



McMullin Area  
Groundwater Sustainability Agency

**AGENDA**  
**MCMULLIN AREA GROUNDWATER  
SUSTAINABILITY AGENCY  
BOARD OF DIRECTORS  
REGULAR MEETING**  
August 4, 2021

**Note: This Board of Directors meeting will be held live and in person at the regular boardroom of the agency located at:**

**The Kerman Community Center  
15101 Kearney Blvd.  
Kerman, CA 93630**

In addition, in accordance with the extension of 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 and its variants, members of the public may alternatively 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 LIVESTREAM 8/4 at 2:00 PM  
Time: Aug 4, 2021 02:00 PM Pacific Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/85712128829>

Meeting ID: 857 1212 8829

One tap mobile

+13462487799,,85712128829# US (Houston)

+17207072699,,85712128829# US (Denver)

Meeting ID: 857 1212 8829

Find your local number: <https://us06web.zoom.us/u/keBogqAXLL>

Please be sure to mute your telephone during the meeting if you are using the call-in option to minimize interruption.

The Board of Directors welcomes participation in Board meetings. During the Public Comment period, 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 before the Board's consideration of that item. The Board reserves the right to consider any item on 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 upon the call of item III. 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 may be a brief instruction on the order and method that public comment will be received due to the new and modified alternative for virtual participation in the meeting. We will do our best to get everyone heard. We thank you in advance for your understanding and cooperation. It is anticipated that item III, Public Comment will be the only time that public comment will likely be possible.

#### **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. CALL TO ORDER**

2:00 P.M. District Boardroom  
Kerman Community Center  
15101 Kearney Blvd.  
Kerman, CA 93630

#### **II. ROLL CALL**

Matt Abercrombie, Gagan Batth, Don Cameron, Brian Pacheco, Jeevan Singh

#### **III. PUBLIC COMMENT**

Members of the public may address comments to the Board concerning items that are **not** on the day's Agenda. 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 that time. Please limit the time of comments to three minutes or less.

#### **IV. CONSIDER APPROVAL OF MINUTES**

The Board will review and be asked to approve draft minutes for the July 7, 2021 Regular Meeting.

#### **V. FINANCIAL**

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

## VI. GENERAL ADMINISTRATION

1. General Manager Report
  - a) General
  - b) Marketing Grant - Geosyntec Team Report – Update
  - c) Grant Opportunities/Awards
    - 1) Report on Status of current/additional grant opportunities:
      - i) Fresno State - Ongoing
      - ii) BOR Small Scale Grant - Ongoing
      - iii) SWRCB Stormwater Grant – Report on status of the McMullin Expansion Project
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 July 7, 2021 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. **Implementing Rules and Regulations for the McMullin Area Groundwater Sustainability Agency Groundwater Well Metering, Measurement, Monitoring and Construction Policy and Related Policies**
  - B. **Landowner Incentive Program**

## VII. GROUNDWATER SUSTAINABILITY PLAN UPDATE

1. The Board will receive a report on progress made to date in the implementation of planning and design for projects consistent with the goals and objectives contained in the MAGSA GSP and will hear existing and anticipated MAGSA activities and other recommendations relative to the implementation of the GSP.
2. The Board will receive a report on the status of the continued coordination of the Kings Subbasin GSAs.

## VIII. 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/Cameron)
- c) Report from Mid-Valley WD (Singh)

## IX. AD HOC COMMITTEES

The Board will hear reports from the following Ad-Hoc committees:

- a) Outreach (Tufenkjian/Quist/Hurley)

## X. UPCOMING MEETINGS

The next meeting of the MAGSA Board is scheduled for **September 1, 2021**

MAGSA Stakeholder Committee Meeting **TBD**

MAGSA Technical Advisory Committee Meeting **TBD**

Mid-Valley Water District BOD **None scheduled**

Raisin City Water District BOD **August 21, 2021**

## XI. CLOSED SESSION

1. Conference with Legal Counsel – Existing Litigation
  - a. Status of litigation pursuant to paragraph (1) of Government Code Section 54956.9(d).  
Ventura Sup. Ct. Case no. 56-2020-00545406-CU-WM-VTA - MAGSA v James Irrigation, et al.
2. Conference with Legal Counsel – Anticipated Litigation
  - a. Significant exposure to litigation pursuant to paragraph (2) of Government Code Section 54956.9(d): (One potential case)
3. Conference with Real Property Negotiators [Government Code Section 54956.8]
  - a. Property: 19745 W. Belmont Avenue, Kerman
  - b. Agency Negotiator: General Manager
  - c. Negotiating Parties: Agency and Landowner
  - d. Under Negotiation: Terms of potential ground lease
4. Conference with Real Property Negotiators [Government Code Section 54956.8]
  - a. Property: Open Land, NW Agency area
  - b. Agency Negotiator: General Manager
  - c. Negotiating Parties: Agency and Landowner Rep
  - d. Under Negotiation: Terms of potential groundwater lease/forbearance

## XII. REPORT ON CLOSED SESSION

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

## XIII. ADJOURNMENT

Adjourn to the next Regular Meeting on **September 1, 2021**, 2:00 P.M., Boardroom of the Agency or as otherwise directed by the Board.

**The Plan is Working, Work the Plan!**

- ❖ 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