

SOUTHWEST KINGS GROUNDWATER SUSTAINABILITY AGENCY

P.O. Box 605 Buttonwillow, Ca 93206

661-764-5730 www.swkgsa.org

AGENDA

SPECIAL MEETING OF THE BOARD OF DIRECTORS

August 16, 2023

2:30 pm

944 Whitley Ave, 2nd Floor Boardroom
Corcoran, CA 93212

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

CALL TO ORDER 2:30 pm

ROLL CALL John Vidovich, Chair
Jim Wilson
Michael Nordstrom

Recognition and swearing-in of Craig Andrew to Southwest Kings GSA Board of Directors.

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 Chair of the Board at this time. The Chair 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 or herself from discussing and voting on the matter.) [FPPC § 87105.]

CONSENT CALENDAR

1. Minutes of the Special Board Meeting held on December 9, 2022
2. Warrants

3. Review and consider for adoption **2024 Budget and Assessment Rate for Southwest Kings GSA.**
 - a. Discussion
 - b. Public Comments / Questions
 - c. If desired, motion to adopt the 2024 Budget
4. Consider for adoption Resolution 23-01 **A RESOLUTION STATING THE POWERS OF A JOINT POWERS AUTHORITY TO FIX AND COLLECT CHARGES ON THE 2023-24 YEAR KINGS COUNTY TAX ROLL.**
 - a. Discussion
 - b. Public Comments / Questions
 - c. If desired, motion to adopt Resolution 23-01
5. Consider for adoption Resolution 23-02 **A RESOLUTION OF THE SOUTHWEST KINGS GROUNDWATER SUSTANABILITY AGENCY APPROVING THE LEVYING OF 2024 ASSESSMENTS**
 - a. Discussion
 - b. Public Comments / Questions
 - c. If desired, motion to adopt Resolution 23-02
6. Review **A regular meeting time and location**
 - a. Discussion
 - b. Public Comments / Questions
 - c. If desired, motion to adopt regular meeting time and location

COMMUNICATIONS/DISCUSSION ITEMS

7. Director's Report/Comments/Suggestions
8. Reports of General Interest

ADJOURNMENT

9. Adjourn to the next Regular Board Meeting, scheduled for Friday, October 6, 2023 at 1:00 pm, at 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 GSA's 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 19087 Milan Road Buttonwillow, CA 93206 (661) 764-5730. Requests must be received at least 48 hours prior to a scheduled public meeting.

SOUTHWEST KINGS GROUNDWATER SUSTAINABILITY AGENCY SPECIAL BOARD MEETING MINUTES

December 9, 2022

The Board of Directors of the Southwest Kings Groundwater Sustainability Agency met in the second-floor conference room, 944 Whitley Avenue, Corcoran, California, on Friday, December 9, 2022, at the hour of 11:30 a.m. The meeting was available via Zoom for interested parties.

Chair Vidovich presided and Staci Wilkins kept the minutes.

DIRECTORS PRESENT: John Vidovich
Carlo Wilcox (arrived at 11:41 a.m.)
Jim Wilson
Michael Nordstrom

DIRECTORS ABSENT:

OTHERS PRESENT: Deanna Jackson
Staci Wilkins
Amer Hussain, Geosyntec
Zac Just, Westlands WD
David Armanasco, California Strategies
Riley Jones

Chair Vidovich called the meeting to order at 11:37 a.m.

The Oath of Office for the new Dudley Ridge Water District representative was not administered.

PUBLIC COMMENT

No public comment

CONSENT CALENDAR (Agenda items 1 – 4)

Upon the motion of Director Nordstrom and seconded by Director Wilson, the Consent Calendar consisting of Minutes of the Special Board meeting on July 21, 2022, Warrants and Finances dated between 07/15/2022 and 11/28/2022, the Treasurer’s Report, and the continued use of Zoom was approved as presented by the following roll call vote:

Nordstrom	Vidovich	Wilcox	Wilson
Aye	Aye	Absent	Aye

ACTION CALENDAR

5. Consider action to elect Officers for remainder of 2022 and calendar year 2023.

Chair: John Vidovich
Vice Chair: Michael Nordstrom
Secretary/Treasurer: Jim Wilson

On the motion of Director Nordstrom and seconded by Director Wilson, the above slate of candidates was nominated and elected as officers of Southwest Kings GSA. The Directors voted as follows:

Nordstrom	Vidovich	Wilcox	Wilson
Aye	Aye	Absent	Aye

* Director Wilcox joined the meeting at 11:41 a.m.

6. Review and consider adoption of Resolution 22-06 A Resolution in support of the Tulare Lake Subbasin Groundwater Recharge and Sustainability Projects, Round II, Component #1; Administrative Projects.

A motion was made by Director Nordstrom and seconded by Director Wilson to adopt Resolution 22-06. The Directors voted as follows:

Nordstrom	Vidovich	Wilcox	Wilson
Aye	Aye	Aye	Aye

7. Review and consider action to approve Geosyntec Task Orders Numbers 1 and 4.

On the motion of Director Nordstrom and seconded by Director Wilcox, the Board voted to approve additional funding for Task Orders 1 and 4 by the following vote:

Nordstrom	Vidovich	Wilcox	Wilson
Aye	Aye	Aye	Aye

COMMUNICATIONS/DISCUSSION ITEMS

8. **Director’s Reports/Comments/Suggestion**

None

9. **Reports of General Interest**

- a) Other updates, as appropriate
i. AB 2449

No update given.

CLOSED SESSION

10. The Board entered into Closed Session at 11:47 a.m.

Anticipated Litigation [Govt. Code Sec. 54956.9(d)(4)]

11. RETURN TO OPEN SESSION – REPORT OF ACTION TAKEN IN CLOSED SESSION and/or ACTION ON MATTERS DISCUSSED IN CLOSED SESSION

The Board returned to Open Session at 11:59 a.m. There was no reportable action taken.

12. Review and consider adoption of Resolution 22-07 A Resolution authorizing the adoption of the amended Tulare Lake Subbasin Groundwater Sustainability Plan by the Southwest Kings Groundwater Sustainability Agency.

On the motion of Director Nordstrom and seconded by Director Wilcox, the Board voted to adopt Resolution 22-07 by the following vote:

Nordstrom	Vidovich	Wilcox	Wilson
Aye	Aye	Aye	Aye

ADJOURNMENT

13. There being no further business to come before the Board on the occasion of December 9, 2022, meeting, Chair Vidovich adjourned the meeting at 12:03 pm until the next meeting on February 3, 2023, at 944 Whitley Avenue, Corcoran, or as otherwise directed by the Board.

Attest:

John Vidovich, Chair

Jim Wilson, Secretary/Treasurer

Southwest Kings Groundwater Sustainability Agency

Check Detail

January 1 - August 14, 2023

DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	CLR	AMOUNT
103 Citizens Bank						
01/24/2023	Expense		Bank Charge	Account Analysis Fee	R	-48.47
				Account Analysis Fee		48.47
Bill.com Money Out Clearing						
01/24/2023	Bill Payment (Check)		California Strategies and Advocacy, LLC	Multiple Invoices		-7,200.00
						-7,200.00
01/24/2023	Bill Payment (Check)		El Rico GSA	Multiple invoices (details on stub)-- bill.com Check Number: 68645772		-226.42
						-226.42
01/24/2023	Bill Payment (Check)		South Fork Kings GSA	Inv #12/19/2022		-16,122.20
						-16,122.20
01/24/2023	Bill Payment (Check)		Geosyntec Consultants, Inc.	Inv #32495852		-198.28
						-198.28
01/24/2023	Bill Payment (Check)		M. Green and Company, LLP	Inv #164442-- bill.com Check Number: 68642286		-850.00
						-850.00
01/24/2023	Bill Payment (Check)		ACWA	Inv #01/03/2023		-1,485.00
						-1,485.00
01/24/2023	Bill Payment (Check)		LAND IQ	Inv #5209-- bill.com Check Number: 68648769		-1,357.49
						-1,357.49
02/08/2023	Bill Payment (Check)		M. Green and Company, LLP	Inv #164879-- bill.com Check Number: 68967250		-1,540.00
						-1,540.00
02/08/2023	Bill Payment (Check)		Geosyntec Consultants, Inc.	Inv #32497638		-2,142.14
						-2,142.14
02/08/2023	Bill Payment (Check)		Kings River Conservation District	Inv #4879-- bill.com Check Number: 68963007		-2,042.24
						-2,042.24
02/08/2023	Bill Payment (Check)		Provost & Pritchard Consulting Group	Inv #97822		-169.57
						-169.57
02/08/2023	Bill Payment (Check)		LAND IQ	Inv #5283-- bill.com Check Number: 68959112		-1,357.49
						-1,357.49
06/07/2023	Bill Payment (Check)		Provost & Pritchard Consulting Group	Multiple invoices		-215.82
						-215.82
06/07/2023	Bill Payment (Check)		Cultone & Mastro	Inv #5201-- bill.com Check Number: 71369445		-210.00
						-210.00
06/07/2023	Bill Payment (Check)		Geosyntec Consultants, Inc.	Inv #32509027		-1,731.69
						-1,731.69

Note

No assurance is provided on these financial statements.

DRAFT
Total Acres
90,186

Southwest Kings Groundwater Sustainability Agency
2024 PROJECTED EXPENSES

PROJECTED

Description	2023		2024												Projected Charges		
	BUDGET	DRAFT	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23			
Management	84,000	84,000	7,000	7,000	7,000	7,000	7,000	7,000	7,000	7,000	7,000	7,000	7,000	7,000	7,000	7,000	84,000
Legal	25,000	25,000	2,083	2,083	2,083	2,083	2,083	2,083	2,083	2,083	2,083	2,083	2,083	2,083	2,087	2,087	25,000
Insurance	3,000	3,000															3,000
Website	4,000	4,000	1,500	250	225	225	225	225	225	225	225	225	225	225	225	225	4,000
Accounting	8,500	8,500	700	700	700	700	700	700	700	700	700	700	700	750	750	750	8,500
Audit	5,500	5,500															5,500
Dues / Blueprint	18,250	18,250															18,250
Five Year Update/TL Model	55,500	55,500			13,750												55,500
Annual Report / Engineering	30,000	30,000	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	30,000
Monitoring/Land IQ	30,000	30,000	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	30,000
Grant Applications/Admin	15,000	15,000				5,000											15,000
Consultant	43,200	43,200	3,600	3,600	3,600	3,600	3,600	3,600	3,600	3,600	3,600	3,600	3,600	3,600	3,600	3,600	43,200
Contingency/Budget overrun	30,000	30,000			7,500												30,000
Total Budget Expended	351,950	351,950	19,883	18,633	39,858	23,608	18,608	52,358	18,608	18,608	60,608	21,608	18,658	40,912	7,500	351,950	
<i>Projected Income</i>																	
2023 Assessments (\$2.50)	225,467	225,465	135,304					135,303									270,607
Interest	3,000	3,000	1,000					1,000									3,000
Reference: Assessment at \$2.50=\$225,465																	
Reference: Assessment at \$3.00=\$270,558																	
Total Income	228,467	228,465	136,304			1,000		135,303				1,000				273,607	
Cash on Hand			269,696	386,117	367,484	327,626	305,018	286,410	369,355	350,747	332,139	271,531	250,923	232,265	194,353		

Proposed 2024 Assessment Rate **TBD** /Acres

SOUTHWEST KINGS GROUNDWATER SUSTAINABILITY AGENCY

RESOLUTION 23-01

**RESOLUTION STATING THE POWERS OF A JOINT POWERS AUTHORITY TO
FIX AND COLLECT CHARGES ON THE 2023-24 YEAR KINGS COUNTY TAX
ROLL**

WHEREAS, the Southwest Kings Groundwater Sustainability Agency (“Agency”) is a joint powers authority formed pursuant to the Joint Exercise of Powers Act codified at California Government Code Sections 6500 *et seq.*; and

WHEREAS, the members of the Southwest Kings Groundwater Sustainability Agency include Dudley Ridge Water District, Tulare Lake Reclamation District No. 761, Kettleman City Community Services District, Tulare Lake Basin Water Storage District, and the County of Kings; and

WHEREAS, the Agency is located exclusively within Kings County; and

WHEREAS, the Agency may assess land in accordance the joint powers of the Agency’s members and through its powers as a Groundwater Sustainability Agency (“GSA”) under to the Sustainable Groundwater Management Act (“SGMA”); and

WHEREAS, pursuant to provisions of Proposition 218, as reflected in Article XIII D of the California Constitution, California Water Code Section 10730, and Sections 53750 through 53756 of the California Government Code, the Agency may, in lieu in whole or in part of levying assessments, fix and collect charges for services furnished by the Agency, including anyand all the following:

- (a) Administrative costs for management, legal, and consultant costs to manage and maintain the Agency in compliance with State laws and regulations;
- (b) Costs to comply with the SGMA, including but not limited to developing a Groundwater Sustainability Plan (“GSP”) independently or in conjunction with other GSAs; and
- (c) Costs to comply with SGMA in monitoring and reporting on the implementation of the GSP to the State through at least 2040.

WHEREAS, due to the cost of collection, the Southwest Kings Groundwater Sustainability Agency Board of Directors does hereby request the County of Kings, without regard to property valuation, to levy these assessments and place them on the 2023-24 Year Kings County Tax Roll.

NOW, THEREFORE, BE IT RESOLVED that the:

1. Southwest Kings Groundwater Sustainability Agency will not pursue collection of delinquencies; and
2. Southwest Kings Groundwater Sustainability Agency Collector will secure and file all necessary documents to support assessments and charges added to the Kings County Tax Roll pursuant to this Resolution.

NOW, THEREFORE, MAY IT FURTHER BE RESOLVED, that the Board of Directors approved and adopted the foregoing at an official meeting held on Wednesday, August 16, 2023.

AYES:

NOES:

ABSTAIN:

ABSENT:

**CERTIFICATE OF SECRETARY
OF
SOUTHWEST KINGS GROUNDWATER SUSTAINABILITY AGENCY,
a California joint powers agency**

I, Jim Wilson , do hereby certify that I am the duly authorized and appointed Secretary of the Southwest Kings Groundwater Sustainability Agency, a California joint powers agency (the "Agency"); that the following is a true and correct copy of that certain resolution duly and unanimously adopted and approved by the Board of Directors of the Agency on the 16th day of August, 2023; and that said resolution has not been modified or rescinded and remains in full force and effect as the date hereof:

IN WITNESS WHEREOF, I have executed this Certificate on this 16th day of August 2023.

Jim Wilson, Secretary

SOUTHWEST KINGS GROUNDWATER SUSTAINABILITY AGENCY

RESOLUTION NO. 23-02

**RESOLUTION OF THE SOUTHWEST KINGS GROUNDWATER SUSTAINABILITY AGENCY
APPROVING THE LEVYING OF 2024 ASSESSMENTS**

WHEREAS, the Southwest Kings Groundwater Sustainability Agency (the “Agency”) is a joint powers authority, formed pursuant to the Joint Exercise of Powers Act (Gov. Code §§ 6500, *et seq.*); and

WHEREAS, pursuant to the Sustainable Groundwater Management Act (“SGMA”), the Agency is also an exclusive Groundwater Sustainability Agency (“GSA”) in the portion of the Tulare Lake Subbasin (Subbasin 5-022.12 of the San Joaquin Valley Basin as defined by California Department of Water Resources Bulletin 118) underlying the Agency’s boundaries; and

WHEREAS, pursuant to California Water Code Section 10730 provides that a GSA may levy fees or assessments and each member of the Agency has the authority to impose assessments in compliance with Proposition 218 as specified in Article XIID of the California Constitution; and

WHEREAS, on June 28, 2017, the Agency adopted an engineer’s report to explain the need for the imposition of a land-based assessments pursuant to Proposition 218 and authorized mailing ballots to the landowners; and

WHEREAS, on August 14, 2017, the Agency held a public hearing to receive public comment and calculate the ballots for the Proposition 218 election; and

WHEREAS, 95.7 percent of the landowners that returned their ballots voted in favor of levying the land-based assessments in an amount up to and including five dollars and no/100 (\$5.00) per acre per year for those parcels that are ten acres or more; and

WHEREAS, either the Agency or the County of Kings may collect the Agency’s assessments, but the Agency elected to have the County of Kings collect the 2024 assessments on its behalf.

**NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE SOUTHWEST KINGS
GROUNDWATER SUSTAINABILITY AGENCY does hereby resolve, declare and order as follows:**

1. The above Recitals are deemed true and correct and are incorporated herein by this reference.
2. The landowners within the Agency’s boundaries authorized the Board of Directors of the Agency to levy a land-based assessment in an amount not to exceed five dollars and no/100 (\$5.00) per acre per year.
3. The Board of Directors of the Agency hereby sets the 2024 land-based assessment rate at _____ dollar and ___ cents (\$) per acre.
4. The Agency hereby elects to have the County of Kings collect the assessments on the Agency’s behalf for the 2023-2024 assessment year and authorizes the Agency’s consultants to work with the County of Kings to do so.

5. Agency consultants/staff are authorized and directed to complete the necessary documentation to levy the Agency's 2023-2024 assessment.

PASSED AND ADOPTED this 16th day of August, 2023, by the following vote to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

**CERTIFICATE OF SECRETARY
OF
SOUTHWEST KINGS GROUNDWATER SUSTAINABILITY AGENCY,
a California joint powers agency**

I, Jim Wilson, do hereby certify that I am the duly authorized and appointed Secretary of the Southwest Kings Groundwater Sustainability Agency, a California joint powers agency (the "Agency"); that the following is a true and correct copy of that certain resolution duly and unanimously adopted and approved by the Board of Directors of the Agency on the 16st day of August, 2023; and that said resolution has not been modified or rescinded and remains in full force and effect as the date hereof:

IN WITNESS WHEREOF, I have executed this Certificate on this 16th day of August, 2023.

Jim Wilson, Secretary