Kings River East Groundwater Sustainability Agency
Regular Board Meeting
Agenda

City of Dinuba – Council Chambers
405 East El Monte Way, Dinuba, CA 93618
January 18, 2018
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 December 20, 2017 meeting **Insert 6.1**

7. **Communications- Review and Consider for Action**

   7.1 Notice of Public Hearing 2018-20 fees **Insert 7.1**

   7.2 Community Outreach Meeting **Insert 7.2**

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**

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

    10.1 Payables – Review and approve payment of the December 2017 invoices. **Insert 10.1**

    10.2 Financial Statements – Review and approve. **Insert 10.2**

    10.3 Budget – Review and approve budget for FY 2018 **Insert 10.3**

    10.4 Advisory Committee – Discuss and consider an environmental seat on the advisory committee.

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

    11.1 Sustainable Groundwater Management Act (SGMA) Update

    11.2 DWR's Best Management Practices

    11.3 Proposition 26 Report update and review

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).

January 15, 2018 _____

Maria L. Zamora

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 December 20, 2017 meeting **Insert 6.1**

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
December 20, 2017

1. The Board Meeting was called to order by County of Tulare, Chair Steven Worthley at 2:00 p.m. and the following directors were present: 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 and Controller Irma P. Faria; Attorney Lauren Layne.

2. **Pledge of Allegiance:** Chair S. Worthley commenced with the Pledge of Allegiance.

3. **Potential Conflicts of Interest:** None.

4. **Public Comment:** Ms. Adriana Renteria from Community Water Center made a request to share a presentation regarding results from the CV Salt Study during a future board meeting. It was the consensus of the Board to schedule Ms. Adriana Renteria's presentation for the February meeting.

5. **Additions to or Deletions from the Agenda:** None.

6. **Review/Approval of Board Meeting Minutes:** It was **M/S/C Unanimously by Mendes/Rubalcaba (Paxton abstained),** to approve the minutes of October 19, 2017 meeting as written.

7. **Communications:** None.

8. **Board of Director Reports –** No action taken.

9. **Consent Calendar Items –** No action taken.

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

    10.1 Payables –After review of the payables, it was **M/S/C Unanimously by Mendes/Brandt** to approve payments of the October & November 2017 invoices in the amount of $21,566.42. **Insert**

    10.2 Financial Statements – After review of the Treasurer's statement for period ending 11/30/17, it was **M/S/C Unanimously by Mendes/Fast** to approve the Financial Statements period ending 11/30/2017. **Insert**

    10.3 Advisory Committee –The decision for an addition advisory seat on the Advisory Committee was tabled until the next Board meeting.

    10.4 Bylaws – It was **M/S/C Unanimously by Fast/Brandt** to approve the bylaws as amended and submit to Fresno County and Tulare County for Boards of Supervisors for approval to audit biannually.

Insert

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

    11.1 Sustainable Groundwater Management Act (SGMA) – See Item **11.3** for discussion. **Insert**

DRAFT

11.3 DWR's Best Management Practices – DWR issued a BMP titled "Sustainable Management Criteria"; comment period for this BMP closes on January 8, 2018. Wegley was present at DWR's Visalia workshop along with a few other representatives from the Kings and Tulare Lake Subbasins.

11.4 Proposition 26 Report update and review – Attorney, Lauren Layne, reviewed the draft Kings River East Groundwater Sustainability Agency Groundwater Fee Study drawn by Lechowicz & Tseng, municipal consultants. It was **M/S/C Unanimously by Paxton/Buddy** to schedule the public hearing for February 1, 2018. A community outreach workshop will be held prior to the public hearing to allow additional comments from the public. The draft KREGSA Groundwater Fee Study will be posted to the website, sent to Interested Parties, and made to members of the public requesting a copy.

11.6 Prop I Grant – Kings River Conservation District will serve as the lead agency on behalf of the North Fork Kings GSA as the State only allows one point-of-contact for each subbasin. If Kings Subbasin is successful in obtaining this grant then Kings River East would receive a 1/7 share of $1.5 million or about $217,000.

12. Legal Issues – Review for Possible Action

12.1 Attorney Legal Update

12.2 California Supreme Court Cases – Attorney Lauren Layne mentioned the California Supreme Court concluded that the State Constitution as amended by Proposition 26 – not Proposition 218- 'provides framework for evaluating the constitutionality" of certain groundwater pumping charges.

13. Future Agenda Items(s) – No Action

14. Adjournment: There being no further items to discuss, the meeting was adjourned by Chair Steven Worthley, until the next regular schedule meeting on January 18, 2018.

Kings River East – GSA

Signed: _____
Jack Brandt, Secretary to the Board

JB:mz

DRAFT

7. Communications- Review and Consider for Action

7.1 Notice of Public Hearing 2018-20 fees **Insert 7.1**

7.2 Community Outreach Meeting **Insert 7.2**

Kings River East
Groundwater Sustainability Agency

Board of Directors
Steve Worthley
Chairman
County of Tulare
Director

Mary Fast
Vice-Chair
Cities Director

Jack Brandt
Secretary/Treasurer
Alta Irrigation District
Director

Ernest Mendes
County of Fresno
Director

Fernando Rubalcaba
Drinking Water System
Director

Loren Booth
Irrigation/Water
Districts Director

Steve Boos
Production Agriculture
Director

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Board of Directors of the Kings River East Groundwater Sustainability Agency (GSA), to consider and decide the following matter:

> Approve adoption of a nominal fee of $3,250 for agencies not having a significant impact on groundwater and a groundwater pumping fee of $1.45 per acre-foot for landowners within those agencies pumping groundwater , pursuant to Proposition 26 and Water Code Section 10730 *et seq.*, to offset anticipated administrative and operational costs of the GSA, groundwater sustainability plan development costs, and other efforts required for compliance with the Sustainable Groundwater Management Act over the next three years.

The Public Hearing is scheduled to be held by the Board of Directors at the regular meeting place of the GSA on Thursday, February 1, 2018, at 2:00 p.m. at the Council Chambers, City Hall, 408 E. El Monte Way, Dinuba, CA 93618. Preceding the Public Hearing, any interested person will have opportunities to provide oral or written testimony at a Board of Directors meeting on January 18, 2018 at 2:00 p.m. or at a Community Outreach meeting on January 24, 2018, at 10:00 a.m. Both meetings will be held at the regular meeting place of the Board of Directors referenced herein.

Any interested person shall be permitted to present written testimony, oral testimony, or both at public hearing or other meeting referenced herein. Written comments may be filed at any time prior to the conclusion of the Public Hearing and comments should be addressed to the attention of the Chairman at the following address: Kings River East GSA, P.O. Box 695, Dinuba, CA, 93618.

If you challenge the decision of the Board of Directors on this matter in court, you may be limited to raising those issues you or someone else raised at the Public Hearing described herein, or in written correspondence delivered to the Board of Directors at, or prior, to the Public Hearing. Inquiries concerning the Public Hearing may be directed to: Maria Zamora, (559) 305-1183.

KINGS RIVER EAST GROUNDWATER SUSTAINABILITY AGENCY

Kings River East
Groundwater Sustainability Agency

Board of Directors
Steve Worthley
Chairman
County of Tulare
Director

Mary Fast
Vice-Chair
Cities Director

Jack Brandt
Secretary/Treasurer
Alta Irrigation District
Director

Ernest Mendes
County of Fresno
Director

Fernando Rubalcaba
Drinking Water System
Director

Loren Booth
Irrigation/Water
Districts Director

Steve Boos
Production Agriculture
Director

NOTICE OF COMMUNITY OUTREACH MEETING

Kings River East Groundwater Sustainability Agency (GSA) will be holding an outreach meeting to inform its constituents about a public hearing where the Board of Directors will consider and decide the following:

> Approve adoption of a nominal fee of $3,250 for agencies not having a significant impact on groundwater and a groundwater pumping fee of $1.45 per acre-foot for landowners within those agencies pumping groundwater, pursuant to Proposition 26 and Water Code Section 10730 *et seq.*, to offset anticipated administrative and operational costs of the GSA, groundwater sustainability plan development costs, and other efforts required for compliance with the Sustainable Groundwater Management Act over the next three years.

The Outreach Meeting is scheduled to be held at the regular meeting place of the GSA. Information about this upcoming meeting can be found below:

Date:	January 24, 2018
Time:	10:00 a.m.
Location:	Dinuba City Hall 405 East El Monte Way Dinuba, CA 93618
Contact:	Maria Zamora, (559) 305-1183
E-mail:	info@kingsrivereast.org

In addition to the meeting reference herein, the public will also be able to provide comments on the Proposition 26 fee study at next GSA Board meeting (January 18th at 2:00 p.m.) and Public Hearing (February 1st at 2:00 p.m.). Both of these meetings will be held are the regular meeting place, Dinuba City Hall, of the GSA. Written comments may be filed any time prior to conclusion of the Public Hearing.

KINGS RIVER EAST GROUNDWATER SUSTAINABILITY AGENCY

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

10. Other Board Items – Take Action

10.1 Payables – Review and approve payment of the December 2017 invoices. **Insert 10.1**

10.2 Financial Statements – Review and approve. **Insert 10.2**

10.3 Budget – Review and approve budget for FY 2018 **Insert 10.3**

10.4 Advisory Committee – Discuss and consider an environmental seat on the advisory committee.

Insert 10.1

Kings River East GSA-Payables for January 2018 Meeting

Vendor	Date	Memo	Amount
Alta Irrigation District	11/30/2017	Fiscal and Administrative Services	$ 1,874.52
Alta Irrigation District	12/31/2017	Fiscal and Administrative Services	$ 3,401.79
Alta Irrigation District	12/04/217	Baker, Manock & Jensen	$ 390.00
Alta Irrigation District	11/1/2017	Keller & Wegley	$ 224.00
4Creeks	1/10/2018	Engineering Services KREGSA	$ 1,564.27
Lechowicz & Tseng	1/3/2018	Prop 26 Study	$ 3,510.00
Baker Manock & Jensen	1/3/2018	Legal Services	$ 2,220.50
Kenneth D. Schmidt and Ass	1/2/2018	Consulting	$ 1,367.22
Provost & Pritchard	12/19/2017	Consulting Engineer KB coordination	$ 5,448.00
			$ 20,000.30

Kings River East GSA

ıinstrative and Fiscal Services

For the Month of November 2017

	Admin	Fiscal	Fiscal	Secretary	Secretary	Total Wages & Payroll Burden
Rate	$ 119.24	$ 75.15	$ 33.50	$ 35.17	$ 26.87	
Admin	12.50					
Fiscal		2.00				
Secretary			1.00		2.00	
Hours	12.50	2.00	1.00	-	2.00	
Total	$ 1,490.50	$ 150.30	$ 33.50	$ -	$ 53.74	$ 1,728.04
Postage						
Material					6%	$ 103.68
Mileage				80	0.535	$ 42.80
Total Invoiced for the Month of November 2017						$ 1,874.52

For the Month of December 2017

	Admin	Fiscal	Fiscal	Secretary	Secretary	Total Wages & Payroll Burden
Rate	$ 119.24	$ 75.15	$ 33.50	$ 35.17	$ 26.87	
Admin	20.00					
Fiscal		5.00				
Secretary			1.00		11.00	
Hours	20.00	5.00	1.00	-	11.00	
Total	$ 2,384.80	$ 375.75	$ 33.50	$ -	$ 295.57	$ 3,089.62
Postage						
Material					6%	$ 185.38
Mileage				237	0.535	$ 126.80
Total Invoiced for the Month of December 2017						$ 3,401.79

Kings River East GSA Monthly Treasurer's Statement

Cash Revenues and Expenses			For Period Ending 9/30/2018		
	Year To Date	Budget	%	Year to Date
Revenues	12/31/2017	9/30/2018		Variance
Assessments				
Alta Irrigation District				
Hills Valley Irrigation District				
City of Reedley				
City of Dinuba				
City of Orange Cove				
County - Fresno				
County - Tulare				
Tri-Valley Irrigation District				
Kings River Water District				
Orange Cove Irrigation District				
Misc. income - Grant Funding				
Total Income	**$ -**	**$ -**		**$ -**
Expenses				
Administration	**$ 14,660**	**$ 91,200**	**16%**	**$ 76,540**
Board Members (Per Diem)	$ -	$ 11,200		
Insurance		$ 6,667		
Legal	$ 4,013	$ 13,333		
Administrative Services	$ 10,647	$ 60,000		
Grants/Outreach	**$ -**	**$ 29,667**	**0%**	**$ 29,667**
Grant Application		$ 25,000		
Grower/Landowner Outreach		$ 4,667		
Groundwater Sustainability Plan	**$ 26,907**	**$ 304,283**	**9%**	**$ 277,376**
Subbasin Coordination	$ 12,703	$ 86,133		
Coordination Agreement		$ 7,550		
Data Management System		$ 21,000		
Hydrogeology	$ 10,694	$ 100,000		
Legal Assistance		$ 10,400		
Monitoring Network		$ 19,467		
Projects and Management Actions		$ 23,733		
Sustainable Management Criteria		$ 24,933		
Report Compilation	$ 3,510	$ 11,067		
Other	**$ -**	**$ 6,667**	**0%**	**$ 6,667**
Miscellaneous Costs		$ 6,667		
Total	**$ 41,567**	**$ 431,817**	**10%**	**$ 390,250**
Contingency (15%)		$ 64,800		
Total Expenses	**$ 41,567**	**$ 496,617**		**$ 455,050**
Net Cash Flow	**$ (41,567)**	**$ (496,617)**		**$ (455,050)**

Invoices subject to approval for January 2018 are included

Kings River East GSA Monthly Treasurer's Statement

Balance Sheet	Year To Date Balance 12/31/2017
Assets	
Current Assets	
Cash - Checking account	
Accounts Receivable	
Total Assets	$ -
Liabilities	
Current Liabilities	
Accounts Payable / Misc.	
Accounts Payable / AID Service Agreement	$ 136,859
Total Liabilities	**$ 136,859**
Net Position	
Net position	$ (136,859)
Total Net Position	**$ (136,859)**

Insert 10.3

10.3 Budget – Review and approve budget for FY 2018 will be made available for review at the 1/18/2018 Board Meeting.

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

    11.1 Sustainable Groundwater Management Act (SGMA) Update

    11.2 DWR's Best Management Practices

    11.3 Proposition 26 Report update and review

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