

**MINUTES** of the regular meeting of the Board of Directors of Southwest Kings Groundwater Sustainability Agency held on July 11, 2018 at the office of the Agency Office, 286 W. Cromwell Avenue, Fresno, California.

**DIRECTORS PRESENT:**

William Phillimore, Dudley Ridge Water District  
Steven Jackson, White Area representative  
Bernard Puget, Dudley Ridge Water District  
Doug Jackson, Tulare Lake Reclamation District 761

**DIRECTORS NOT PRESENT:**

Vacant, Tulare Lake Reclamation District 761

**OTHERS PRESENT:**

Dale Melville, Provost & Pritchard Consulting Group  
Joe Hopkins, Provost & Pritchard Consulting Group  
Lauren Layne, Baker, Manock, & Jensen  
Kiti Campbell, Westlands Water District  
Riley Jones, Tulare Lake Compost  
Kim Brown, Wonderful Orchards  
Julianne Phillips, Kings County

Chair Phillimore called the Board meeting to order at 3:20 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 S. Jackson, the minutes from the May 9, 2018 meeting of the Agency were approved as presented by the following vote:

Phillimore	Puget	D. Jackson	S. Jackson
Aye	Aye	Aye	Aye

**DIRECTOR POSITIONS**

The Board was provided an update on vacant director positions. The RD 761 open seats are planned to be filled by Doug Jackson and Mark Grewal. Mr. D. Jackson was in attendance and was sworn in as a Director. Mr. Grewal was not in attendance at the Board meeting due to a conflict and will likely be conferred at the next meeting.

**VICE CHAIR APPOINTMENT**

The Board discussed the need to fill the vacant Vice Chair position. After a short discussion, Director Puget motioned to appoint Director D. Jackson to the position of Vice Chair. The motion was seconded by Director S. Jackson and the Board voted to adopt the motion. Following the vote, Chair Phillimore announced that the directors voted as follows:

Phillimore	Puget	D. Jackson	S. Jackson
Aye	Aye	Aye	Aye

**TREASURER'S REPORTS**

Executive Director Melville presented the budget to-date, warrants to be paid, and the warrants to be ratified. After a short discussion, Director Puget motioned to pay and ratify warrants. The motion was seconded by Director S. Jackson and the Board voted to adopt the motion. Following the vote, Chair Phillimore announced that the directors voted as follows:

Phillimore	Puget	D. Jackson	S. Jackson
Aye	Aye	Aye	Aye

**BUDGET**

Mr. Hopkins presented a proposed revision to the 2018 budget and a proposed 2019 budget for the Board to consider (attached to and made part of these minutes). The revised 2018 budget increased the GSP budget to reflect current cash flow projections for the coordinated Subbasin GSP. The 2018 budget also projected the 2019 beginning balance. The 2019 budget was estimated using current estimates from the Subbasin's GSP consultant. The monthly budget projections illustrated the expected expenditure rates and income from grants and assessments. The Board requested that the 2019 budget be based on a \$3.00/acre assessment rate. Director S. Jackson motioned to approve the revised 2018 budget and the proposed 2019 budget. The motion was seconded by Director Puget and the Board voted to adopt the motion. Following the vote, Chair Phillimore announced that the directors voted as follows:

Phillimore	Puget	D. Jackson	S. Jackson
Aye	Aye	Aye	Aye

**2019 ASSESSMENT PUBLIC HEARING**

Chair Phillimore opened the public hearing at 3:36 p.m. Staff reviewed the proposed charges and their effect on the Agency’s cash flow. Chair Phillimore asked for any landowner comments for the record. Receiving no written or verbal comment, Chair Phillimore closed the hearing at 3:39 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 \$100,000. Executive Director Melville then presented Resolution 2018-01 to authorize the County to add SWKGSA assessment to their tax roll, and Resolution 2018-02 to set the assessment rate and direct the County to collect the assessments on SWKGSA’s behalf (both resolutions are attached to and made part of these minutes). Director S. Jackson motioned to approve both Resolutions 2018-01 and 2018-02 and to set the 2019 assessment rate at \$3.00/acre. The motion was seconded by Director Puget and the Board voted to adopt the motion. Following the vote, Chair Phillimore announced that the Directors voted as follows:

Phillimore	Puget	D. Jackson	S. Jackson
Aye	Aye	Aye	Aye

**BASIN-WIDE HYDROGEOLOGIC MODEL AND GSP UPDATE**

Mr. Hopkins presented an update to the Board on the most recent draft hydrogeologic model document prepared by Wood (formally AMEC, consultants to the GSAs in the Tulare Lake Subbasin). It was noted that the first draft is complete, fulfilling the requirements of the State grant. A presentation will be given by Wood to the Kings County Board of Supervisors in August, the County being the official grantee. The model will continue to be refined as a part of GSP development.

The Board was also updated on the progress of the GSP. Wood has provided a draft Communications and Engagement Plan as well as a draft GSP outline. Discussions have also begun on potential management areas within the Subbasin. Finally, all GSAs are working on data sharing agreements with their respective neighboring subbasin GSAs.

Mr. Hopkins then provided an update on the water budget prepared by SWKGSA staff as a check against the Wood model. A PowerPoint presentation was given to the Board discussing the steps taken to reach a final number. The result of the water budget was a surplus of 8,700 AF over the period of 1990 – 2016, which was the period used in the Wood model. This information will be provided to Wood and the neighboring GSAs.

**OUTREACH**

Mr. Melville reviewed the Draft Communications and Engagement Plan prepared by the Subbasin consultants, noting that the document is a requirement of SGMA. The Board was also asked to consider issuing a stakeholder survey. Direction was given to proceed, but to consider focusing outreach on those who may be most impacted by the regulations.

**DATA SHARING AGREEMENT**

Mr. Melville updated the Board on a data sharing agreement with Westlands Water District (WWD). The data shared will provide for better calibration of the parties’ groundwater models. Mr. Melville noted that he has reviewed and signed the agreement (attached to and made part of these minutes). Kiti Campbell, engineer for WWD, was in attendance and noted that it was en route for signature by WWD. Director Puget motioned to ratify the Data Sharing Agreement with WWD. The motion was seconded by Director S. Jackson and the Board voted to adopt the motion. Following the vote, Chair Phillimore announced that the Directors voted as follows:

Phillimore	Puget	D. Jackson	S. Jackson
Aye	Aye	Aye	Aye

**THE NATURE CONSERVANCY INVOLVEMENT**

Mr. Melville updated the Board on recent correspondence from The Nature Conservancy requesting SWKGSA to include an environmental representative on the Board or an advisory committee. They also directed the Agency to their groundwater dependent ecosystem resources, the Groundwater Resources Hub. Direction was provided to staff to consider adding The Nature Conservancy when/if advisory committees are formed.

**MODEL GSP**

Mr. Melville updated the Board on a recent presentation by Mike Young and Bryce McAteer to the Tulare Lake Subbasin regarding a model GSP. The plan was based around a groundwater

allocation system where an independent board would annually review data to develop an allocation for a given year. The SWKGSA Board appreciated the concept but recognized that data collection and management efforts need to develop further first.

**REPORT OF COUNSEL**

Ms. Layne provided an update of AB 2649 that is intended to make groundwater recharge a beneficial use, however support of the bill by ACWA would require removing the beneficial use language and keeping the expedited permitting process of floodwater language.

**DATE, TIME AND LOCATION OF NEXT BOARD MEETING**

The Executive Director noted that the Board may not need to meet for another 2-3 months, but it would be held at its regular date (second Wednesday at 3:00 p.m.) at the Agency office.


**ADJOURNMENT**

There being no further business to come before the Board, at 4:25 p.m. Chair Phillimore adjourned the meeting.



Steven D. Jackson, Secretary-Treasurer

APPROVED:



William D. Phillimore, Chair

**Southwest Kings Groundwater Sustainability Agency  
2019 Proposed Budget**

Description	Proposed 2019 Budget	Proposed 2018 Budget Revision	Approved 2018 Budget
Management	\$ 50,000	\$ 50,000	\$ 50,000
Legal	20,000	20,000	20,000
Clerical	6,000	6,000	6,000
Insurance	-	-	-
Website	2,000	2,000	2,000
Audit	5,000	1,000	1,000
GSP	152,000	245,000	115,000
Contingency	50,000	20,000	20,000
<b>Total</b>	<b>\$ 285,000</b>	<b>\$ 344,000</b>	<b>\$ 214,000</b>
<b>\$/Ac</b>	<b>\$ 3.16</b>	<b>\$ 3.81</b>	<b>\$ 2.37</b>

**Southwest Kings Groundwater Sustainability Agency  
2019 Proposed Budget (With Grant Reimbursement)**

Description	Proposed 2019 Budget	PROJECTED												Actual/ Projected Charges	Over/ (Under) Budget	
		Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19			
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	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	1,667	20,000	-
Clerical	6,000	500	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	152,000	20,332	20,332	20,332	20,332	20,332	20,332	5,010	5,000	5,000	5,000	5,000	5,000	152,000	-	
Contingency	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	-	
<b>Total Expended</b>	<b>285,000</b>	<b>30,998</b>	<b>30,998</b>	<b>30,998</b>	<b>35,998</b>	<b>30,998</b>	<b>30,998</b>	<b>15,677</b>	<b>15,667</b>	<b>15,667</b>	<b>15,667</b>	<b>15,667</b>	<b>15,667</b>	<b>285,000</b>	<b>-</b>	
<b>Projected Income</b>																
Assessments	319,134	157,067				157,067									314,134	(5,000)
Delinquent Assessments	-							5,000							5,000	5,000
Grant Reimbursement		68,163					180,210						27,597	275,970	275,970	
Interest	-				645			847			1,195			2,686	2,686	
<b>Total Income</b>	<b>319,134</b>	<b>225,230</b>	<b>-</b>	<b>-</b>	<b>645</b>	<b>157,067</b>	<b>180,210</b>	<b>5,847</b>	<b>-</b>	<b>-</b>	<b>1,195</b>	<b>-</b>	<b>27,597</b>	<b>597,791</b>	<b>278,656</b>	
Cash on Hand	51,643	245,875	214,877	183,878	148,525	274,594	423,805	413,976	398,309	382,642	368,171	352,504	364,434			
Rate needed	3.50															

**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 XIII D 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

A handwritten signature in black ink, appearing to read "Steven D. Jackson", is written over a horizontal line.

Steven D. Jackson, Secretary

## DATA SHARING AGREEMENT

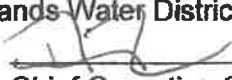
Westlands Water District (Westlands) and the Southwest Kings GSA (collectively the Parties) are neighboring Groundwater Sustainability Agencies (GSAs) and desire to establish a set of common assumptions on groundwater conditions on either side of their boundary to be used for development of their Groundwater Sustainability Plans (GSPs) related to the implementation of the Sustainable Groundwater Management Act (SGMA). The Parties will review, evaluate, and analyze the information used for the preparation of their GSPs. The Parties agree to provide each other with the following recorded, measured, estimated and/or simulated modeling data located within 5 miles of their boundaries:

- Well location (latitude and longitude, preferably in a GIS shapefile)
- Ground surface elevation at well location, including elevation datum
- Depth to groundwater readings from 1960s to present as available per well (preferably in excel or electronic tabular format)
- Water surface elevation (if already in tabular format, otherwise it will be calculated from elevation less depth measured)
- Well driller's log (if available)
- Well Information (perforated intervals, seal depth, pumping capacity, water quality, etc.; if available)
- Agricultural practices (crop type, irrigation method (flood or drip), surface or groundwater application, etc.; if available)
- Canal and irrigation ditch Information (location, dimension, flow direction, etc.; if available)
- Tile drain (location, depth, discharge, flow direction, etc.; if available)
- Subsidence data (if available)

The Parties understand that the information will be shared with their consultants, to other stakeholders in their respective basins, and that the information will be made public through the development of their GSPs and the supporting documentation for their GSPs. Other than publishing information in supporting documents, neither Party will make the other Party's Information available to a third Party, to the extent allowable under State law. Prior to publishing the information, each Party may review preliminary results before publishing the information.

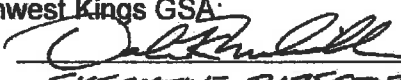
The Parties and its authorized representatives, by signatures below, agree to the Data Sharing Agreement.

Westlands Water District:

By:   
Title: Chief Operating Officer  
Date: 7/13/18

Note: Return one signature copy to WWD

Southwest Kings GSA:

By:   
Title: EXECUTIVE DIRECTOR  
Date: 6-11-2018