

**Kings River East Groundwater Sustainability Agency  
Regular Board Meeting  
Agenda**

City of Dinuba – Council Chambers  
405 East El Monte Way, Dinuba, CA 93618  
August 17, 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 July 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 Payables – Review and approve payment of the July 2017 invoices **Insert 10.1**
  - 10.2 Advisory Committee – Discuss and approve the schedule for the regular advisory committee meetings and provide an update on the initial meeting. **Insert 10.2**

- 10.3 Liability Insurance – Update on obtaining liability insurance from ACWA JPIA and membership with ACWA.
- 10.4 Grant Funding for GSP Development – Authorize Provost-Pritchard to prepare a grant application for the Kings subbasin to compete for Prop 1 money allocated to offset GSP development cost. Application costs will be shared with the other GSAs in the subbasin.

**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
- 11.4 Tulare County Well Ordinance – Discuss the County of Tulare’s draft well ordinance.

**12. Legal Issues – Review for Possible Action**

- 12.1 Attorney Legal Update
- 12.2 California Supreme Court Cases – Review for possible action status of California Supreme Court cases regarding imposing of fess pursuant to SGMA.

**13. Future Agenda Items(s) – No Action**

**14. 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, at 289 North L Street, Dinuba, CA 93618 during regular business hours.

**AFFIDAVIT OF POSTING**

I, Maria L. Zamora, 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).

August 14, 2017

\_\_\_\_\_  
Maria L. Zamora

**6. Review/Approval of Board Meeting Minutes**

6.1 Review and approve minutes of July 20, 2017 meeting

**Insert 6.1**

# Kings River East Groundwater Sustainability Agency

## Board Meeting Minutes

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

1. **Call to Order:** The Board Meeting was called to order by Chair Steven Worthley at 2:00 p.m. and the following directors were present: County of Tulare, Chair Steven Worthley; Vice-Chair Alternate, Linda Launer; 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.
2. **Pledge of Allegiance:** Chair S. Worthley commence with the Pledge of Allegiance.
3. **Potential Conflicts of Interest:** No potential conflicts of interest were given.
4. **Public Comment:** A member of the public, Don Wright, requested to be notified of coordination meetings for the Kings subbasin.
5. **Additions to or Deletions from the Agenda:** None.
6. **Review/Approval of Board Meeting Minutes:** It was **M/S/C Unanimously by Mendes/Brandt (Launer abstained)**, to approve the minutes of July 20, 2017 meeting as written.
7. **Communications:** None.
8. **Board of Director Reports:** None.
9. **Consent Calendar Items:** None.
10. **Other Board Items – Take Action**
  - 10.1 Payables – It was **M/S/C Unanimously by Mendes/Brandt** to approve payment of the payables for July 2017.
  - 10.2 Advisory Committee – It was **M/S/C Unanimously by Mendes/Brandt** to approve the list of members to an Advisory Committee to assist the Board with developing policy recommendations for complying with the Sustainable Groundwater Management Act (SGMA). The Advisory Committee list will be modified next month as Kristin Dobbin is not working for Community Water Center (CWC). CWC will be listed as the replacement for Kristin Dobbin. These meetings will be held at Alta Irrigation District and are open to the public.
  - 10.3 Liability Insurance – Attorney Layne suggested the Board approve a resolution at the August meeting, authorizing the application, similar to what the JPIA requires from other agencies applying for insurance. ACWA membership required for JPIA eligibility. No action taken.
  - 10.4 California Supreme Court Cases – Attorney Layne reviewed a recent appellate court case deciding fees for wheeling water did not violate Prop 26 as long as there was a reasonable relationship.
11. **Groundwater Sustainability Activities – Review for Possible Action**

- 11.1 Sustainable Groundwater Management Act (SGMA): Chad Wegley stated that GSA within the Kings subbasin complied with June 30, 2017 formation deadline. There are 7 GSAs within the subbasin. South Kings is the newest GSA and is made up of the cities of Kingsburg, Sanger, Parlier and community of Del Rey. Selma and Caruthers stayed with the Central Kings GSA.
- 11.2 Kings Basin coordination and hydrogeological investigations Chad Wegley informed the Board, the consultant on Prop 26, Alyson met with the Technical Committee, together they are working to resolve data gaps associated with developing a fee. Consultants are scheduled to provide an update on the Groundwater Sustainability Plan at next months' meeting.
- 11.3 DWR's Best Management Practices: DWR is scheduled to release new BMPs this fall.
- 11.4 Tulare County Well Ordinance – Chad Wegley motioned that the County of Tulare released a draft well ordinance.
12. **Future Agenda Items(s) – No Action:** None.
13. **Adjournment:** There being no further items to discuss, the meeting was adjourned by Chair Steven Worthley, until the next regular schedule meeting on August 17, 2017.

Kings River East – GSA

Signed: 

Jack Brandt, Secretary to the Board

JB:ipf

**9. Consent Calendar Items – Take Action**

None

**10. Other Board Items – Take Action**

- 10.1 Payables – Review and approve payment of the July 2017 invoices **Insert 10.1**
- 10.2 Advisory Committee – Discuss and approve the schedule for the regular advisory committee meetings and provide an update on the initial meeting. **Insert 10.2**
- 10.3 Liability Insurance – Update on obtaining liability insurance from ACWA JPIA and membership with ACWA.
- 10.4 Grant Funding for GSP Development – Authorize Provost-Pritchard to prepare a grant application for the Kings subbasin to compete for Prop 1 money allocated to offset GSP development cost. Application costs will be shared with the other GSAs in the subbasin.

**Kings River East GSA-Payables for August 17, 2017**

Vendor	Date	Memo	Amount
Alta Irrigation District	JW 5/30/2017	Fiscal and Administrative Services	\$ 3,758.59
4Creeks	8/1/2017	Engineering Services	\$ 3,290.18
Baker Manock & Jensen	8/2/2017	Legal Services	\$ 2,022.50
Lechowicz + Tseng	8/1/2017	Groundwater Study Fee	\$ 1,584.35
Provost & Pritchard	7/11/2017	Basin Consulting Engineer	\$ 6,210.10
Kenneth D. Schmidt	8/2/2017	Groundwater Quality Consultant	\$ 1,072.15
			\$ 17,937.87

Revised Copy

4/14/17



# 5010 Kings River East GSA

## Administrative and Fiscal Services For the Month of July 2017

	Admin	Fiscal	Fiscal	Secretary	Secretary	Total Wages & Payroll Burden
Rate	\$ 111.90	\$ 74.04	\$ 31.43	\$ 34.67	\$ 24.01	
Admin	27.00	10.00				
Fiscal			1.00			
Secretary				-		
Hours	27.00	10.00	1.00	-	-	
Total	\$ 3,021.19	\$ 740.43	\$ 31.43	\$ -	\$ -	\$ 3,793.05
Postage						
Material					6%	\$ 227.58
Mileage				226	0.535	\$ 120.91
Total Invoiced for the Month of May 2017						\$ 4,141.55

**Potential Members of the Advisory Committee**

<b>Name</b>	<b>Interest</b>
Jared Plumlee	Citrus and Rangeland
Adriana Renteria	Disadvantaged Communitis
David Te Velde	Dairy
Marco Rinaldi	Stone Fruit
Zack Stuller	Kiwi, Citrus, and Stone Fruit
Ismael Hernandez	City/Urban
Tim Gobler	Stone Fruit

Note(s)

- 1. Name are subject to change.

**11. Groundwater Sustainability Activities – Review for Possible Action**

11.1 Sustainable Groundwater Management Act (SGMA) Update

11.2 Kings Basin coordination and hydrogeological investigations

**Insert 11.2**

11.3 DWR's Best Management Practices

11.4 Tulare County Well Ordinance – Discuss the County of Tulare's draft well ordinance.

July 24, 2017

**Insert 11.2**

Phil Desatoff, Central Kings GSA  
Bernard Jimenez, County of Fresno, McMullin Area GSA  
Gary Serrato, North Kings GSA  
Scott Sills, North Fork Kings GSA  
Steve Stadler, James Irrigation District GSA  
Chad Wegley, Kings River East GSA  
Karnig Kazarian, South Kings GSA

**Subject: Proposal for Preparation of a DWR SGMA Planning Grant Application for the Kings Groundwater Sub-basin**

Dear Sirs:

Provost and Pritchard Consulting Group (P&P) is pleased to submit this proposal to prepare a SGMA Planning Grant Application to request funding for developing Groundwater Sustainability Plans (GSP) in the Kings Groundwater Sub-basin (Sub-basin). The application will be prepared according to the Department of Water Resources *Proposal Solicitation Package for Groundwater Sustainability Plans and Projects* once it has been finalized. The grant guidelines require that a single application be submitted for each groundwater sub-basin. Hence, a single application representing the seven existing Groundwater Sustainability Agencies (GSAs) in the Sub-basin will be prepared and submitted. Below is a scope of work based on our understanding of the services needed. Also included are discussions on the schedule, deliverables, and related issues.

It is our understanding that each of the GSAs desires to prepare a separate GSP. Therefore, the grant application would propose to fund, or partially fund, seven different GSPs, and the funding would be split into sixths, with the South Kings and Central Kings GSA sharing one sixth based on a yet to be determined proportion. One of the GSAs would need to be the grant applicant and fiscal agent, and would need to prepare sub-agreements with each of the other GSAs. Based on the 6/28 coordination meeting, it is our understanding that the North Fork Kings GSA will likely be the applicant.

**Scope of Work**

The proposed work will include the following tasks:

**Coordination with GSAs**

Coordination with the seven GSAs will include discussion on the format and content of the GSP, and the overall strategy to prepare a successful application. This task also includes collecting information from each GSA including: background information on the GSA, financial need for the grant, budget, schedule, and cost share documentation. Coordination efforts will generally be discussed at monthly Kings Sub-basin SGMA Coordination meetings.

**Prepare Draft Grant Application**

A draft grant application will be prepared in accordance with the final grant application requirements. The grant application is expected to include the following sections, based on the Draft Grant Solicitation:

- Grant Application Checklist Forms
- Authorizing Documentation
- Eligibility Documentation
- Project Justification
- Proposal Summary
- Technical Need for Project
- Financial Need for Project
- Work Plan (a general task list will be prepared for all GSAs to follow)
- Budget
- Schedule
- Disadvantaged Community Documentation
- Severely Disadvantaged Community Documentation
- Economically Disadvantaged Area Documentation

The workplan for each GSP will need to be consistent. Draft application will be compiled and an electronic copy delivered to each GSA for review and comments. P&P will also give each GSA a copy of the application scoring criteria to assist in their review.

### **Prepare Final Grant Application**

P&P will address comments on the Draft Application and submit it to DWR through their Grant Review and Tracking System (GRanTS) electronic submittal tool.

### **Respond to Questions/Request for Information from DWR**

P&P will respond to DWR's questions on the grant application and requests for additional information, if any.

### **Schedule**

The Final Grant Solicitation is expected to be released in August 2017. After this, there will be a two to three-month open-application period. DWR stated there is no priority, or increased chances for funding, if an application is submitted early. All applications submitted during the open-application period will be scored according to the same criteria. However, DWR said that early submittal will give DWR time to request additional information or ask questions prior to the grant deadline. Therefore, it is proposed to complete the application as soon as feasible after the Final Grant Solicitation is released, which will also provide greater assurance that it is completed before the deadline. Application requirements are not expected to change significantly between the Draft and Final Solicitations. Therefore, it is proposed to begin work on standard tasks (i.e. information gathering, budget, scope, schedule, DAC documentation) as soon as P&P is given a notice to proceed.

The draft application can be completed 3-4 weeks after the Final Grant Solicitation is released. The GSAs will then be given two weeks to provide comments. The Final application can be submitted one week after receiving comments. Hence the application would be submitted in mid-September 2017, providing a comfortable buffer of about four weeks before the final deadline.

### **Assumptions**

Please note that this proposal includes the following assumptions:

- There will be no major changes between the draft grant solicitation (May 2017) and final grant solicitation (expected in August 2017).
- North Fork Kings GSA will be the likely lead applicant. This scope of work does not include work related to preparing agreements and sub-agreements among the GSAs.

- The scope of work does not include performing grant administration once the grant contract is awarded.
- None of the eligibility documents listed in the application package (Urban Water Management Plan, Agricultural Water Management Plan, Surface Water Diverter Compliance) will need to be submitted, since they are not required for a GSA.
- The grant program is also soliciting applications for projects that benefit Severely Disadvantaged Communities. These can be submitted with the GSP application, or in a separate application. It is assumed that the SDACs in the Sub-basin will prepare these applications themselves and submit their applications separately.
- The scope of work, budget and schedule will be documented in a general way based on SGMA requirements and DWR's suggested outline for GSPs. This is necessary to have consistency among the seven different GSPs being proposed. It is recognized that eventual scopes, budgets and schedules for each GSP will be slightly different, even though they have a similar long-term goal. However, for the purposes of this grant application, P&P will prepare a general scope of work that will cover all GSAs, and each agency will be asked to provide a budget and schedule according to a common task list and format.

**Deliverables**

Deliverables will include a Draft Application for review by the GSAs and a Final Grant Application for submittal to the State. An electronic copy of the Draft Application will be sent to each GSA for their review and comments. An electronic copy and one hard copy of the Final Application will also be delivered to each GSA.

**Information Provided by GSAs**

P&P will need the following information from each GSA by August 1, 2017: background information on the GSA, documentation of financial need for the grant, project schedule, cost estimate, and proof of ability to meet cost share requirements. P&P will provide a task list and format to be used in preparing the cost estimate and schedule.

**Payment Terms**

The total estimated cost for the work is \$25,000 to \$30,000 total, with each GSA responsible for 1/6<sup>th</sup> of the total costs and South Kings and Central Kings sharing 1/6<sup>th</sup> in accordance with their agreed upon proportions. Payment for the work would be on a time and materials basis under our current contract. Invoices will be prepared monthly based on actual work completed. The cost to prepare the grant application may exceed this estimate if coordination and facilitation efforts with the GSAs are greater than anticipated. We will not exceed the estimated cost above without formal approval from the GSAs.

Work under this proposal is subject to the existing Consulting Services Agreement with P&P. If you have any questions or comments then don't hesitate to call me or Owen Kubit at 559-449-2700. Thank you for the opportunity to submit this proposal.

Sincerely Yours,



Ronald Samuelian, PE

Approved By

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Agency: \_\_\_\_\_

Date: \_\_\_\_\_

**12. Legal Issues – Review for Possible Action**

12.1 Attorney Legal Update

**Insert 12.1**

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

**KINGS RIVER EAST GROUNDWATER SUSTAINABILITY AGENCY****ETHICS POLICY**

The Board of Directors of the Kings River East Groundwater Sustainability Agency (the “Agency”) has established this Ethics Policy to require its employees, agents, officers and Board members to uphold the highest standards of ethical and professional behavior. To that end, the employees, agents, officers and Board members of the Agency shall dedicate themselves to carrying out the mission of this Agency and shall abide by the following:

1. The proper operation of the Agency requires decisions and policy to be made in the proper channels of government structure, that public office not be used for personal gain, and that all individuals associated with the Agency remain impartial and responsible towards the public. Accordingly, it is the policy of the Agency that Board members, employees and officers shall maintain the highest standard of personal honesty and fairness in carrying out their duties.
2. Treat with respect and consideration all persons, regardless of race, religion, gender, sexual orientation, maternity, marital or family status, disability, age or national origin.
3. Engage in carrying out the Agency’s mission in a professional manner and collaborate with and support other professional in carrying out the Agency’s mission.
4. Recognize that the chief function of the Agency at all times is to serve the best interests of its constituency and keep the community informed about issues affecting groundwater in the Kings Subbasin.
5. To conform with the requirements of AB1234, all Board members must take at least two (2) hours of ethics training every two years and receive a certificate of completion. New Board members need to complete the training within one (1) year of taking office. The Agency must keep records for up to five years indicating when each Board member has completed the training and who provided the training.
6. Except as specifically authorized, a Board member, officer, employee, or agent shall not use or permit the use of Agency owned vehicles, equipment, telephones, materials or property for personal convenience or profit. Each Board member, officer, employee and agent must protect and properly use any Agency asset within his or her control, including information recorded on paper in an electronic form. Board members, officers, employees, and agents shall safeguard Agency property, equipment, moneys and assets against unauthorized use or removal, as well as from loss due to criminal acts or breach of trust.
7. Respect and protect privileged information to which they have access in the course of their official duties. A Board member, officer, employee or agent is not authorized, without approval of the Board, to disclose information that qualifies as confidential information under applicable provisions of law to persons not authorized to receive it. Confidential information shall include information that (i) has been received for or during a closed session meeting of the Board, (ii) is protected from disclosure under the



attorney/client or other evidentiary privilege, (iii) is considered confidential employment information, or (iv) is not required to be disclosed pursuant to an exception of the California Public Records Act.

8. Board members are prohibited from soliciting political funds or contributions from Agency staff or at Agency facilities. A Board member shall not accept, solicit or direct a political contribution from any person or entity who has a financial interest in a contract or other matter while that contract or other matter is pending before the Agency. A Board member shall not use the Agency's seal, trademark, stationary, or other indicia of the Agency's identity, or facsimile thereof, in any solicitation for political contributions contrary to state or federal law. Board members must not accept entertainment, gifts, or personal favors that could, in any way, influence, or appear to influence, business decisions in favor of any person or organization with whom or with which the Agency has, or is likely to have, business dealings. Similarly, Board members must not accept any other preferential treatment under these circumstances because of their positions with the Agency. Board members, officers and designated individuals shall complete Form 700s as designated in the Agency's Conflict of Interest Code and otherwise complies with the Fair Political Practices Commission's conflict of interest laws.
9. A perceived violation of this Ethics Policy by a Board member, officer, employee or agent should be referred to the Chairman of the Board or the full Board for investigation, and consideration of any appropriate action warranted. A violation of this Ethics Policy may be addressed by the use of such remedies as are available by law to the Agency, including but not limited to: (a) verbal public censure at a Board meeting, (b) adoption of a resolution expressing disapproval of the conduct of the Board member who has violated this Ethics Policy, (c) injunctive relief, or (d) referral of the violation to the Agency Attorney and/or the grand jury.

13. Future Agenda Items(s) – No Action

## 14. Adjournment