



McMullin Area
Groundwater Sustainability Agency

AGENDA
**MCMULLIN AREA GROUNDWATER
SUSTAINABILITY AGENCY
BOARD OF DIRECTORS
REGULAR MEETING**
June 3, 2020

Note: In accordance with the Governor's Executive Order (N-29-20) and the declared State of Emergency, including social distancing directives as a result of the potential threat associated with the COVID-19 virus, members of the Board of Directors and MAGSA staff will be participating in this meeting remotely. **There will not be a physical location for this meeting.** Members of the public may participate in the meeting by accessing the Zoom connection or by accessing the call-in information listed below. The public is encouraged to contact MAGSA directly through the website, through email, by telephone to the office, by dropping off to the office or by direct mail to the office if they wish to communicate or otherwise provide comment on any subject appearing on this Agenda.

ZOOM DETAILS

Topic: MAGSA Board Meeting 6/3/2020 @ 2 PM
Time: Jun 3, 2020 02:00 PM Pacific Time (US and Canada)

Join Zoom Meeting by clicking the following link:
<https://us02web.zoom.us/j/88073401486>

Or by dialing a number below to join by phone:

Meeting ID: 880 7340 1486
One tap mobile
+16699009128,,88073401486# US (San Jose)
+12532158782,,88073401486# US (Tacoma)

Dial by your location
+1 669 900 9128 US (San Jose)

Meeting ID: 880 7340 1486

Find your local number: <https://us02web.zoom.us/j/kc6VvgPO8j>

CALL TO ORDER: 2:00 P.M. District Virtual Boardroom

ROLL CALL: Matt Abercrombie, Gagan Batth, Brian Pacheco, Jerry Rai, Jeevan Singh

PUBLIC COMMENT: The Board of Directors welcomes participation in Board meetings. The public may address matters under the jurisdiction of the Board that have not been posted in the Agenda. However, California Law prohibits the Board from taking action on any matter that is not on the posted Agenda unless the Board determines that it is an emergency or one of the other situations specified in Government Code section 54954.2. The public will be given the opportunity to address the Board on any item on the Agenda at this time or before the Board's consideration of that item. The Board reserves the right to consider any item of the agenda in any order. If members of the public desire to address the Board relative to a particular Agenda item at the time it is to be considered, they should so notify the Chairman of the Board at this time. The Chairman may limit the total amount of time allocated for public testimony on particular issues for each individual speaker. Public comments are encouraged.

Please note that there will be brief instruction on the order and method that public comment will be received due to the virtual nature of the meeting. We will do our best to get everyone heard. **Please be sure to mute your telephone during the meeting if you are using the call-in option to minimize interruption.** We thank you in advance for your understanding and cooperation. It is anticipated that this time will be the only time that public comment will likely be possible. See the opening paragraph of the Agenda for additional communication recommendations.

Potential Conflicts of Interest Notice

(Any Board member who has a potential conflict of interest may now identify the item and recuse himself from discussing and voting on the matter.) [FPPC § 87105.]

I. CONSIDER APPROVAL OF MINUTES

The Board will review and approve draft minutes for the May 13, 2020 Regular Meeting.

II. FINANCIAL

1. The Board will review and authorize/ratify payment of financial obligations of the Agency since the last approved actions.

III. GENERAL ADMINISTRATION

Recommendation to the Board for consideration/action regarding the following:

1. General Manager Report
 - a) General
 - b) ACWA Conference
 - c) Grant Implementation – Geosyntec Team Report
 - d) Additional Grant Opportunities
 - e) Possible MAGSA Board Workshop dates

2. The Board will receive a report on the status of draft MAGSA Policy documents that were released for Public and Committee Comment at the May 13, 2020 Board Meeting and a recommendation from MAGSA staff and General Counsel for adoption of the draft Policy documents in the form before the Board, or with such other modification, addition or action as further directed by the Board, on the following items of proposed MAGSA Policy:
 - A. Investment Policy
 - B. Accountability and Transparency Policy
 - C. Website Privacy Policy
 - D. Records Retention Policy
 - E. California Public Records Act Policy

IV. GROUNDWATER SUSTAINABILITY PLAN IMPLEMENTATION

Recommendation to the Board for consideration/action regarding the following:

1. The Board will receive a report on the status of the Kings Subbasin GSAs with the Department of Water Resources, a report on the number and subject matter of the public comments received via the DWR portal by the May 15, 2020 end date and will hear existing and anticipated MAGSA activities and other recommendations relative to the implementation of the GSP.

V. DIRECTORS REPORTS

Each Director will have the opportunity to report on meetings and other events attended on behalf of or of interest to MAGSA since the last MAGSA Board meeting.

- a) Report from County of Fresno (Pacheco/Abercrombie)
- b) Report from Raisin City WD (Batth/Rai)
- c) Report from Mid-Valley WD (Singh)

VI. AD HOC COMMITTEES

1. The Board will hear reports from the following Ad-Hoc committees:
 - a) Outreach (Tufenkjian/Quist/Hurley)

VII. UPCOMING MEETINGS

The next meeting of the MAGSA Board is scheduled for **July 1, 2020**

MAGSA Stakeholder Committee Meeting	June 17, 2020 (Virtual)
MAGSA Technical Advisory Committee Meeting	TBD
Mid-Valley Water District BOD	TBD
Raisin City Water District BOD	June 16, 2020

VIII. CLOSED SESSION

1. Conference with Legal Counsel – Existing Litigation
 - a. Status of litigation pursuant to paragraph (1) of Government Code Section 54956.9(d).
Fresno Sup. Ct. 20CECG00507 - MAGSA v James Irrigation, et al.

IX. REPORT ON CLOSED SESSION

The Board Chairman will report on actions taken during Closed Session.

X. ADJOURNMENT

Adjourn to the next Regular Meeting on June 3, 2020, 2:00 P.M., Boardroom of the Agency or as otherwise directed by the Board.

- ❖ Items on the Agenda may be taken in any order.
- ❖ Action may be taken on any item listed on the Agenda.
- ❖ Writings relating to open session Agenda items that are distributed to members of the Board of Directors, excluding writings that are not public records or are exempt from disclosure under the California Public Records Acts, will be available for inspection at the Agency office at 275 S. Madera Avenue, Suite 301, Kerman, California 93630 during normal business hours.

Americans with Disabilities Act of 1990: Under this act, a qualifying person may request that the District provide a disability-related modification or accommodation in order to participate in any public meeting of the Agency. Such assistance includes alternative formats for the agendas and agenda packets used for any public meetings of the Agency. Requests for assistance shall be made in person, via telephone, or in written form to the McMullin Area GSA Office at (559) 515-3339. Requests must be received at least 48 hours prior to a scheduled public meeting



McMullin Area
Groundwater Sustainability Agency

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE MCMULLIN AREA GROUNDWATER SUSTAINABILITY AGENCY May 13, 2020

The Board of Directors of the McMullin Area Groundwater Sustainability Agency met in the virtual boardroom of the District, via Zoom meeting protocols, on Wednesday May 13, 2020 at the hour of 2:45 P.M. The meeting was recorded.

Vice-Chairman Matt Abercrombie presided and General Manager/Secretary Hurley kept the Minutes.

DIRECTORS PRESENT: Matt Abercrombie, Vice-Chair
Gagan Batth
Jerry Rai
Brian Pacheco
Jeevan Singh

DIRECTORS ABSENT: None

OTHERS PRESENT: Matthew H. Hurley – General Manager/Secretary
Janelle Krattiger, District Counsel
Randy Hopkins, Provost and Pritchard
Lynn Groundwater, Provost and Pritchard
Cristel Tufenkjian, Kings River Conservation District
Rebecca Quist, Kings River Conservation District
Brian Trevarrow, Kings River Conservation District
Amer Hussain, Geosyntec

Vice-Chairman Abercrombie called the meeting to order at 2:57 P.M. Being that it was the inaugural attempt of the Zoom meeting methodology, Rebecca Quist and GM Hurley took a few minutes to bring everyone up to speed on how the meeting would work and, following a couple of mechanics questions, the meeting began smoothly.

I. APPROVAL OF THE MINUTES OF THE MARCH 12, 2020 MEETING

The Board reviewed the draft Minutes of the March 12, 2020 Special Meeting. On the motion of Director Batth, with the second of Director Singh, the Board unanimously approved the draft Minutes of the March 12, 2020 Special Meeting, as presented. (5-0)

II. FINANCIAL

Assistant Treasurer Trevarrow presented the current log of checks written since the last approved disbursements. He also reviewed with the Board the estimated financial statement for the third quarter of the fiscal year which began July 1, 2019 and provided a budget comparison report for the same quarter showing no notable deviations. He requested that the Board approve/ratify the checks written through March 31, 2020 and accept into the record the estimated financials as presented. On the motion of Director Batth and the second of Director Singh, the Board unanimously ratified the checks written report and accepted the estimated financial report for the third quarter of fiscal year 2019-2020, without further comment. (5-0)

III. GENERAL ADMINISTRATION

1. This item was a report from the General Manager concerning the following items:

Items a) through d) were general information relative to ongoing agency day to day activities. GM Hurley commented on the recently issued Governor's Order regarding the COVID-19 virus and noted that the Governor had authorized modified Brown Act provisions to allow for virtual meetings, as necessary. He further indicated that the Agency staff and the City of Kerman would continue to monitor the situation to determine when the Agency might be able to return to live and in-person meetings again. He advised checking the website for updates as they came available. He announced that the next ACWA Conference had been re-scheduled to be held during the last week of July in Monterey. No indication had been finalized as to whether that would be a live or virtual conference. He then briefly reviewed the status of the BOR Marketing Grant and indicated that there would be a report to the Board from the Geosyntec Team during the June meeting. He then reviewed the status of the application with the Kings Basin Water Authority wherein MAGSA was seeking a full membership position. He indicated that an application had been prepared and submitted. The Advisory Committee considered the application and had recommended approval of the application to the Board of Directors. Unfortunately, the application did not received enough votes to become a full member. MAGSA will remain at the Interested Party status.

2. This item was a report on the proposed MAGSA Policy development process and a recommendation from MAGSA staff and Counsel for an Amendment to the MAGSA Bylaws to accommodate the process. The Board was asked to adopt Resolution 2020-03
A RESOLUTION OF THE MCMULLIN AREA GROUNDWATER SUSTAINABILITY AGENCY AMENDING THE BYLAWS OF THE AGENCY, PREVIOUSLY ADOPTED ON DECEMBER 5, 2018 AS RESOLUTION 2018-05,

TO CLARIFY THE AGENCY POLICY, ORDINANCE AND DIRECTIVE ESTABLISHMENT PROCESS. (Bylaw Section 4.14) On the motion of Director Singh and the second of Director Bath, the Board unanimously adopted Resolution 2020-03 as proposed. (5-0)

3. This item was a report on the status of draft MAGSA Policy documents and a recommendation from MAGSA staff and General Counsel for release of said Policy documents for review and comment as specified in the Amended Bylaws on the following items of proposed MAGSA Policy:

- A. Investment Policy
- B. Accountability and Transparency Policy
- C. Website Privacy Policy
- D. Records Retention Policy
- E. California Public Records Act Policy

On the motion of Director Singh and the second of Director Bath, the Board unanimously voted to release the draft policy documents for public comment in accordance with the newly revised Bylaw provisions. (5-0)

IV.GROUNDWATER SUSTAINABILITY PLAN IMPLEMENTATION

1. This item was a report on the status of the Kings Subbasin GSP implementation and coordination. GM Hurley indicated that the first Implementation milestone for the Subbasin was the timely submittal of the first Annual Report by April 1, 2020, which had been completed and submitted on schedule.

V.DIRECTORS REPORTS

Report from County of Fresno: NTR

Report from Raisin City Water District: Director Rai reported that the RC Board was continuing to work on Phase 2 of the Terranova project extension as well as several additional potential projects.

Report from Mid Valley Water District: NTR

VI.AD HOC COMMITTEES

The “crack” Outreach team (Huell Howser Best in Blue Award winning team) gave the latest information on Outreach efforts and website activity during the previous month.

VII.UPCOMING MEETINGS

MAGSA Board: June 3, 2020
MAGSA Stakeholder: May 20, 2020

MAGSA TAC Committee May 20, 2020
Mid-Valley Water District: TBD
Raisin City Water District: May 19, 2020

VIII. CLOSED SESSION

Vice-Chairman Abercrombie thanked the public for their participation and announced that the Board would be continuing the meeting into a Closed Session to review the following agenda items:

1. Conference with Legal Counsel – Existing Litigation
 - a. Status of litigation pursuant to paragraph (1) of Government Code Section 54956.9(d).
Fresno Sup. Ct. 20CECG00507 - MAGSA v James Irrigation, et al.

REPORT ON CLOSED SESSION

The Board returned from Closed Session and Vice-Chairman Abercrombie announced that the Board had taken no action in the matter discussed.

IX. ADJOURNED TO THE REGULAR JUNE MEETING.

Attest:

Matthew H. Hurley, Board Secretary

Affirmed:

Matt Abercrombie, Vice-Chairman

8:39 AM
06/01/20

McMullin Area Groundwater Sustainability Agency (MAGSA)

Check Detail
April 2020

<u>Type</u>	<u>Num</u>	<u>Date</u>	<u>Name</u>	<u>Account</u>	<u>Paid Amount</u>	<u>Original Amount</u>
Check		04/30/2020		10000 · JPMorgan Chase Bank		-50.00
				65160 · Other Costs	-50.00	50.00
					-50.00	50.00
Bill Pmt -Check	1122	04/03/2020	Ellison	10000 · JPMorgan Chase Bank		0.00
					0.00	0.00
Bill Pmt -Check	1123	04/03/2020	Provost	10000 · JPMorgan Chase Bank		0.00
					0.00	0.00
Bill Pmt -Check	1124	04/03/2020	Ellison	10000 · JPMorgan Chase Bank		-17,585.85
Bill	32856	04/03/2020		62140 · Legal Fees	-17,585.85	17,585.85
					-17,585.85	17,585.85
Bill Pmt -Check	1125	04/03/2020	Provost	10000 · JPMorgan Chase Bank		-32,506.45
Bill	77998	04/03/2020		62150 · Outside Contract Services	-20,017.45	20,017.45
Bill	78002	04/03/2020		62155 · Outside Services - Coordination	-111.00	111.00
Bill	78011	04/03/2020		62155 · Outside Services - Coordination	-730.00	730.00
				62150 · Outside Contract Services	-5,294.00	5,294.00
				62150 · Outside Contract Services	-6,354.00	6,354.00
					-32,506.45	32,506.45
Bill Pmt -Check	1126	04/17/2020	KRCD	10000 · JPMorgan Chase Bank		-5,400.32
Bill	4582	03/31/2020		62120 · Outreach	-3,152.53	3,152.53
				62160 · Program Services	-2,213.36	2,213.36
				65040 · Supplies	-34.43	34.43
					-5,400.32	5,400.32
Bill Pmt -Check	1127	04/17/2020	Water Mgmt	10000 · JPMorgan Chase Bank		-14,436.63
Bill	2020-004	04/17/2020		66000 · Contract Management Services	-12,500.00	12,500.00
				66020 · Contract Business Expense	-1,936.63	1,936.63
					-14,436.63	14,436.63
Bill Pmt -Check	1128	04/24/2020	Provost	10000 · JPMorgan Chase Bank		-8,257.24
Bill	77122	04/24/2020		62150 · Outside Contract Services	-450.54	450.54
				62190 · GSP Development	-6,781.70	6,781.70
Bill	77277	04/24/2020		62155 · Outside Services - Coordination	-1,025.00	1,025.00
					-8,257.24	8,257.24

8:43 AM
06/01/20

McMullin Area Groundwater Sustainability Agency (MAGSA)

Check Detail
May 2020

<u>Type</u>	<u>Num</u>	<u>Date</u>	<u>Name</u>	<u>Account</u>	<u>Paid Amount</u>	<u>Original Amount</u>
Bill Pmt -Check	1129	05/01/2020	Provost	10000 · JPMorgan Chase Bank		-9,895.00
Bill	78535	05/01/2020		62155 · Outside Services - Coordination	-722.00	722.00
				62150 · Outside Contract Services	-3,072.00	3,072.00
				62150 · Outside Contract Services	-6,101.00	6,101.00
					<u>-9,895.00</u>	<u>9,895.00</u>
Bill Pmt -Check	1130	05/07/2020	Provost	10000 · JPMorgan Chase Bank		-15,375.46
Bill	78774	05/07/2020		62150 · Outside Contract Services	-15,375.46	15,375.46
					<u>-15,375.46</u>	<u>15,375.46</u>
Bill Pmt -Check	1131	05/15/2020	Prof-Print	10000 · JPMorgan Chase Bank		-904.60
Bill	103667	05/15/2020		65045 · Outreach Costs	-904.60	904.60
					<u>-904.60</u>	<u>904.60</u>
Bill Pmt -Check	1132	05/15/2020	Water Mgmt	10000 · JPMorgan Chase Bank		-14,640.84
Bill	2020-005	05/15/2020		66000 · Contract Management Services	-12,500.00	12,500.00
				66020 · Contract Business Expense	-2,140.84	2,140.84
					<u>-14,640.84</u>	<u>14,640.84</u>
Bill Pmt -Check	1133	05/28/2020	Ellison	10000 · JPMorgan Chase Bank		-30,217.23
Bill	32973	05/28/2020		62140 · Legal Fees	-18,053.78	18,053.78
Bill	33081	05/28/2020		62140 · Legal Fees	-12,163.45	12,163.45
					<u>-30,217.23</u>	<u>30,217.23</u>