin. The potentials were discussed as the Dutra-Rose site of the Lopez Basin. The available grant funds to accomplish these efforts is budget to be \$3 million from the implementation grant.

Self-Certification Forms and Resolution 2022-2

Manager Mills presented the self-certification forms from the grant opportunity and explained that if the District chose to include the projects in the grant application, the District could be require to fill out the self-certification forms. Manager Mills then presented Resolution 2022-2, which would authorize the District's projects to be included in the Tulare Lake Subbasin - MKR GSA Grant application and authorize the General Manager to sign the needed documents for submittal and consideration. Vice-President Dias made the motion to approve Resolution 2022-2 as submitted. Director Freitas seconded the motion and President McCutcheon called for a vote. The vote for all of the Directors was as follows:

AYES: Steven P. Dias, Joseph Freitas, Barry McCutcheon

NOES: None

ABSTAINED:None

ABSENT: Michael Murray, Ernest Taylor

KAWEAH SUBBASIN SGM IMPLEMENTATION GRANT APPLICATION

Recharge Basin Efforts

Manager Mills reported that efforts in the Kaweah Subbasin to select projects had come together recently. The Greater Kaweah GSA Board had recently decided that the District's Delta

View project could receive \$1.384 million of the \$2.2 million available to the GSA. Manager Mills noted that the amount of available funds were not sufficient to build the original concept of the project. His recommendation was to pursue a scaled back version of the project with available grant funds. The District would continue to fund the property acquisition portion of the effort.

Manager Mills also reported that he had initial communications with Tony deGroot about pursuing the basin on his property near Granville Blvd, and that Mr. deGroot was interested.

Self-Certification Forms and Resolution 2022-3

Manager Mills, again, briefly presented the self-certification forms from the grant opportunity and explained that if the District chose to include the projects in the grant application, the District could be require to fill out the self-certification forms. Manager Mills then went presented 2022-3, which would authorize the District's projects to be included in the Kaweah Subbasin – GK GSA Grant application and authorize the General Manager to sign the needed documents for submittal and consideration. Vice-President Dias made the motion to approve Resolution 2022-2 as submitted. Director Freitas seconded the motion and President McCutcheon called for a vote. The vote for all of the Directors was as follows:

AYES: Steven P. Dias, Joseph Freitas, Barry McCutcheon

NOES: None

ABSTAINED: None

ABSENT: Michael Murray, Ernest Taylor

RIVERSIDE 2021 CORPORATION FRANCHISE TAX

Attorney Carlson discussed recent efforts to address recent issues with the California Corporation Franchise Tax Board.

GW MONITORING UPDATE

Manager Mills reported on P&Ps effort to monitor groundwater levels in the District's area for the first time. He reviewed the experience with Michael Tharp after RL Schafer's passing and the reasoning in switching to P&P. Also, Lakeside IWD decided to switch consultants to P&P at the same time.

KINGS RIVERS SNOW SURVEY

Manager Mills reported that recent information from KRWA indicated a snow water content in the Kings River water shed of about 58% of April 1 average and about 98% of February 1 average.

INCOMPLETE GSP LETTERS FROM DWR

Manager Mills reported that the Tulare Lake Subbasin and the Kaweah Subbasin had both received letters that their GSPs were incomplete. The letters outlined that revisions to the GSPs were required by July 27, 2022. The letter for the Tulare Lake Subbasin described deficiencies on groundwater level declines, subsidence and groundwater quality. The key to addressing the concerns seems to be the definition of Undesirable Results and the connected Minimum Thresholds and Measurable Objectives. The Tulare Lake Subbasin parties had a meeting with DWR recently to clarify the message of the letter. DWR seemed to convey that the GSAs need to gut-and-replace the sections in question rather than just clarify or improve them.

Manager Mills briefly mentioned that there are some questions about how to properly provide a 90-day notice to Cities and Counties given the required timeframe.

2022 SALARY RECOMMENDATIONS

Manager Mills made the following salary recommendations to the Board for 2022:

- Dennis Mills’s salary in 2021 was \$185,000, to increase 3% to \$190,550 for 2022,
- Renee Davis’s salary in 2021 was \$66,000, to increase 3.0% to \$67,980 for 2022,
- John Scribner’s salary in 2021 was \$47,700, to remain the same in 2022, and
- Eddie Miranda’s salary in 2021 as \$40,000, to increase 3.0% to \$41,200 for 2022.

The Board discussed the recommendations with Manager Mills and asked a few questions. Vice-President made a motion to increase the salaries of Dennis Mills, Renee Davis, and Eddie Miranda by 3% for 2022 and keep John Scribner’s salary the same. Director Freitas seconded the motion and President McCutcheon called for a vote. The vote for all of the Directors was as follows:

AYES: Steven P. Dias, Joseph Freitas, Barry McCutcheon

NOES: None

ABSTAINED: None

ABSENT: Michael Murray, Ernest Taylor

ON-GOING EFFORTS

Manager Mills relayed that G&J Heavy Haul requested permission to excavate an additional 2,000 cubic-yards from the Esajian Basin. Their suggestion was to potentially deepen the newly excavated area to accommodate the amount.

EXPENDITURE LIST APPROVAL & FINANCING STATEMENT ACCEPTANCE

On a motion by Vice-President Dias, with a second by Director Freitas, 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, Joseph Freitas, Barry McCutcheon

NOES: None

ABSTAINED: None

ABSENT: Michael Murray, Ernest Taylor

TRANSFER OF FUNDS

Manager Mills reported that a transfer of \$100,000 from Union Bank General Account to the L.A.I.F. Account was needed. On a motion by Vice-President Dias, with a second by Director Freitas, it was unanimously approved by the Board to transfer \$100,000 from Union Bank General Account to the L.A.I.F. Account. The vote for all of the Directors was as follows:

AYES: Steven P. Dias, Joseph Freitas, Barry McCutcheon

NOES: None

ABSTAINED: None

ABSENT: Michael Murray, Ernest Taylor

BOARD MEMBER DISCUSSION/ANNOUNCEMENTS OR REPORTS

None.

SET NEXT MEETING DATE

The next regular Board of Directors meeting was set for March 10, 2022 at 1:00 p.m.

**CONVENE TO CLOSED SESSION PURSUANT TO GOVERNMENT CODE
54956.9 (A) AND 54956.9(D)(1)**

CLOSED SESSION

RECONVENE TO OPEN SESSION

Following the Closed Session, President McCutcheon reported that there was no reportable action from the Closed Session.

ADJOURNMENT

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

Respectfully submitted,

Dennis Mills
MIN02.10.22