

RAISIN CITY WATER DISTRICT BOARD OF DIRECTORS

SPECIAL MEETING

MINUTES

Meeting Date:
Thursday, February 25, 2021
2:30 p.m.

Meeting Location:

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact Randy Hopkins at (559) 449-2700. Notification in advance of the meeting will enable Raisin City Water District to make reasonable arrangements to ensure accessibility to this meeting.

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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 threat of the COVID-19 virus, the Board of Directors of the Raisin City Water District 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 via Microsoft Teams.

Directors Present: Gere Gunlund
Don Cameron
Gagan Batth
Jonathon DeGroot
John Verwey

Others Present: Randy Hopkins, Provost & Pritchard Laurie Sales, Provost & Pritchard
John Kinsey Lynn Groundwater, Provost & Prichard
Philip Bachand, Bachand and Associates
Scott Marshall Roy Jimenez
Glenn Allen Matt Hurley
Jerry Rai Esben Smith
Marjorie Bookout Jeanne Harguindeguy
Keitasha Royal Mariane Harguindeguy
Martin Britz Yvonne Harguindeguy
Roger Lehman Matt Abercrombie

Mr. Gunlund called the meeting to order at 2:31 pm

1. APPROVAL OF AGENDA (Gunlund)

No changes.

2. PUBLIC COMMENT (Gunlund)

The first fifteen minutes of this portion of the meeting are reserved for members of the public to address the Board of Directors. Speakers shall be limited to three minutes. Speakers will be asked to identify

themselves and state the subject of their comment. The Board is prohibited by law from taking any action on matters discussed that are not on the Agenda, and no adverse conclusions should be drawn if the Board does not respond to public comment at this time.

None noted.

3. POTENTIAL CONFLICTS OF INTEREST (Gunlund)

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

None noted.

4. McMULLIN RECHARGE PROJECT (Kinsey)

- A. Discussion / Possible Action regarding the Draft Memorandum of Agreement between the Raisin City Water District and the McMullin Area Groundwater Sustainability Agency to collectively develop the project.

Mr. Kinsey made some comments on the MOA which was distributed before the meeting. It discusses the projects and funding. Mr. DeGroot questioned Sections 2.8 and 2.9 concerning cooperation and whether the District would be limiting themselves in the future. Mr. Kinsey noted the MOA is for cooperation and does not discuss the power or authority for water deliveries. Mr. Cameron stated his understanding is that it spells out that future agreements will be drafted to cover other issues. Mr. Batth expressed he would like to see some of these ideas included before entering into the agreement. Mr. Kinsey explained that if one party becomes uncooperative, it would provide the other party legal protection. It still requires ongoing cooperation.

Mr. Batth asked who the owner of the canal system and infrastructure would be, his opinion is that if the facility is in the District it should be owned by the District. Mr. Hopkins noted that the agreement does not address ownership, and that agreement would be in the future.

Mr. Hurley indicated he expects that MAGSA would be agreeable to the edits made by Raisin City legal counsel.

Mr. DeGroot made a motion to approve and accept the MOA with the edits made by legal counsel. The motion was seconded by Mr. Cameron.

Public comment –

Mr. Rai – Expressed his opinion that Mr. Cameron should recuse himself from the discussion. He thinks it is mandatory that Raisin City should be the owners. He felt that Raisin City should do their own Prop 218 instead of receiving reimbursement from MAGSA.

Mr. DeGroot's reply was that receiving grant money is preferable than putting all of this on the farmers. Mr. Kinsey stated that it would be difficult to add too much to this MOA because it would be speculative. More information and study are needed before agreements can be fine-tuned.

Mr. Batth asked Mr. Hurley how he thinks ownership will play out. He explained that landowner would own the land under the system, through easements. But RCWD would be able to build infrastructure that connects to the main system. He went on to say it would be beneficial to all the landowners.

Mrs. Harquindegy said it is a good discussion on who owns the project. But it would be better to use the grant money and move forward. We have been waiting 20 years for surface water.

Mr. DeGroot asked that the motion be heard. The vote was as follows:

No – Mr. Bath

Yes – Mr. Cameron, Mr. DeGroot, Mr. Verwey, Mr. Gunlund

The motion passed.

The MOA with edits will be sent to MAGSA.

5. CLOSED SESSION (*Gunlund/Kinsey*)

- A. Conference with Legal Counsel—Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9

The board moved into closed session at 3:15pm

The Board returned from Closed session at 3:40. There were no reportable actions.

6. NEXT REGULAR MEETING (*Hopkins*)

- A. Discussion / possible action regarding the date of the scheduled regular meeting of the Board of Directors, currently scheduled for March 16, 2021.

7. ADJOURNMENT (*Gunlund*)

The meeting was adjourned at 3:41pm.