

Minutes

KINGS RIVER CONSERVATION DISTRICT
Board of Directors Meeting

Date: December 13, 2022 – Tuesday
Time: 1:30 p.m.
Location: 4886 E. Jensen Avenue, Fresno, CA 93725

DIRECTORS PRESENT

Paul Stanfield, President
Chris Kapheim
Ceil W. Howe, Jr.
Mike Yoshimoto
Mark C. McKean
Anthony Nonini

DIRECTORS ABSENT

Division 7- Vacant

OTHERS PRESENT

KRCD Staff
David Merritt
Brian Trevarrow
Charlotte Gallock
Cristel Tufenkjian
Pawan Niroula
Sandra Soares
Danny Adams
Corey McLaughlin

Consultants & Others
Steve Haugen (KRWA)
Rick Stone (RHS Consulting)
Fausto Hinojosa (Price Paige & Company)

1. CONVENE

President Stanfield called the meeting to order at 1:30 p.m.

2. Oath of Office

The District's Notary Public – Sandra Soares – administered the Oath of Office to three Directors: Division 1 – Chris Kapheim; Division 3 – Anthony Nonini; and Division 5 – D. Paul Stanfield.

3. Additions to or Deletions from the Agenda

None.

4. Public Presentations or Comments

None.

5. Appointment of KRCD Board President

It was moved by Director Yoshimoto, seconded by Director Kapheim, and unanimously carried, pursuant to Sections 59-9 and 59-10 of the District Act, to appoint Director D. Paul Stanfield as President for a term of two (2) years.

(AYES: President Stanfield, Directors McKean, Howe, Kapheim, Nonini, and Yoshimoto -NOES: None, -ABSENT: Division 7 - Vacant)

6. Appointment of KRCD Board Vice President

It was moved by Director Howe, seconded by Director McKean, and unanimously carried, pursuant to Sections 59-9 and 59-10 of the District Act, to appoint Director Chris Kapheim as Vice President for a term of two (2) years.

(AYES: President Stanfield, Directors McKean, Howe, Kapheim, Nonini, and Yoshimoto -NOES: None, -ABSENT: Division 7 - Vacant)

7. Appointment of General Manager and District Officers

It was moved by Director Howe, seconded by Director Yoshimoto, and unanimously carried, pursuant to Section 59-12 of the District Act, to reaffirm the appointments of the District's: General Manager and Secretary – David Merritt; Assistant Secretary – Corey McLaughlin; and Auditor – Brian Trevarrow.

(AYES: President Stanfield, Vice President Kapheim, Directors McKean, Howe, Nonini, and Yoshimoto -NOES: None, -ABSENT: Division 7 - Vacant)

8. Board Vacancy - Planning

The Board discussed matters related to the Board Vacancy created by the death of Division 7 Director David Cehrs, PhD on December 1, 2022, which the Board was informed of on December 2, 2022.

It was moved by Director Kapheim, seconded by Director Howe, and unanimously carried that the Board, pursuant to Government Code Section 1780, will seek to make its own appointment of a Director to complete the Division 7 Director's term (expires end of November 2024).

(AYES: President Stanfield, Vice President Kapheim, Directors McKean, Howe, Nonini, and Yoshimoto -NOES: None, -ABSENT: Division 7 - Vacant)

It was moved by Director Yoshimoto, seconded by Director Howe, and unanimously carried to appoint an Ad Hoc Committee for purposes of seeking and vetting candidates for appointment to the Division 7 Director seat, with the members being: Directors Kapheim, McKean, and Nonini.

(AYES: President Stanfield, Vice President Kapheim, Directors McKean, Howe, Nonini, and Yoshimoto -NOES: None, -ABSENT: Division 7 - Vacant)

9. Memorial Contribution on Behalf of Director Dr. David Cehrs, PhD

It was moved by Director Kapheim, seconded by Director McKean, and unanimously carried to make a \$100.00 donation on behalf of Dr. Cehrs to the Fresno State Geology Department's "David Cehrs Memorial Scholarship" fund.

(AYES: President Stanfield, Vice President Kapheim, Directors McKean, Howe, Nonini, and Yoshimoto -NOES: None, -ABSENT: Division 7 - Vacant)

10. Employee Recognition for Years of Service

The following employees were recognized before the Board for their Years of Service Milestones:

Sandra Soares – 15 Years of Service

Danny Adams – 40 Years of Service

11. Presentation and Approval of Audit Report for Fiscal Year 2021 – 2022

Fausto Hinojosa of Price Paige & Company presented a report of the audit for Fiscal Year July 1, 2021 through June 30, 2022, and addressed Directors' questions with input from Staff as needed.

It was moved by Director Howe, seconded by Director McKean, and unanimously carried to receive and approve the Audit Report for Fiscal Year 2021 – 2022.

(AYES: President Stanfield, Vice President Kapheim, Directors McKean, Howe, Nonini, and Yoshimoto -NOES: None, -ABSENT: Division 7 - Vacant)

12. Weather Modification

Richard Stone, of RHS Consulting, reported on the current weather conditions and forecast, and provided information on the ground generators in use, as well as flights made, during seeding actions.

13. Water Conditions

The Kings River Water Association Water Master, Steve Haugen, reported on water storage on the Kings River System, inflow and outflow at Pine Flat Reservoir, and the available flood control space on the system. Directors' questions were addressed.

14. Directors' Reports

Directors Kapheim, Yoshimoto, and McKean reported on their attendance at the ACWA Fall Conference over the dates of November 28, 2022 through December 1, 2022. Director Kapheim further reported on his attendance at the ACWA-JPIA Board Meeting.

15. Approval of Minutes

It was moved by Director Howe, seconded by Director McKean, and unanimously carried that the Minutes of the November 8, 2022 Regular Meeting be approved.

(AYES: President Stanfield, Vice President Kapheim, Directors McKean, Howe, Nonini, and Yoshimoto -NOES: None, -ABSENT: Division 7 - Vacant)

16. Business Operations Report (Trevarrow)

Brian Trevarrow provided the Board with a financial position update; the November 2022 Fund Statements; and overall District administrative updates, including the file management improvement project currently underway; David Merritt contributed information as needed. Directors' questions were addressed.

It was moved by Director McKean, seconded by Director Howe, and unanimously carried that bills in the amount of \$942,734.02, as presented in the Schedule of Disbursements and Current Accounts Payable, be approved and ordered paid.

(AYES: President Stanfield, Vice President Kapheim, Directors McKean, Howe, Nonini, and Yoshimoto -NOES: None, -ABSENT: Division 7 - Vacant)

17. Water Resources Report (Gallock)

Charlotte Gallock, with input from David Merritt, provided the Board with an update on matters related to the Fisheries Management Program; Kings River Water Quality Coalition; the Kings Water Alliance; Sustainable Groundwater Management Act and Groundwater Sustainability Agency matters. Directors' questions were addressed.

18. Flood Operations & Maintenance Report (Gallock)

Ongoing grant project status updates were provided. Directors' questions were addressed.

19. Power Resources Report (Niroula)

Pawan Niroula, with input from David Merritt, provided the Board with an update on Pine Flat operations and maintenance, FERC renewal, and Unit 4 progress updates. Directors' questions were addressed.

20. External Affairs and Legislative Matters (Tufenkjian)

Cristel Tufenkjian presented information on the outreach program for Kings Water Alliance that was the source of KRCD receiving a second Huell Howser Excellence in Communication Award at the ACWA Fall Conference 2022. Directors' questions were addressed. David Merritt also updated the Board on Legislative/Advocacy matters of note.

21. General Manager's Report (Merritt)

David Merritt noted certain information in the GM's written report, as well as information regarding other matters not already addressed in other reports. Of specific note was the new Ordinance in Kings County related to groundwater movement restrictions; review of previous studies on and ongoing conversations regarding utilization the after-bay at Pine Flat; and progress on conversations/developments regarding potentially raising Pine Flat Dam. Directors' questions and comments were addressed.

ACTION ITEMS

22. Approval of Conflict of Interest Code

The Board received information from Brian Trevarrow regarding changes made to the District Conflict of Interest Code, and the process followed to comply with the requirements of the Fair Political Practices Commission, including a timeframe provided for staff to offer comments and/or request a public hearing. No comments or requests for public hearing were received.

It was moved by Director Howe, seconded by Director Yoshimoto, and unanimously carried to adopt the Conflict of Interest Code as presented.

(AYES: President Stanfield, Vice President Kapheim, Directors McKean, Howe, Nonini, and Yoshimoto -NOES: None, -ABSENT: Division 7 - Vacant)

23. Approval of Employee Handbook

The Board received information regarding revisions to the KRCD Employee Handbook. It was noted that a further proposed change would be to refer to the retirement plan as the "VOYA Plan" rather than "VOYA Pension Plan," as a more accurate representation of what it is.

It was moved by Director Kapheim, seconded by Director Yoshimoto, and unanimously carried to adopt the proposed Employee Handbook, with the addition noted change of "VOYA Plan."

(AYES: President Stanfield, Vice President Kapheim, Directors McKean, Howe, Nonini, and Yoshimoto -NOES: None, -ABSENT: Division 7 - Vacant)

24. Next Meeting Date and Agenda Items

The next regular meeting is scheduled for 1:30 p.m. on January 10, 2023 at the District Office. The Board was made aware of several other meeting dates and times of importance, as follows:

- **January 10, 2023** at 11:30 a.m. – Special Meeting for Brown Act Training
- **January 24, 2023** at 1:30 p.m. – Special Meeting for Appointing a Director to fill the Division 7 Vacancy

- **February 14, 2023** at 11:00 a.m. – Special Meeting for Mandatory Sexual Harassment Prevention Training
- **February 14, 2023** at 1:30 p.m. – Regular Board Meeting

ADJOURNMENT

There being no further business, President Stanfield adjourned the meeting at 3:27 p.m.

Board Secretary

Approved on _____, 2023

Board President

KINGS RIVER CONSERVATION DISTRICT
 Schedule of Disbursements and Current Accounts Payable
 Presented December 13, 2022
 (For Expenditures in the Month Ending November 30, 2022)

Director's Payroll	11/08/22	2,847.38	
Employee Payroll	11/09/22	108,103.95	
Employee Payroll	11/23/22	109,042.09	
			219,993.42
Accounts Payable (KRCD)		576,673.60	576,673.60
	Sub-Total		796,667.02
Ready-Tax Electronic Funds Transfers:			
Employee Tax Deposits	11/02/22		48,720.59
Director's Tax Deposits	11/11/22		1,137.25
Employee Tax Deposits	11/16/22		48,504.81
Employee Tax Deposits	11/30/22		47,704.35
	TOTAL		<u>942,734.02</u>