

**MINUTES** of the meeting of the Board of Directors of Southwest Kings Groundwater Sustainability Agency held on March 8, 2017 at 2:00 p.m. at the office of the Kettleman City Community Services District, 110 General Petroleum Avenue, Kettleman City, California.

**DIRECTORS PRESENT:**

William Phillimore, Dudley Ridge Water District  
 Bernard Puget, Dudley Ridge Water District  
 Jamie Howe, Tulare Lake Reclamation District 761  
 Steven Jackson, White Areas representative (arrived late)

**DIRECTORS NOT PRESENT:**

Ceil Howe Jr., Tulare Lake Reclamation District 761

**OTHERS PRESENT:**

Dale Melville, Provost & Pritchard Consulting Group  
 Joe Hopkins, Provost & Pritchard Consulting Group  
 Lauren Layne, Baker, Manock & Jensen  
 Joe McGahan, Summers Engineering  
 Rosa Maldonado, Kettleman City CSD  
 Elias Martinez, Kettleman City CSD  
 Colleen Carlson, Kings County Counsel  
 Riley Jones, landowner (arrived later)  
 Dusty Ference, Tulare County Farm Bureau (arrived later)

President Phillimore called the Board meeting to order at 2:05 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 J. Howe, the minutes from the February 8, 2017 meeting of the Agency were approved as presented by the following vote:

Phillimore	Puget	J. Howe	C. Howe Jr	Jackson
Aye	Aye	Aye	Absent	Absent

Director Jackson arrived at the meeting.

**PUBLIC HEARING**

President Phillimore opened the public hearing on the formation of a Groundwater Sustainability Agency (“GSA”). Mr. Melville noted that the hearing had been properly noticed and provided an overview of the Sustainable Groundwater Management Act (“SGMA”), including a review of the Agency boundary map; voting and non-voting membership, directors, and paying/non-paying members of the Agency; background on the Tulare Lake subbasin; future Prop 218 election to fund the Agency; January 2020 SGMA requirement to submit a Groundwater Sustainability Plan (“GSP”); State grant to the County for modeling the subbasin; and related information to the Agency’s initial responsibilities.

Ms. Layne reviewed Resolution No. 2017-1, attached to and made a part of these Minutes.

President Phillimore asked if the Board or public had any comments; hearing none, he closed the hearing and asked for a motion to approved Resolution No. 2017-1. That motion was made by Director Puget, seconded by Director Jackson, and passed by the following vote:

Phillimore	Puget	J. Howe	C. Howe Jr	Jackson
Aye	Aye	Aye	Absent	Aye

**JPA AGREEMENT**

Mr. Melville and Ms. Layne discussed the proposed amendment to the JPA, as requested by the Agency Board at the February 8, 2017 meeting. The amendment provided for the option of non-elected representatives of Dudley Ridge Water District (“DRWD”) and Tulare Lake Reclamation District 761 (“RD 761”) to hold Agency Board seats and clarified how the Alternate Director for the White Areas is selected. Ms. Carlson expressed her view that Agency directors from DRWD and RD 761 should be elected officials from those districts, not appointed non-elected representatives. Following a lengthy discussion, the proposed amendment was tabled and President Phillimore asked staff to work with the County to develop acceptable language to be brought to the next Agency Board meeting.

**NEW BUSINESS**

The following items were discussed under new business, each being noticed in the agenda.

Conflict of Interest Code

Ms. Layne reviewed the proposed Conflict of Interest Code with the Board. Following a short discussion, Director Jackson motioned to adopt the Conflict of Interest code, which is attached to and made a part of these Minutes. The motion was seconded by Director Puget and approved by the following vote:

Phillimore	Puget	J. Howe	C. Howe Jr	Jackson
Aye	Aye	Aye	Absent	Aye

Designation of Initial Term of Each Director

Following a short discussion, Director Puget motioned for Directors Phillimore and C. Howe to have four-year terms and the other three directors to have two-year initial terms; thereafter all directors would have four-year terms. The motion was Director J. Howe and approved by the following vote:

Phillimore	Puget	J. Howe	C. Howe Jr	Jackson
Aye	Aye	Aye	Absent	Aye

Directing Staff to file GSA notification with Department of Water Resources

It was recognized that this direction was previously given in Resolution 2017-01 and therefore no additional action was necessary.

Bylaws

Ms. Layne reported that the Bylaws, included in the Board packages, are presented as a draft and recommended the Board not take action on them until after the JPA amendment language is resolved and the amendment adopted, as the Bylaws will need to reflect how directors are appointed to the Agency Board. No action was taken at this time.

Establishing Committees

Mr. Melville and Ms. Layne reported that the Board may want to establish committees in the future, noting that it was pre-mature to do so now. For future consideration, committees for technical issues, administrative issues, and public outreach are likely areas to be considered. No action was taken at this time.

Board Calendar for 2017

Mr. Melville noted that there will be a need to meet monthly for the next three months to address issues such as the JPA amendment, bylaws, Prop 218 election, GSP approach, and other issues. Following a motion by Director Jackson, seconded by Director J. Howe, the Board unanimously approved setting the regular Agency Board meeting at 3:00 P.M. at the Agency office on the second Wednesday of each month. Directors voted as shown below.

Phillimore	Puget	J. Howe	C. Howe Jr	Jackson
Aye	Aye	Aye	Absent	Aye

President Phillimore noted that if not necessary, meetings would be cancelled. He also commented that if the landowners or members of the Agency have a need for the Board to meet within the Agency’s boundaries as was done today, the Board would try to accommodate such requests.

**REPORT OF COUNSEL**

Ms. Layne reported on the following pending State legislation:

- AB 321, effecting growers participation in the GSP (ACWA opposed)
- SB 80, requiring a Notice of Determination to be filed when the project is exempt from CEQA (ACWA opposed)
- SB 252, requiring counties to limit permits for new wells (ACWA opposed, as it limits counties discretion)
- Noted that water user taxes/fees are being discussed by the State legislature again
- SB 1266 was signed and is in effect now; this law requires JPA agreements to be sent to the local LAFCO, in addition to the State. Ms. Layne will be sending the Agency’s JPA agreement to Kings County LAFCO.

**OTHER BUSINESS**

Mr. Melville reported that the website for the Agency ([swkgsa.org](http://swkgsa.org)) is anticipated to be on-line by the end of the month.

President Phillimore directed staff to notify the current mailing list to forward any recommendations to the Agency that they may have for the Alternate Director for the White

Areas seat on the Board.

As President Phillimore was about to adjourn the meeting, two members of the public arrived, due to some miscommunication of what time the Board meeting was to start. To accommodate this situation, the Public Hearing was reopened.

**PUBLIC HEARING**

President Phillimore re-opened the public hearing on the formation of a GSA. Again, Mr. Melville noted that the hearing had been properly noticed and provided an overview of the SGMA, including a review of the Agency boundary map; voting and non-voting membership, directors, and paying/non-paying members of the Agency; background on the Tulare Lake subbasin; future Prop 218 election to fund the Agency; January 2020 SGMA requirement to submit a GSP; State grant to the County for modeling the subbasin; and related information to the Agency's initial responsibilities.

Ms. Layne again reviewed Resolution No. 2017-1 and asked the Board to vote again on the resolution.

President Phillimore asked if the Board or public had any comments; hearing none, he closed the hearing and asked for a motion to approved Resolution No. 2017-1. That motion was again made by Director Puget, seconded by Director Jackson, and passed by the following vote:

Phillimore	Puget	J. Howe	C. Howe Jr	Jackson
Aye	Aye	Aye	Absent	Aye

**ADJOURNMENT**

There being no further business to come before the Board, at 3:10 p.m. Chairman Phillimore adjourned the meeting.

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Steven D. Jackson, Secretary-Treasurer

APPROVED:

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William D. Phillimore, Chairman