



# **MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE MCMULLIN AREA GROUNDWATER SUSTAINABILITY AGENCY April 5, 2023**

The Board of Directors of the McMullin Area Groundwater Sustainability Agency met in the Kerman Community Center boardroom for a live and in-person meeting and provided additional public streaming access to the boardroom of the Agency, via Zoom meeting protocols and Owl audio and video, on Wednesday, April 5, 2023 at the hour of 2:00 P.M.

Chairman Cameron presided and General Manager/Secretary Hurley kept the Minutes.

**DIRECTORS PRESENT:** Matt Abercrombie  
Don Cameron  
Brian Pacheco  
Jonathon DeGroot

**DIRECTORS ABSENT:** Ariel Namvar

**OTHERS PRESENT:** Matthew H. Hurley – General Manager/Secretary  
Cristel Tufenkjian – Deputy General Manager  
Shawnda Grady, General Counsel (remote)  
Alison Lechowicz, Lechowicz & Tseng Municipal Consultants  
(remote)  
Lynn Groundwater, Provost and Pritchard  
Rebecca Quist, Provost and Pritchard  
Manny Amorelli, James ID  
Geoff Vanden Heuvel (remote)

Chairman Cameron called the meeting to order at 2:01 P.M.

Chairman Cameron asked if the Public had any comment. Geoff Vanden Heuvel commented on the appointment of Deputy General Manager Cristel Tufenkjian.

### **APPROVAL OF THE MINUTES OF THE MARCH 1, 2023 REGULAR MEETING**

The Board reviewed the draft Minutes of the March 1, 2023 Regular Meeting. On the motion of Director Abercrombie, with the second of Director DeGroot, the Board unanimously approved the draft Minutes of the March 1, 2023 Regular Meeting, as presented. (4-0-1)

### **FINANCIAL**

1. GM Hurley presented the current log of checks written since the last approved disbursements. He requested that the Board approve/ratify the checks written through March 31, 2023. On the motion of Director Abercrombie, with the second of Director DeGroot, the Board unanimously ratified the checks written through March 31, 2023. (4-0-1)
2. The Board received a report on the activity in the last month relative to the anticipated renewal of the Proposition 218 assessment. GM Hurley recommended that a public hearing be set for June 7 for the consideration of the Proposition 218 land-based fee renewal for the next 5-year period. Hurley stated that a notice will be mailed 45 days prior to the hearing to landowners informing them about the 218 fee and the public hearing. Hurley stated that the Fee Study will be posted on the website for public viewing.

On the motion of Director Abercrombie, with the second of Director Pacheco, the Board set the date of June 7 at 2:00 PM for the public hearing date for consideration of the Proposition 218 land-based fee renewal for the next 5-year period. (4-0-1)

### **GENERAL ADMINISTRATION**

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

Item a.) A general information report relative to ongoing agency day-to-day activities. GM Hurley commented that the Kings Subbasin Annual Report was submitted to the State. b.) through d.), GM Hurley reviewed the ongoing progress on the water banking project development and environmental noting that the final properties for the Cultural Resources Survey will be completed in the next few weeks. Hurley reported that landowners are being notified regarding the status of the 2022 batch dedicated MAGSA EQIP program funding applications. He reported that \$985,000 of the \$1,000,000 grant funds were awarded. Hurley reported that he anticipates hearing back soon on the WaterSmart grant for metering and telemetry.

## **GROUNDWATER SUSTAINABILITY PLAN IMPLEMENTATION**

1. The Board received a report from GM Hurley on the status of the continued coordination of the Kings Subbasin GSAs. He reported that the Kings Subbasin (and MAGSA as a member) had been recommended for approval of its Groundwater Sustainability Plans by the DWR. He reported that discussions continue within the subbasin around a well mitigation program. He stated the Fresno State grant that is gathering cropping data within MAGSA will be used to cross reference MAGSA's portion of the Kings Subbasin sustainable yield allocation. Discussions followed regarding allocations within individual GSAs and grower incentives to participate in on-farm recharge.

### **IV. DIRECTORS REPORTS**

Report from County of Fresno: Director Abercrombie reported that progress continues to be made on the possible annexation of the white area into one or the other of the Water Districts.

Report from Raisin City Water District: Director Cameron provided an update on the McMullin On-Farm Recharge Project. Director DeGroot reported that the annexation is a priority topic for Raisin City Water District.

Report from Mid Valley Water District: No report.

### **V. AD HOC COMMITTEES**

Rebecca Quist reported on the latest information on Outreach efforts and website activity during the previous month. Of major note was the media attention around the McMullin On-Farm Flood Capture Project and the April 27 Prop 218 webinar.

### **VI. UPCOMING MEETINGS**

MAGSA Board	May 3, 2023
Kings Subbasin GSA Coordination:	April 21, 2023
MAGSA Stakeholder:	May 2023 (Tent.)
MAGSA Technical Advisory:	May 2023 (Tent.)
Mid-Valley Water District:	TBD
Raisin City Water District:	April 25, 2023

### **VII. CLOSED SESSION**

Chairman Cameron explained to the public and announced that the Board would be re-convening the meeting into a Closed Session to review the following agenda items:

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, Fresno Superior Court

**3. REPORT ON CLOSED SESSION**

The Board returned from Closed Session and Chairman Cameron announced that the Board had taken no action during the Closed Session discussions.

**4. ADJOURNED TO THE REGULAR May 3, 2023 MEETING.**

Attest:

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Matthew H. Hurley, Board Secretary

Affirmed:

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Don Cameron, Chairman