

KINGS COUNTY WATER DISTRICT
BOARD OF DIRECTORS SPECIAL MEETING MINUTES
WEDNESDAY, AUGUST 16, 2023

The public was able to participate either in person or through a conference call. Directors were required to meet in person, unless there was an emergency. President McCutcheon called the special meeting to order at 10:00 a.m.

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

DIRECTORS ABSENT: Joseph Freitas

OTHERS PRESENT: Dennis Mills, General Manager
Ray Carlson, Attorney (phone)
Doug Jackson, Water and Land Solutions
John Warmerdam, Excelsior Farming

ESTABLISH QUORUM

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

CONFLICT OF INTEREST

None.

PUBLIC COMMENT PERIOD

None.

MINUTES OF THE PREVIOUS REGULAR MEETINGS

Manager Mills explained that he had not yet completed the minutes for several previous meetings and was still working on them.

COMMUNICATIONS

- Karl teVelde asked for director area and election schedule information.
- Jason Waters on Hanford Project Feasibility study of Pedestrian Crossing of Hwy 198 at Peoples Ditch.
- Greater Kaweah GSA proposed water budget sub regions for evaluation and modeling.
- SFK GSA's Prop 218 election failed. Vote appeared to be 16,000 acres yes and 20,000 acres no.

GENERAL MANAGER

RE-DISTRICTING DIRECTOR AREAS

Kings County contacted KCWD regarding the 2020 Census and the need to redistrict the Director areas based on the updated population location. Attorney Carlson worked with National Demographics Corporation to develop a scope of work and budget estimate for the needed effort. Attorney Carlson prepared Resolution 2023-06 for the Board's consideration. Resolution 2023-06 resolved that the director districts be reapportioned to conform to applicable law, and that the District staff undertake such actions as are reasonable and necessary to accomplish the

reapportionment. Director Taylor made a motion to approve Resolution 2023-06 and Vice-President Dias seconded the motion. 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

TEMPORARY PUMP EFFORTS

Manager Mills gave a report on the District effort to use temporary pumps through Rain for Rent to increase groundwater recharge in the District. Manager Mills asked the Board to consider whether they wanted to continue the effort or stop. The Board discussed the matter and advised to continue.

DELTA VIEW BASIN PROJECT UPDATE

Manager Mills gave a report on the Delta View Basin Project. The current site being considered is owned by Joaquin Avila and is along Idaho Ave near 5th Ave. Manager Mills asked the Board to consider authorizing 1) a TowTEM evaluation conducted by Tulare ID, 2) a new contract with the Greater Kaweah GSA for grant reporting, and 3) Provost & Pritchard consultant services to get the effort moving forward. The Board discussed the matter and asked several questions. Director Taylor made a motion to approve three requested items and Vice-President Dias seconded the motion. 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

MKR GSA EFFORTS

Manager Mills gave a lengthy report on the potential for a State Board probationary hearing for the Tulare Lake Subbasin in December/January. He gave an outline of efforts underway to revise the GSP in the hopes to avoid Probation in 2024. He reported that notices to Kings County and the City of Hanford related to the GSP revisions were being developed. He also reported on a meeting with County staff that was an effort to try to share information with them.

ON-GOING EFFORTS

Dutra Property

Manager Mills reported that Mr. Costamagna had backed out of Escrow for the purchase of a large portion of the Dutra Ranch. Manager Mills was waiting for the well consultant to put the pump and motor back before signing documents to release funds and terminate the Escrow. Manager Mills also reported that he had worked with the surveying consultant to develop descriptions of property to be retained and conveyed, as envisioned in escrow arrangements.

Manager Mills also reported on a situation that had come up related to the Surplus Land Management Act (SLMA). Related to this Attorney Carlson reviewed the matter and viewed that the sale of Dutra Ranch property is exempt from the SLMA. For that reason, Attorney

Carlson prepared Resolution 2023-07 for the Board to consider, which resolves that the 320.82 acres of the Dutra Ranch are surplus to the need of the District, that property is exempt surplus land under Govt. Code Sect 54221(f)(1)(G) because the land is zoned by Kings County for agricultural use under Zoning Ordinance through the General Plan and may not be used for residential development, and the District does not have the authority over land use designations. After the Board discussed the resolution, Director Taylor made a motion to approve Resolution 2023-07 and Vice-President Dias seconded the motion. 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

Smith Basin Development

Manager Mills reported that he had a meeting with John Zumwalt and Alex Dwiggins on a new development at 12th & Fargo that will be adjacent to the District's Smith basin. He relayed information about the planned development and issues related to Smith Basin. The Board gave Manager Mills general views that could be shared on the effort.

Riverside Ditch

Manager Mills reported that aquatic weeds had grown at the head of Riverside Ditch. The weeds began restricting flow of the Ditch and were difficult to address. Andy Hemans helped significantly and the weed growth has now been mostly killed.

Manager Mills also reported that he met with Sebastian Silviera on a project that involves landowners west of the Riverside terminal basin, about developing a new delivery system in that area.

Esajian Basin License Agreement

Manager Mills reported that G&J Heavy Haul was requesting to begin excavating material, again, from the Esajian Basin's undeveloped area. He relayed that G&J had agreed to terms very similar to the previous License Agreement and anticipated being done this fall. Manager Mills asked if the Board had any issue with him signing a new License Agreement for the excavation. There was a brief discussion and they conveyed no issue with it.

EXPENDITURE LIST APPROVAL & FINANCING STATEMENT ACCEPTANCE

On a motion by Director Murray, with a second by Vice-President Dias, 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

President McCutcheon asked if there was a motion to transfer \$100,000 from the Kings County Fund to the District’s General US Bank account, and to transfer \$200,000 from the District’s LAIF account to the District’s General US Bank account. Vice-President Dias made the motion and Director Taylor seconded the motion. 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 September 7, 2023 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 out of Closed Session that Max Ribeiro’s realtor services were extended and negotiation guidance was conveyed to Manager Mills on the Paul Gillum sale of Dutra Ranch property.

ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 1 p.m.

Respectfully submitted,

Dennis Mills
MIN08.16.23