

**MINUTES** of the regular meeting of the Board of Directors of Southwest Kings Groundwater Sustainability Agency ("SWKGSA") held on July 10, 2019 at the office of the Agency, 286 W. Cromwell Avenue, Fresno, California.

**DIRECTORS PRESENT:** Kimberly Brown, Dudley Ridge Water District  
 Steven Jackson, White Area representative (by phone)  
 Bernard Puget, Dudley Ridge Water District (by phone)

**DIRECTORS ABSENT:** Mark Grewal, Tulare Lake Reclamation District 761  
 Vacant, Tulare Lake Reclamation District 761

**OTHERS PRESENT:** Dale Melville, Provost & Pritchard Consulting Group  
 Joe Hopkins, Provost & Pritchard Consulting Group  
 Lauren Layne, Baker, Manock and Jensen (by phone)  
 Antonio Solorio, Westlands Water District  
 Riley Jones, Tulare Lake Compost

Chair Brown called the Board meeting to order at 3:03 p.m. and initiated a round of self-introductions by the Board and attendees.

**MINUTES**

Upon a motion by Director Puget and second by Director Jackson, the minutes from the May 8, 2019 meeting of the Agency were approved as presented by the following vote:

Brown	Puget	Grewal	VACANT	Jackson
Aye	Aye	-	-	Aye

**DIRECTOR POSITIONS**

The Board was provided an update on vacant director position. Regarding the remaining RD 761 appointment, Mr. Melville noted that Director Grewal had reported that a RD 761 representative would be appointed in December.

**FINANCIAL REPORTS**

Mr. Hopkins presented the treasurer's report, budget to-date, warrants to be ratified as paid, and the warrants to be paid. After a short discussion, Director Jackson motioned to accept the treasurer's report, ratify the prior warrants as paid, and pay the current warrants. The motion was seconded by Director Puget and the Board voted to adopt the motion. Following the vote, Chair Brown announced that the directors voted as follows:

Brown	Puget	Grewal	VACANT	Jackson
Aye	Aye	-	-	Aye

**BUDGET**

Mr. Hopkins presented a proposed 2020 budget for the Board to consider (attached to and made part of these minutes). The 2020 budget was estimated using current estimates from the Subbasin's GSP consultant, as well as staff's estimate of GSP implementation efforts. The monthly budget projections illustrated the expected expenditure rates and income from assessments. Staff recommended that the 2020 budget be met with a \$1.50/acre assessment rate. Director Puget motioned to approve the proposed 2020 budget. The motion was seconded by Director Jackson and the Board voted to adopt the motion. Following the vote, Chair Brown announced that the directors voted as follows:

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Aye	Aye	-	-	Aye

**2020 ASSESSMENT PUBLIC HEARING**

Chair Brown opened the public hearing at 3:12 p.m. Staff reviewed the proposed charges and their effect on the Agency's cash flow. Chair Brown asked for any landowner comments for the record. Mr. Melville noted that the Agency had not received any written or verbal comments or objections, whereupon Chair Brown closed the hearing at 3:16 p.m.

A short discussion ensued regarding an acceptable minimum balance in the cash flow projections, resulting in a desire to maintain a minimum balance of approximately \$200,000.

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**Southwest Kings Groundwater Sustainability Agency  
2020 Proposed Budget**

Description	Proposed 2020 Budget	PROJECTED												Total	Total
		Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Actual/ Projected Charges	Over/ (Under) Budget
Management	50,000	4,167	4,167	4,167	4,167	4,167	4,167	4,167	4,167	4,167	4,167	4,167	4,167	50,000	-
Legal	20,000	1,667	1,667	1,667	1,667	1,667	1,667	1,667	1,667	1,667	1,667	1,667	1,667	20,000	-
Clerical	6,000	500	500	500	500	500	500	500	500	500	500	500	500	6,000	-
Insurance	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Website	2,000	167	167	167	167	167	167	167	167	167	167	167	167	2,000	-
Audit	5,000	-	-	-	5,000	-	-	-	-	-	-	-	-	5,000	-
GSP	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Budget overrun	30,000	30,000	-	-	-	-	-	-	-	-	-	-	-	30,000	-
Annual Report	15,000	3,750	3,750	3,750	3,750	-	-	-	-	-	-	-	-	15,000	-
Monitoring/ DMS	20,000	1,667	1,667	1,667	1,667	1,667	1,667	1,667	1,667	1,667	1,667	1,667	1,667	20,000	-
Grant Applications/Admin	15,000	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250	1,250	15,000	-
Contingency (~20%)	33,000	2,750	2,750	2,750	2,750	2,750	2,750	2,750	2,750	2,750	2,750	2,750	2,750	33,000	-
<b>Total Expenses</b>	<b>196,000</b>	<b>45,917</b>	<b>15,917</b>	<b>15,917</b>	<b>20,917</b>	<b>12,167</b>	<b>12,167</b>	<b>12,167</b>	<b>12,167</b>	<b>12,167</b>	<b>12,167</b>	<b>12,167</b>	<b>12,167</b>	<b>196,000</b>	<b>-</b>
<b>Projected Income</b>															
Assessments	136,772	64,967	-	-	-	64,967	-	6,839	-	-	-	-	-	136,772	-
Interest	4,000	-	-	1,000	-	-	1,000	-	-	1,000	-	-	1,000	4,000	-
<b>Total Income</b>	<b>140,772</b>	<b>64,967</b>	<b>-</b>	<b>1,000</b>	<b>-</b>	<b>64,967</b>	<b>1,000</b>	<b>6,839</b>	<b>-</b>	<b>1,000</b>	<b>-</b>	<b>-</b>	<b>1,000</b>	<b>140,772</b>	<b>-</b>
Cash on Hand	270,085	289,135	273,218	258,302	237,385	290,185	279,018	273,690	261,524	250,357	238,190	226,024	214,857		
Proposed Rate	1.50														

**SOUTHWEST KINGS GROUNDWATER SUSTAINABILITY AGENCY**

**RESOLUTION 2018-01**

**RESOLUTION STATING THE POWERS OF A JOINT POWERS AUTHORITY TO  
FIX AND COLLECT CHARGES ON THE 2018-19 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.*;

**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;

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

**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”);

**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 any and 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 2018-19 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, July 11, 2018.

AYES:   4  

NOES:   0  

ABSTAIN:   0  

ABSENT:   0

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

I, Steve Jackson, 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 11<sup>th</sup> day of July, 2018; 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 11<sup>th</sup> day of July, 2018.

  
Steve Jackson, Secretary

**SOUTHWEST KINGS GROUNDWATER SUSTAINABILITY AGENCY**

**RESOLUTION NO. 2018-02**

**RESOLUTION OF THE SOUTHWEST KINGS GROUNDWATER SUSTAINABILITY AGENCY APPROVING THE LEVYING OF 2018-2019 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 2018-2019 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 2018-2019 land-based assessment rate at three dollars (\$3.00) per acre.
4. The Agency hereby elects to have the County of Kings collect the assessments on the Agency's behalf for the 2018-2019 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 2018-2019 assessment.

PASSED AND ADOPTED this 11<sup>th</sup> day of July, 2018, by the following vote to wit:

AYES: 4

NOES: 0

ABSTAIN: 0

ABSENT: 0

**CERTIFICATE OF SECRETARY**

The undersigned hereby certifies that he is the Secretary of the Southwest Kings Groundwater Sustainability Agency and that the foregoing Resolution was adopted by the Board of Directors of said Agency at a special meeting thereof held on July 11, 2018, at which meeting a quorum of the Board of Directors was at all times present and acting.

**IN WITNESS WHEREOF**, I have set my hand this 11th day of July 2018



Steven D. Jackson, Secretary