

Kings River East Groundwater Sustainability Agency
Regular Board Meeting
Agenda

City of Dinuba – Council Chambers
405 East El Monte Way, Dinuba, CA 93618
May 18, 2017
2:00 p.m.

1. Call to Order

2. Pledge of Allegiance

3. Potential Conflicts of Interest

3.1 Any Director who has potential conflict of interest may now identify the Agenda item and recuse himself or herself from discussing and voting on the matter (FPPC §87105).

4. Public Comment

4.1 Public will be given up to three minutes (3 min) to address the Board of Directors on any item not on the agenda but within the subject matter of the Board's jurisdiction. Board of Directors is prohibited from taking action on public comments and as appropriate, matters raised during this period may be referred to appropriate parties or added to the agenda of an upcoming Board meeting (Gov. Code § 54954.3(a)).

5. Additions to or Deletions from the Agenda

6. Review/Approval of Board Meeting Minutes

6.1 Review and approve minutes of April 20, 2017 meeting

Insert 6.1

7. Communications

7.1 Review and consider for action communications received during the prior month

8. Board of Director Reports – Discuss and Consider for Action

8.1 Report(s) by Director(s) on event(s) attended during the prior month

9. Consent Calendar Items – Take Action

None

10. Other Board Items – Take Action

10.1 Groundwater Sustainability Plan Professional Services – Review statement of qualifications and select a consultant to provide technical services to Kings River East GSA for compiling information from member agencies and developing a GSP.

10.2 Prop 26 Professional Services – Review statements of qualifications and select a consultant to provide professional services to Kings River GSA for establishing a fee structure to pay for developing a GSP and initial operating costs.

Insert 10.2

10.3 Payables – Review and approve payment of the April 2017 invoices **Insert 10.3**

10.4 Advisory Committee – Discuss and approve members to an Advisory Committee assisting the Board with developing policy recommendations for complying with the Sustainable Groundwater Management Act (SGMA). **Insert 10.4**

10.5 Liability Insurance – Discuss obtaining liability insurance from ACWA JPIA.

10.6 Development Activity – Update Board on proposed schools within Dinuba Unified School District and Kings Canyon Union School District, and direct staff to prepare comment letters.

10.7 California Supreme Court Cases – Review for possible action status of California Supreme Court cases regarding imposing of fees pursuant to SGMA.

11. Groundwater Sustainability Activities – Review for Possible Action

11.1 Sustainable Groundwater Management Act (SGMA) Update

11.2 Kings Basin coordination and hydrogeological investigations

11.3 DWR's Best Management Practices

12. Future Agenda Items(s) – No Action

13. Adjournment

Notes:

1. In compliance with the Americans with Disabilities Act of 1990, requests for special assistance to attend or participate in this meeting should be made to the City of Dinuba (559-315-5137) at least 48 hours in advance of the public meeting to enable the City to make reasonable accommodations.
2. Public records relating to an agenda item are available for public review, after posting of the agenda, in the lobby of City Hall for the City of Dinuba, which is located at 405 East El Monte Way, Dinuba, CA 93618, during regular business hours.

AFFIDAVIT OF POSTING

I, B. Lynn Wooten, AID-Executive Assistant, on behalf of the Kings River East Groundwater Sustainability Agency, hereby certify that I posted a copy of the foregoing agenda in the lobby of the City of Dinuba at 405 East El Monte Way, Dinuba, CA 93618, at least seventy-two (72) hours prior to the meeting, in accordance with Govt. Code §54954.2(a).

May 12, 2017

B. Lynn Wooten

Kings River East Groundwater Sustainability Agency

Board Meeting Minutes

City of Dinuba – Council Chambers
405 East El Monte Way, Dinuba, CA 93618
April 20, 2017

1. **Call to Order:** The Board Meeting was called to order by Chair S. Worthley at 2:07 P.M.
2. **Pledge of Allegiance:** Chair S. Worthley commenced with the Pledge of Allegiance, then stated that this meeting would be recorded. There were no objections to the recording and the meeting was then brought to order.

Those in attendance were: County of Tulare, Chair Steven Worthley; Cities, Vice-Chair Mary Fast; County of Fresno, Ernest "Buddy" Mendes; Irrigation/Water Districts, Alternate Jack Paxton; Alta Irrigation District, Jack Brandt; Drinking Water Districts, Fernando Rubalcaba; and Production Ag, Steve Boos. Also in attendance: Alta Irrigation District, General Manager Chad Wegley; Attorney Lauren Layne and Alta Irrigation District Controller Irma Faria.

3. **Potential Conflicts of Interest:** No potential conflicts of interest were given.
4. **Public Comments:** No public comments were given.
5. **Additions to or Deletions from the Agenda:** No additions or deletions from the agenda given.
6. **Review/Approval of Stakeholder Board Meeting Minutes:** It was **M/S/C unanimously by Vice Chair M. Fast/F. Rubalcaba, J. Paxton abstaining;** to approve the March 16, 2016 Board Meeting Minutes as written.
7. **Communications:** C. Wegley stated that no communications were received since the last Board meeting.
8. **Board of Director Reports:** No Board of Director reports given.
9. **Consent Calendar Item(s):** No consent calendar items given.
10. **Other Board Items:**

10.1 Hydrogeological Professional Services: Attorney L. Layne handed out the agreement, which had been signed by the Dr. Schmidt. L. Layne then briefly went over the agreement with Board and added that Exhibit A and Rates pages were added to the agreement. These rates may be subject to change as consultants typically revise their fees annually. B. Mendes commented that the Board should approve a rate schedule for a calendar year and then negotiate, annually, a revised rate schedule with Kenneth D. Schmidt and Associates. B. Mendes also mentioned that negotiating revised rates schedules on an annual basis is common practice when scope of work is not clearly defined. It was **M/S/C unanimously by B. Mendes/J. Brandt,** to approve agreement.

Insert 11A

10.2 Prop 26 Professional Services: L. Layne stated that she contacted, various Prop 26 Consultants, such as, MBS, Raftelis and a few others; interested companies spoke to C. Wegley and were asked to submit a statement of qualifications (SOQ). C. Wegley advised that this item be carried over to next meeting, as

there wasn't adequate time to review SOQs and provide a recommendation to the Board. L. Layne agreed with C. Wegley and added that she would like to go over rates and analyze the proposals before further discussion and approval by the Board. It was **M/S/C unanimously by F. Rubalcaba/Vice-Chair M. Fast**, to hold this item until the next board meeting to allow more time for review and analysis of the SOQs.

10.3 Bylaws: It was stated by L. Layne, that nothing was added or changed to draft By-Laws circulated at last month's Board meeting. Since additional comments were not provided by respective legal councils of the agencies/organizations represented by the Board, L. Layne asked if Board members had any questions or comments. Bylaws were reviewed by the Board a final time and as there were no additions or deletions to the Bylaws, it was then **M/S/C unanimously by S. Boos/F. Rubalcaba**. to accept the Bylaws as written. **Insert 12A**

10.4 Conflict-of-Interest Code: I. Faria mentioned that the comment period for the Conflict-of-Interest Code (CIC) expired and no comments were received. L. Layne commented on the Fair Political Practices Commission and why KRE-GSA is required to have a CIC; she mentioned it is a standard requirement for public agencies and advised that it be accepted today. It was **M/S/C unanimously by B. Mendes/J. Brandt**, to adopt this Conflict-of-Interest-Code at this board meeting today. **Insert 12B**

10.5 Payables: C. Wegley proceeded to go through the invoices and answer questions from the Board. L. Layne added to note for the future, her invoices will be summarized for the public only and that the itemized invoices would go to the Board members only. It was **M/S/C unanimously by B. Mendes/Vice-Chair M. Fast** to accept the payables for this period. **Insert 12C**

10.6 Advisory Committee: C. Wegley explained that various candidates expressed interest in serving on this committee and asked to postpone appointments now, as additional vetting was needed before making a recommendation to the Board. He asked Vice-Chair M. Fast if she knew of candidates, with a city perspective, who might be interested in serving on this committee. Vice-Chair M. Fast will advise and give C. Wegley a list of names. It was **M/S/C unanimously by B. Mendes/J. Paxton** to have C. Wegley provide a list of candidates for appointments at the next Board meeting.

10.7 Technical Committee: C. Wegley went over the members participating in this committee since its inception and explained that those same members were recommended for appointment. B. Mendes explained that Augie Ramirez will be replaced by Bernard Jimenez. It was **M/S/C unanimously by B. Mendes/J. Paxton** to accept this list of names as the members, as amended, to the Technical Committee. **Insert 12D**

10.8 California Supreme Court Cases: L. Layne advised that there were no relevant Supreme Court cases on the docket for May and hopes that there will be in June. There was one, Third District Appeal Court case reaffirming that a reclamation can assess fees. Since there were no further comments this discussion ended.

11. Groundwater Sustainability Activities – Review for Possible Action

11.1 SGMA Update: C. Wegley advised to discuss, 11.1 through 11.3 together as they are all interrelated. He went on to state there's nothing new to report on SGMA.

11.2 Kings Basin Coordination & Hydrogeological Investigations:

The boundaries should be resolved soon and C. Wegley will follow-up with Kaweah Delta. If a county is one of the overlapping entities then the State can declare a basin in probation. A county must take affirmative action to have control, however, this is not what SGMA says. L. Layne stated that Exchange Contractors are in the process of forming a special act district and are advancing this effort by way of Senate Bill 372, which was modeled directly after KRE-GSA senate bill. KRE-GSA continues to coordinate with others in the basin and Provost & Prichard is leading this effort with the other groundwater sustainability agencies in the Kings Subbasin. The other groundwater sustainability agencies have paid their portion of money associated with the initial coordination efforts. L. Layne added that there are moves by certain Legislators to speed-up time lines for two bills, Assembly Bill 321 (Mathis) and SB 252 (Dobbs), and such amendment would put our Plan in jeopardy. So far, these are the only two bills. L. Layne also advised the Board to expect more amendments, especially during the "11th hour."

11.3 DWR's Best Management Practices

Chair S. Worthley stated that this year's storms brought significant quantities of rainfall, which was welcome, but the timing of these events forced many reservoirs to operate in a flood release regime to protect dams. He also mentioned that there are so many opportunities this year to consider future dams and the Temperance Flats Study is a good argument for a new dam. There was no further discussion on these items.

12. **Future Agenda Items(s):** No future agenda items were given.

13. **Adjournment:** There being no further items to discuss, the meeting was adjourned by Chair S. Worthley at 3:25 P.M. until the next scheduled meeting on May 18, 2017.

Signed:



Jack Brandt
Secretary

CW:lw

Kings River East GSA - Payables for May 18, 2017			
Vendor	Date	Memo	Amount
Alta Irrigation District	4/30/2017	Fiscal and Administrative Services	\$ 7,219.94
Baker, Manock & Jensen	5/2/2017	Legal	\$ 1,636.50
			\$ 8,856.44

5010 Kings River East GSA

Adminstrative and Fiscal Services For the Month of April 2017

	Admin	Fiscal	Fiscal	Secretary	Secretary	Total Wages & Payroll Burden
Rate	\$ 111.90	\$ 74.04	\$ 31.43	\$ 34.67	\$ 24.01	
Admin	51.00	7.00				
Fiscal		2.00				
Secretary					18.25	
Hours	51.00	9.00	-	-	18.25	
Total	\$ 5,706.70	\$ 666.39	\$ -	\$ -	\$ 438.18	\$ 6,811.27
Postage						
Material					6%	\$ 408.68
Mileage						
Total Invoiced for the Month of April 2017						\$ 7,219.94

Potential Members of the Advisory Committee

Name	Interest
Jared Plumlee	Citrus and Rangeland
Kristen Dobbin	Disadvantaged Communities
David TeVelde/ Gerbin Lyndecker/ Bert DeJong	Dairy
Marco Rinaldi	Stone Fruit
Zack Stuller	Kiwi, Citrus, and Stone Fruit
Ismael Hernandez	City/Urban
Dean Thonesen/Tim Gobler	Stone Fruit

Note(s)

1. Name are subject to change.
2. Working with dairy industry to find a single representative for the committee. Multiple people involved with the dairy industry have expressed interest in participating in this committee.