

SOUTHWEST KINGS GROUNDWATER SUSTAINABILITY AGENCY

944 Whitley Avenue, Suite E, Corcoran, CA 93212

559-762-7240 www.swkgsa.org

AGENDA

REGULAR MEETING OF THE BOARD OF DIRECTORS

October 2, 2020

10:00 a.m.

944 Whitley Avenue, Suite E

Corcoran, CA 93212

Per Executive Order N-29-20, which allows local and state legislative bodies to hold meetings via teleconference and to make meetings accessible electronically, this Southwest Kings GSA Board of Directors meeting will be accessible via Zoom and dial in at:

Join Zoom Meeting

<https://us02web.zoom.us/j/84737866450?pwd=ZDczRDdtMHJmQzBEampXQWlXbDJhdz09>

Meeting ID: 847 3786 6450

Passcode: 936240

Dial in:

+1 669 900 9128 US

Meeting ID: 847 3786 6450

Passcode: 936240

The public may participate in the meeting as otherwise permitted under the Brown Act by calling into the telephone number above. Any member of the public may address the SWKGSa Board of Directors concerning any item on the agenda before or during its consideration of that matter, as appropriate.

CALL TO ORDER 10:00 a.m.

ROLL CALL
Steve Jackson, Chair
Mark Grewal
Kimberly Brown
Bernard Puget
Jim Wilson

PUBLIC COMMENT

The Board of Directors welcomes participation in Board meetings. The public may address matters under the jurisdiction of the Board that have not been posted in the Agenda. However, California Law prohibits the Board from taking action on any matter that is not on the posted Agenda unless the Board determines that it is an emergency or one of the other situations specified in Government Code section 54954.2. The public will be given the opportunity to address the Board on any item on the Agenda at this time or before the Board's consideration of that item. If members of the public desire to address the Board relative to a particular Agenda item at the time it is to be considered, they should so notify the Chairman of the Board at this time. The Chairman may limit the total amount of time allocated for public testimony on particular issues for each individual speaker.

POTENTIAL CONFLICTS OF INTERESTS

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

CONSENT CALENDAR

Consent calendar items will be voted on together by a single motion unless separate action is requested by a Board member, staff or member of the public.

1. Minutes of the Special Board Meeting held on July 28, 2020.
2. Warrants and Finances (07/24/20 – 09/28/20)
3. Treasurer's Report

ACTION CALENDAR

4. Consider for discussion and possible action to amend Southwest Kings Groundwater Sustainability Agency's **POLICY FOR THE INSTALLATION, MAINTENANCE, AND MONITORING OF WATER METERS FOR WELLS WITHIN THE SOUTHWEST KINGS GROUNDWATER SUSTAINABILITY AGENCY.**
 - a. Report by Executive Director
 - b. Discussion
 - c. Public comments/questions
 - d. If desired, motion to amend
5. Consider for discussion and possible action approve the **DRAFT BUDGET FOR 2021 TULARE LAKE SUBBASIN.**
 - a. Report by Executive Director
 - b. Discussion
 - c. Public comments/questions
 - d. If desired, motion to approve

COMMUNICATIONS/DISCUSSION ITEMS

6. **Director's Reports/Comments/Suggestions**
7. **Reports of General Interest**
 - 1.) Tulare Lake Subbasin Update – Deanna Jackson / Amer Hussain
 - 2.) California Strategies Update – David Armanasco / Rusty Areias
 - 2.) Legal Counsel Report – Pam Silkwood
 - a. Tolling agreement with Westlands Water District GSA
 - 3.) Other Updates, as appropriate

ADJOURNMENT

8. Adjourn to the next Board Meeting, scheduled on December 4, 2020 at 10:00 a.m., at the 944 Whitley Avenue, Corcoran or as otherwise directed by the Board.
- ❖ Items on the Agenda may be taken in any order.
 - ❖ Action may be taken on any item listed on the Agenda.

- ❖ Writings relating to open session Agenda items that are distributed to members of the Board of Directors will be available for inspection at the Authority office, excluding writings that are not public records or are exempt from disclosure under the California Public Records Acts.

Americans with Disabilities Act of 1990: Under this act, a qualifying person may request that the Authority provide a disability-related modification or accommodation in order to participate in any public meeting of the Authority. Such assistance includes alternative formats for the agendas and agenda packets used for any public meetings of the Authority. Requests for assistance shall be made in person, via telephone, or in written form to the SOUTHWEST KINGS GROUNDWATER SUSTAINABILITY AGENCY Office at 944 Whitley Avenue, Suite E, Corcoran, CA 93212 (559) 762-7240. Requests must be received at least 48 hours prior to a scheduled public meeting.

**SOUTHWEST KINGS GROUNDWATER SUSTAINABILITY
AGENCY
SPECIAL BOARD MEETING
MINUTES
July 28, 2020**

The Board of Directors of the Southwest Kings Groundwater Sustainability Agency met in the second-floor conference room, 944 Whitley Avenue, Corcoran, California, on Tuesday, July 28, 2020 at the hour of 10:00 a.m.

Chair Steve Jackson presided and Executive Director Jackson kept the minutes.

DIRECTORS PRESENT: Steve Jackson
Mark Grewal
Kimberly Brown
Bernard Puget
Jim Wilson

DIRECTORS ABSENT: None

OTHERS PRESENT: Pam Silkwood, General Counsel, Horan Lloyd
Rusty Areias, California Strategies
Sonja Theide, KRCD
Riley Jones, Tulare Lake Compost
Michael Cuttone, Cuttone & Mastro
Ann Heil, LA County Sanitation District

Chair Jackson called the meeting to order at 10:04 a.m.

PUBLIC COMMENT

None offered

CONSENT CALENDAR

- 1-3.** Upon the motion of Director Grewal and the second of Director Wilson, the following items on the consent calendar were approved. (5-0-0)
1. Minutes of the Special Board Meeting held on June 17, 2020.
 2. Warrants and Finances (06/01/20 – 07/23/20)
 3. Treasurer's Report

PUBLIC HEARING

4. Public Hearing to Consider the 2021 Land-Based Assessment Rate and Invite Public Comment on the Establishment of the 2021 Assessment Rate.

The public hearing opened at 10:07 AM.

Public Comment:

After reviewing the Resolution 20-01 counsel suggested removing Section 1, referring to collections, before approval. Mr. Jones related that the County of Kings would bear the responsibility of delinquency collections.

No other public comments were received.

The public hearing closed at 10:13 AM.

- a. **Consider for adoption Resolution No. 20-01 SOUTHWEST KINGS GROUNDWATER SUSTAINABILITY AGENCY RESOLUTION STATING THE POWERS OF A JOINT POWERS AUTHORITY TO FIX AND COLLECT CHARGES ON THE 2020-21 YEAR KINGS COUNTY TAX ROLL.**

On the motion of Director Brown and the Second of Director Grewal, the Board adopted the amended Resolution 20-01, removing Section 1. (5-0-0)

- b. **Consider for adoption Resolution No. 20-02 A RESOLUTION OF THE SOUTHWEST KINGS GROUNDWATER SUSTAINABILITY AGENCY APPROVING THE LEVYING OF THE 2020-2021 ASSESSMENTS.**

Upon the motion of Director Puget and the Second of Director Wilson, the Board adopted the Resolution. (5-0-0)

ACTION CALENDAR

5. **Consider for adoption Resolution No. 20-03 A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SOUTHWEST KINGS GROUNDWATER SUSTAINABILITY AGENCY AUTHORIZING ADMINISTRATIVE CHANGES IN THE LOCAL AGENCY INVESTMENT FUND.**

Resolution 20-03 was created to update the signatories to the fund and agency's address. Upon the motion of Director Grewal and the Second of Director Brown, the Board adopted Resolution 20-03. (5-0-0)

6. Consider for approval the **SOUTHWEST KINGS GROUNDWATER SUSTAINABILITY AGENCY FINANCIAL STATEMENTS AND INDEPENDENT AUDITOR'S REPORT FOR THE YEAR ENDED DECEMBER 31, 2019.**

Mr. Cutone presented the 2019 Audit to the Board of Directors. No discrepancies or management issues were found and the agency received a clean report. Upon the motion of Director Grewal and the second of Director Wilson, the Board approved the Auditor's Report. (5-0-0)

Note: The Board of Directors asked to consider Item 8 before considering item 7.

8. Consider for approval **CALIFORNIA STRATEGIES & ADVOCACY CONTRACT.**

David Armanasco and Rusty Areias presented the California Strategies Proposal for SWKGSA and TCWA. After discussion, it was decided that the Board would form an ad hoc committee to help inform California Strategies of the GSAs' goals and objectives and to hear updates from the Cal Strategy's team on developments. Director Jackson and Director Brown volunteered to serve on the committee. The signatories to the contract, TCWA and SWKGSA, approved a 70/30 split, with SWKGSA agreeing to 30% of the contracted cost. Upon the motion of Director Grewal and the second of Director Wilson, the Board approved the contract. (5-0-0)

7. Consider for adoption **Southwest Kings Groundwater Sustainability Agency 2021 Draft Budget.**

After Board discussion and consideration, and upon the motion of Director Grewal and the second of Director Brown, the Board adopted the 2021 draft budget. (5-0-0)

* Director Brown left the meeting

9. Consider for approval **KINGS RIVER CONSERVATION DISTRICT ELEVATION MONITORING COST-SHARING AGREEMENT.**

Sonja Thiede provided a presentation showing the current work being performed by KRCD to collect subsidence data. The agreement between GSAs within the Tulare Lake Subbasin and the Kings Subbasin would provide KRCD with the funding necessary to complete yearly data collections and reporting. Upon the motion of Director Grewal and the second of Director Wilson, the Board decided to approve the agreement pending final legal review. (4-0-1)

10. Consider for discussion and approval **Mid Kings River GSA's call for funds for payment of Tulare Lake Subbasin's outstanding invoices due to cash flow disruption of the Round 2 SGMA Grant Money disbursements.**

Grant funding has been delayed due to Covid and bridge funding is necessary to meet the outstanding obligations. The funds will likely be reimbursed to the GSA when the Grant payments are received by MKRGSA. Upon the motion of Director Grewal and the second of Director Puget, the Board authorized the payment. (4-0-1)

11. Consider for discussion and possible action to amend Southwest Kings Groundwater Sustainability Agency's Bylaws.

Amendments to the bylaws update include the office location and contact information for the Agency as well as the meeting times and frequencies. Upon the motion of Director Wilson and the second of Director Puget, the Board approved the action to amend the Bylaws by the following roll call vote:

Jackson	Puget	Grewal	Wilson	Brown
Aye	Aye	Aye	Aye	Absent

COMMUNICATIONS/DISCUSSION ITEMS

12. Director's Reports/Comments/Suggestions

None.

13. Reports of General Interest

1.) Tulare Lake Subbasin Update – Deanna Jackson

The annual report for the Subbasin has been uploaded to the portal. The Tulare Lake Subbasin managers set regular meeting dates to discuss the implementation of the GSP. The Subbasin GSAs will consider forming an operations agreement, or a coordination agreement, to guide the implementation process.

2.) Legal Counsel Report – Pam Silkwood

None.

3.) Other Updates, as appropriate

Director Grewal mentioned the passing of Jack Woolf. The members of the Board expressed their condolences.

The meeting was adjourned at 11:17 AM.

ADJOURNMENT

14. There being no further business to come before the Board on the occasion of the July 28, 2020 meeting, Director Jackson adjourned the meeting until the next Regular Meeting to

be held on October 2, 2020 at 10:00 a.m., at 944 Whitley Avenue, Corcoran or as otherwise directed by the Board.

Attest:

Kimberly M. Brown, Secretary-Treasurer

Steve Jackson, Chair

Southwest Kings Groundwater Sustainability Agency

CHECK DETAIL

July 24 - September 28, 2020

DATE	TRANSACTION TYPE	NUM NAME	MEMO/DESCRIPTION	CLR	AMOUNT
101 Checking					
08/17/2020	Check	SVCCHRG	Service Charge	R	-39.71
					39.71
Bill.com Money Out Clearing					
08/05/2020	Bill Payment (Check)	Provost & Pritchard Consulting Group	Inv #79779-- bill.com Check Number: 45503165		-3,788.84
					-3,788.84
08/05/2020	Bill Payment (Check)	Cuttone & Mastro	Inv #4058-- bill.com Check Number: 45494766		-3,785.00
					-3,785.00
08/05/2020	Bill Payment (Check)	Baker Manock & Jensen PC	Voided - Inv #449920-- bill.com Check Number: 45482042		0.00
					0.00
08/05/2020	Bill Payment (Check)	Horan Lloyd	Inv #21378-- bill.com Check Number: 45481652		-397.65
					-397.65
08/14/2020	Bill Payment (Check)	Mid-Kings River GSA	Inv #07/10/20-- bill.com Check Number: 45811405		-13,437.29
					-13,437.29
08/14/2020	Bill Payment (Check)	California Strategies and Advocacy, LLC	Inv #0720119-- bill.com Check Number: 45811993		-7,200.00
					-7,200.00
08/14/2020	Bill Payment (Check)	Provost & Pritchard Consulting Group	Inv #80323-- bill.com Check Number: 45762651		-428.35
					-428.35
09/01/2020	Bill Payment (Check)	Tri County Water Authority	Inv #360-- bill.com Check Number: 46295614		-14,000.00
					-14,000.00
09/16/2020	Bill Payment (Check)	Geosyntec Consultants, Inc.	Inv #32409032-- bill.com Check Number: 46706403		-7,892.99
					-7,892.99

Note

No assurance is provided on these financial statements.

Southwest Kings Groundwater Sustainability Agency

BALANCE SHEET - BOARD REPORT

As of September 28, 2020

	TOTAL
ASSETS	
Current Assets	
Bank Accounts	
101 Checking	-3,793.70
102 LAIF	372,812.07
Total Bank Accounts	\$369,018.37
Accounts Receivable	
Accounts Receivable	4,018.73
Total Accounts Receivable	\$4,018.73
Total Current Assets	\$373,037.10
TOTAL ASSETS	\$373,037.10
LIABILITIES AND EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable	9,323.00
Total Accounts Payable	\$9,323.00
Total Current Liabilities	\$9,323.00
Total Liabilities	\$9,323.00
Equity	
Retained Earnings	481,490.56
Net Income	-117,776.46
Total Equity	\$363,714.10
TOTAL LIABILITIES AND EQUITY	\$373,037.10

Note

No assurance is provided on these financial statements.

Southwest Kings Groundwater Sustainability Agency

PROFIT & LOSS BUDGET VS. ACTUALS

January 1 - September 28, 2020

	TOTAL			
	ACTUAL	BUDGET	OVER BUDGET	% OF BUDGET
Income				
401 Benefit Assessment	91.47	136,772.00	-136,680.53	0.07 %
491 Penalty		4,000.00	-4,000.00	
Total Income	\$91.47	\$140,772.00	\$ -140,680.53	0.06 %
GROSS PROFIT	\$91.47	\$140,772.00	\$ -140,680.53	0.06 %
Expenses				
501 Management	37,462.97	50,000.00	-12,537.03	74.93 %
502 Accounting	850.00		850.00	
503 Legal	14,077.15	20,000.00	-5,922.85	70.39 %
504 Clerical	407.84	6,000.00	-5,592.16	6.80 %
506 Website	1,984.74	2,000.00	-15.26	99.24 %
507 Audit	3,785.00	5,000.00	-1,215.00	75.70 %
520 GSP	17,382.29		17,382.29	
520-1 Budget Overrun		30,000.00	-30,000.00	
520-2 Annual Report		15,000.00	-15,000.00	
520-3 Monitoring/DMS		20,000.00	-20,000.00	
520-4 Grant Applications/Admin		15,000.00	-15,000.00	
Total 520 GSP	17,382.29	80,000.00	-62,617.71	21.73 %
530 Dues	7,500.00		7,500.00	
540 Contingency		33,000.00	-33,000.00	
580 Outside Services				
580.1 Consulting	7,200.00		7,200.00	
580.2 Engineering	7,892.99		7,892.99	
580.3 Management Fees	21,000.00		21,000.00	
Total 580 Outside Services	36,092.99		36,092.99	
590 Other	354.98		354.98	
Total Expenses	\$119,897.96	\$196,000.00	\$ -76,102.04	61.17 %
NET OPERATING INCOME	\$ -119,806.49	\$ -55,228.00	\$ -64,578.49	216.93 %
Other Income				
490 Interest	2,030.03		2,030.03	
Total Other Income	\$2,030.03	\$0.00	\$2,030.03	0.00%
NET OTHER INCOME	\$2,030.03	\$0.00	\$2,030.03	0.00%
NET INCOME	\$ -117,776.46	\$ -55,228.00	\$ -62,548.46	213.25 %

Note

No assurance is provided on these financial statements.

Southwest Kings Groundwater Sustainability Agency 2020 Budget

Description	Adopted 2020 Budget	ACTUAL												Total Actual/ Projected Charges	Total Over/ (Under) Budget	
		Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20			
Management	50,000	3,907	5,637	5,715	6,462	7,950	7,188	3,367	14,046	7,000					61,271	11,271
Legal	20,000	303	3,591	698	4,543	1,415	1,868	507		1,154					14,078	(5,923)
Clerical	6,000	165	291	37	281	343	408	850							2,375	(3,625)
Insurance																
Website	2,000	125	392	127	127	147	323	422	382	210					2,256	256
Audit	5,000						3,765								3,765	(1,215)
GSP																
Budget overrun	30,000							13,437							13,437	(16,563)
Annual Report	15,000				215										10,341	(4,659)
Monitoring/ DMS	20,000	6,396	3,730						7,893						7,893	(12,107)
Grant Applications/Admin	15,000															(15,000)
Contingency	33,000	48	39	48	7,548	64	34	35	7,240						15,055	(17,945)
Total Budget Expended	196,000	10,944	13,680	6,625	19,175	9,919	13,605	18,618	29,561	8,364					130,491	(65,509)
Projected Income																
Assessments	136,772	70,604			63,828					91					134,524	(2,248)
Interest	4,000	2,102			1,935					95					4,132	132
Total Income	140,772	72,706			65,763					186					138,655	(2,117)
Cash on Hand	351,531	413,293	399,613	392,987	439,575	429,657	416,051	397,433	367,872	359,695	359,695	359,695	359,695	359,695	359,695	359,695

POLICY FOR THE INSTALLATION, MAINTENANCE, AND MONITORING OF WATER METERS FOR WELLS WITHIN THE SOUTHWEST KINGS GROUNDWATER SUSTAINABILITY AGENCY

ADOPTED: April 8, 2020

Introduction

This Policy for the Installation, Maintenance, and Monitoring of Water Meters for Wells within the Southwest Kings Groundwater Sustainability Agency (this "Policy") is adopted by the Southwest Kings Groundwater Sustainability Agency ("SWKGSA") Board of Directors. It is the intent of this Policy to assure that accurate metering and recording of all groundwater pumping of wells within the SWKGSA is maintained to facilitate the SWKGSA's responsibilities under the Sustainable Groundwater Management Act ("SGMA").

Policy

1. **Meter Requirements:** This Policy applies to all groundwater wells (i) with greater than 0.16 cubic feet per second ("cfs")¹ capacity, or (ii) that pump more than two (2) acre-feet per year ("af/y"). Wells with a pumping capacity of 0.16 cfs or that pump more than 2 af/y are required to install and maintain water meters in accordance with the following specifications:
 - a. **Meter Specifications:** In-line meters meeting AWWA² C700 series standards. Flowrate indicators shall be in cfs and totalizers shall read in 0.00 acre-feet ("af").
 - b. **Meter Sizing, Installation, and Maintenance:** In accordance with AWWA Standard M6 (Water Meters, Selection, Installation, Testing, and Maintenance; AWWA, 2012) and/or manufacturer's published recommendations.
 - c. **Meter Calibration and Certification:** In accordance with AWWA Standard M6 (Water Meters, Selection, Installation, Testing, and Maintenance; AWWA, 2012), meters shall be tested and calibrated (or at the landowner's option, replaced) every four (4) years by an independent certified testing facility. If meter readings appear abnormal (indicator or totalizer), meters shall be inspected, tested, and calibrated within 30 days

¹ 0.16 cfs = 70 gpm

² American Water Works Association

of first observing the abnormality. Certified meter calibration and testing reports shall be submitted to the SWKGSA for review and documentation.

- d. Notification to SWKGSA: For existing wells, the landowner shall provide the SWKGSA with the following information no later than July 1, 2020. Any new wells shall provide the following information within 30 days of installation of pumping equipment.
 - i. Kings County Assessor's Parcel Number ("APN") of property where the well is located.
 - ii. Design capacity (flowrate) of the wellhead pump.
 - iii. Brand, model number, and size of the meter.
 - iv. Photograph of the flowmeter indicator to clearly show:
 1. The measurement units for the flow indicator and totalizer (i.e., cfs and af); and
 2. The length and configuration of the discharge pipe at least 5 pipe diameters upstream of the meter and 2 pipe diameters downstream of the meter.
 - v. A description, with APN(s) and map, of the parcel(s) served by each well, and a description of whether the parcel(s) is served by any other wells or surface water (if so, identify the other well(s) locations(s) and surface water source(s)).
 - vi. A statement signed by the landowner granting access to the SWKGSA to the property to verify the installation, operation, and/or readings of the meters (refer to section 2.a herein).

2. Meter Recording and Reporting:

- a. Access: The landowner shall grant the SWKGSA access in the form of the attached access agreement.
- b. Recording Schedule: The landowner shall record the totalizer reading and self-report the totalizer reading to the SWKGSA bi-annually, in April and October of each year. ~~quarterly in January, April, July, and October.~~
- c. Calibration Schedule: Certified meter calibration and testing reports shall be submitted to the SWKGSA for review and documentation during the October to December period of every four years, beginning in 2022~~2024~~.

3. Schedule for Compliance:

- a. Existing wells:
 - i. Information in sections 1.d and 2.a shall be submitted to the SWKGSA by July 1, 2020.

- ii. Meter reading and totalizer reporting shall be submitted to the SWKGSA within 15 days of the meter readings per the schedule in section 2.b.
 - iii. Certified meter calibration and testing reports shall be submitted to the SWKGSA no later than January 15 of every fourth year, beginning in 2025.
 - b. New wells:
 - i. Information in sections 1.d and 2.a shall be submitted to the SWKGSA within 30 days of installation of the pumping equipment.
 - ii. Meter reading and totalizer reporting shall be submitted to the SWKGSA within 15 days of the meter readings per the schedule in section 2.b.
 - iii. Certified meter calibration and testing reports shall be submitted to the SWKGSA no later than January 15 of every fourth year, beginning in 2025.
- 4. Exceptions: Groundwater wells with existing meters that do not comply with sections 1.a and 1.b may have until October 1, 2021 to replace the existing meter with a meter that is compliant with this Policy. However, sections 1.d, 2.a, 2.b and 3.a(i & ii) of this Policy must still be adhered with in the interim.
- 5. Costs, Fees, and Penalties:
 - a. Costs: The landowner shall be responsible for all costs for purchasing, installing, maintaining, record-keeping, and calibrating the meter on any of its groundwater wells.
 - b. Fees: SWKGSA shall not impose any fees for field reviews, collection and recordation of data, landowner communications, and related activities, except as addressed in section 5.c.
 - c. Enforcement: If any action required by this Policy (e.g., failing to install, identify or calibrate a meter, or other required submittal) is more than one (1) month delinquent, the SWKGSA has the full authority to take action to make the necessary purchases, repairs, calibrations, readings, and related activities and charge the delinquent landowner the full costs for performing such actions, including any expenses incurred by a contractor(s), staff, consultant(s), attorney(s), or vendor(s) to rectify the non-conformance with this Policy.

**Revised Draft Budget for 2021
Tulare Lake Subbasin**

Activity	Estimated Budget
Annual Report <ul style="list-style-type: none">• Preparation and submittal	\$25,000
DMS Updates <ul style="list-style-type: none">▪ Spring and Fall 2020 WL elevations▪ 2020 Water quality results▪ Subsidence data▪ Hosting data	\$20,000
Grant Writing <ul style="list-style-type: none">• Prop 68 Implementation• TSS service request	\$10,000
Coordination with DWR <ul style="list-style-type: none">• Support in responding to comments• Model Update	\$40,000
TOTAL:	\$95,000