



McMullin Area
Groundwater Sustainability Agency

AGENDA
**MCMULLIN AREA GROUNDWATER
SUSTAINABILITY AGENCY
BOARD OF DIRECTORS
REGULAR MEETING**
June 7, 2023

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

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

In addition, in furtherance of the Agency's encouragement of proactive protections, including social distancing directives, and because 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 written comment on any subject appearing on this Agenda.

ZOOM DETAILS

Topic: June 7, 2023, MAGSA Board Meeting Livestream
Time: June 7, 2023, 02:00 PM Pacific Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/88520647167>

Meeting ID: 885 2064 7167

One tap mobile

+16699006833,,88520647167# US (San Jose)

+16694449171,,88520647167# US

Dial by your location

+1 669 900 6833 US (San Jose)

Meeting ID: 885 2064 7167

Find your local number: <https://us02web.zoom.us/u/kdDovKpmAa>

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** on the agenda. However, California Law prohibits the Board from acting 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 issues for each individual speaker. Public comments are encouraged.

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, Don Cameron, Jonathan DeGroot, Ariel Namvar, Brian Pacheco

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 May 3, 2023, Regular Meeting.

V. FINANCIAL

1. The Board will review and authorize/ratify payment of financial obligations of the Agency from the last approved actions.
2. The Board will review a draft estimated financial statement for the Agency for the third quarter of the fiscal year (2022-2023) for the period ending March 31, 2023.

3. **PUBLIC HEARING** – MAGSA Property Related Fee Renewal

- a) The Chairman will open the Public Hearing to allow for testimony by the public on the topic of the renewal of the \$19.00/acre real property related fee currently being assessed for an additional five (5) year period. The data required for the review of the proposed property related fee renewal has been made available during the review period on the MAGSA website. The Public Hearing is being conducted in accordance with California Constitution Article XIII D, Section 6 and California Water Code section 10730(b). During the Public Hearing, the Agency will continue to accept Protest documents meeting the requirements set forth in the Hearing notice.
 - b) Once all comments from the public have been received, the Chair will close the Public Hearing, at which point the opportunity to file compliant Protest documents will end and Protest document counts will begin, as necessary.
4. The Board will receive a report on the status of the tally of the Protests received during the opportunity period for filing of the same, including the period of the conduct of the Public Hearing just completed. Should the results of the tally indicate that more than fifty percent (50%) of the eligible votes has been cast in opposition to the renewal of the property related fee, the Board will take no further action on the results and the property related fee will not be renewed at this time. Should the results of the tally indicate that the number of votes cast in opposition to the renewal of the property related fee has failed to reach a simple majority in number, the Board will receive a recommendation from MAGSA staff and General Counsel for adoption of the draft Resolution in the form before the Board, or with such other modification, addition or action as further directed by the Board, on the following item:
- a) **Resolution 2023-01: RESOLUTION OF THE MCMULLIN AREA GROUNDWATER SUSTAINABILITY AGENCY FOR THE ADOPTION AND IMPOSITION OF A PROPERTY-RELATED FEE (FEE RENEWAL) UPON PARCELS LOCATED WITHIN THE MCMULLIN AREA FOR THE PURPOSE OF FUNDING ADMINISTRATIVE AND PROGRAM SERVICES NECESSARY TO COMPLY WITH THE REQUIREMENTS OF THE SUSTAINABLE GROUNDWATER MANAGEMENT ACT OF 2014 (WATER CODE §§ 10720 ET SEQ.)**
5. The Board will review and consider a draft agreement with the County of Fresno Tax Collector's office for the continuation of services associated with the inclusion of the collection of the newly renewed property related fee (if appropriate) for the next relevant period on the Annual Secured Property Tax billing and will receive a recommendation from staff and Counsel for authorizing the execution of the final form

of the agreement by the General Manager consistent with the requirements therefor and Resolution 2023-01.

6. The Board will receive a draft of the proposed Agency Budget for the 2023-2024 fiscal year.

VI. GENERAL ADMINISTRATION

1. General Manager Report
 - a) General
 - b) Status of Water Bank Environmental Review and Engineering
 - c) MAGSA NRCS EQIP Funding and Meter and Telemetry Opportunities update.
 - d) Bureau of Reclamation WaterSMART award update.
 - e) Other Grants/ Opportunities/Awards
 - 1) Report on Status of current/additional grant opportunities:
 - i) SWRCB Stormwater/NRCS Recharge grant(s) – Report on status of the McMullin Expansion Project Environmental and Engineering

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 (DeGroot/Cameron)
- c) Report from Mid-Valley WD (Namvar)

IX. AD HOC COMMITTEES

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

- a) Outreach (Hardy/Tufenkjian)

X. UPCOMING MEETINGS

The next meeting of the MAGSA Board is scheduled for **July 5, 2023**

Kings Subbasin GSA Coordination Committee	June 16, 2023
MAGSA Stakeholder Committee Meeting	June 2023 (Tent.)
MAGSA Technical Advisory Committee Meeting	June 2023 (Tent.)
Mid-Valley Water District BOD	TBD
Raisin City Water District BOD	June 20, 2023

XI. CLOSED SESSION

1. 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)
2. Conference with Legal Counsel – Existing Litigation - Government Code Section 54956.9(d):
 - a. James Irrigation District v McMullin Area GSA, Santa Clara County Superior Court

XII. REPORT ON CLOSED SESSION

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

XIII. ADJOURNMENT

Adjourn to the next Regular Meeting on **July 5, 2023**, 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 agency 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.