

**THE BOARD OF DIRECTORS OF THE
NORTH KINGS GROUNDWATER SUSTAINABILITY AGENCY
JOINT POWERS AUTHORITY
REGULAR MEETING MINUTES FOR OCTOBER 24, 2019, at 6:00 P.M.**

DIRECTORS / ALTERNATE DIRECTORS PRESENT

Fresno Irrigation District – Chairman Jerry Prieto, Jr.
Bakman Water Company – Director Steve Pickens
City of Fresno – Alternate Director Mike Carbajal
County of Fresno – Director Brian Pacheco
City of Kerman – Director Rhonda Armstrong
Garfield Water District – Director Karl Kienow

DIRECTORS / AGENCIES ABSENT

City of Clovis

MEMBER STAFF PRESENT

Executive Officer Gary R. Serrato – Fresno Irrigation District
Executive Officer Designate Kassy Chauhan
Legal Counsel Brian Martin – Atkinson, Andelson, Loya, Ruud, & Romo
Advisory Committee Chairman Scott Redelfs – City of Clovis
Technical Subcommittee Chairman Adam Claes – Fresno Irrigation District
Administrative/Fiscal Subcommittee Chairman Lisa Koehn
Membership/Outreach/Communications Subcommittee Chairman Brandy Swisher –
Fresno Metropolitan Flood Control District
Fiscal Officer DeAnn Hailey – Fresno Irrigation District
Consultant Ron Samuelian – Provost & Pritchard Consulting Group
Recording Secretary Lynn B. Rowe – Fresno Irrigation District

OTHERS PRESENT

Bill Stretch – Fresno Irrigation District
Dao Lor – Asian Business Institute & Research Center

PLEDGE OF ALLEGIANCE

Chairman Prieto called the meeting to order at 6:01 p.m. with the Pledge of Allegiance.

REVIEW AGENDA

(Additional Agenda Items – Requires Majority Approval of Board - §54954.2(b))

There were no changes / additions to the agenda.

REVIEW OF FUTURE MEETINGS

Staff has scheduled the Public Hearing meeting for November 21; therefore, the regular scheduled meeting for November 28 will be cancelled. The Board will determine at the November 21 meeting if a December Board meeting will be required.

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PUBLIC PRESENTATIONS (for items not on agenda) – 3 Minutes Maximum Per Person, 10 Minutes Maximum Per Subject

None.

POTENTIAL CONFLICTS OF INTEREST

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

None stated.

1. ADMINISTRATIVE MATTERS

a. Appointment of New Executive Officer – Action Item

Mr. Serrato introduced Ms. Kassy Chauhan as the new Executive Officer Designate, who will assume the Executive Officer position February 1, 2020. Mr. Serrato requested formal action be taken on the appointment of Ms. Chauhan as the new Executive Officer.

M/S/C (Kienow/Carbajal) That the Board of Directors approved the appointment of Ms. Chauhan as the new Executive Officer by the following vote. (Ayes – Pickens, Kienow, Armstrong, Prieto, Jr., Carbajal, Pacheco; Nays – 0; Absent – City of Clovis; Abstain – 0)

b. Approval of Special Board Meeting Minutes – August 15, 2019 – Action Item

There were no corrections or amendments to the minutes.

M/S/C (Pacheco/Armstrong) That the Board of Directors approved the minutes of the special meeting on August 15, 2019, by the following vote. (Ayes – Pickens, Armstrong, Prieto, Jr., Carbajal, Pacheco; Nays – 0; Absent – City of Clovis; Abstain – Kienow)

c. Kings Subbasin Coordination Update

Mr. Samuelian reviewed the following:

- All GSAs out for public comment and set for adoption by December
 - McMullin had their public hearing October 16, with adoption postponed until November
 - North Fork had their public hearing on October 24
 - Several comment letters have been received by Kings Subbasin GSAs

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- Kings River East draft GSP released for public comment in mid-September
- Cooperative Agreement completed and ready for approval
- Basin Data Management System is still being developed – rollout expected April 1
- Preparing grant application for \$500,000 for Basin (split evenly with the seven GSAs) for monitoring wells, and well video inspections / pulling wells.
- First annual report for Basin due April 1, 2020

d. Kings Subbasin Coordination Agreement – Action Item

This is a required element for SGMA compliance due to having multiple GSPs within the Basin. Plans (from each GSA) can be uploaded to the Department of Water Resources (DWR); however, none of them can be submitted until all GSPs within each Basin are uploaded and a coordination agreement has been signed.

M/S/C (Kienow/Armstrong) That the Board of Directors approved the Kings Basin Coordination Agreement by the following vote. (Ayes – Pickens, Kienow, Armstrong, Prieto, Jr., Carbajal, Pacheco; Nays – 0; Absent – City of Clovis; Abstain – 0)

e. Advisory Committee Update

Mr. Redelfs stated the Advisory Committee did not meet in October. The Committee expects to meet once comment letters have been received.

i. Technical Subcommittee Update

Mr. Claes reported on:

- October 23 – Technical Subcommittee meeting to review public comments received for draft GSP (written comments were due October 18).
- October 23 to November 6 – Subgroup of Technical Subcommittee and Staff to address comments and develop recommended responses/revisions (approximately 150 comments received from 20 individuals/entities)
 - Main comment topics: Water quality, monitoring networks, DACs/domestic wells and impacts, and environmental concerns
 - Subcommittee is developing domestic well impact analysis
 - Improvements to monitoring network and water quality sustainable management criteria

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- Subcommittee continues revising NKGSA individual agency groundwater impacts and responsibility memorandum
- November 6 – Technical Subcommittee to discuss proposed responses to comments and GSP revisions
- November 15 – Advisory Committee meeting (moved from November 8) to review public comments and the Technical Subcommittee’s recommended responses and GSP revisions
- November 21 – Public Hearing (FID Office at 6:00 pm) and Board meeting to consider GSP adoption

ii. Administrative/Fiscal Subcommittee Update

Ms. Koehn reported the subcommittee is working on a support/recommendation policy, at the direction of the Technical Subcommittee. This policy will be used when agencies or groups are looking to apply for grants or projects and a letter of support is needed. Once the draft policy is ready, the subcommittee will take it to the Advisory Committee before bringing it to the full Board.

iii. Membership/Outreach/Communications Subcommittee Update

Ms. Swisher outlined the outreach events that have been held recently. After the draft GSP was released, the Outreach subcommittee held three workshops (September 12, 16, and 18 throughout the Fresno area) to explain the draft GSP to various stakeholder groups. Several additional outreach events and workshops were held within the Central Valley from August to October.

Mr. Serrato provided the Board a letter received from the Asian Business Institute & Resource Center regarding DWR’s requirements of nonprofit organizations applying for grants.

2. LEGAL MATTERS

Nothing new to report.

3. FINANCIAL MATTERS

a. Expense Report for August and September 2019 – Action Item

Ms. Hailey reported staffing expenses were on the high side while preparing for the GSP.

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M/S/C (Pickens/Pacheco) That the Board of Directors approved the August and September 2019 Expense Reports by the following vote. (Ayes – Pickens, Kienow, Armstrong, Prieto, Jr., Carbajal, Pacheco; Nays – 0; Absent – City of Clovis; Abstain – 0)

b. Financial Statements for September 30, 2019 – Action Item

Ms. Hailey reviewed the September 30, 2019 Financial Statements. It was reported that all agencies have paid their portion for the 2019/2020 year.

M/S/C (Kienow/Pickens) That the Board of Directors approved the September 30, 2019 Financial Statements by the following vote. (Ayes – Pickens, Kienow, Armstrong, Prieto, Jr., Carbajal, Pacheco; Nays – 0; Absent – City of Clovis; Abstain – 0)

c. 2018-2019 Audited Financial Statements – Action Item

Ms. Hailey explained the auditor was not able to attend the Board meeting. Should the Board desire to have him appear at a future meeting, the auditor will be able to present the audit to the Board and answer any questions they may have. The Board indicated that they will not require the auditor to attend a future meeting. Ms. Hailey reported that it was the opinion of the auditing firm that the financial statements referred to above were presented fairly, in all material respects, the respective financial position of the business-type activities of the NKGSA, and the respective changes in financial position, and, where applicable, cash flows for the year then ended in accordance with accounting principles generally accepted in the United States of America. The auditor's report stated it issued a clean or unmodified opinion that the financial statements were presented free of material misstatement.

M/S/C (Armstrong/Kienow) That the Board of Directors approved the 2018-2019 Audited Financial Statements as presented by Staff by the following vote. (Ayes – Pickens, Kienow, Armstrong, Prieto, Jr., Carbajal, Pacheco; Nays – 0; Absent – City of Clovis; Abstain – 0)

d. Resolution 19-01: Authorization of Individuals to Transact with the Bank – Action Item

Ms. Hailey stated with the upcoming change of the executive officer, Mr. Serrato and the Board members should be taken off as signers on the account. Staff is proposing

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that Kassy Chauhan, Adam Claes, and Scott Redelfs should be signers on the bank accounts. Ms. Hailey will serve as the fiscal agent and have access to the accounts.

M/S/C (Carbajal/Armstrong) That the Board of Directors approved Resolution 19-01 as presented by Staff by the following roll call vote. (Ayes – Pickens, Kienow, Armstrong, Prieto, Jr., Carbajal, Pacheco; Nays – 0; Absent – City of Clovis; Abstain – 0)

4. EXECUTIVE OFFICER REPORT

a. Insurance - Update

Ms. Chauhan updated the Board on the inquiry of liability coverage for the NKGSA and its Board Members. Not a lot of current information on litigation insurance is available.

Staff will continue to look at ACWA/JPIA but also other options. The NKGSA is not currently a full member of ACWA (but is an affiliate member) and may need to look to join as a full member at a future date. Current ACWA/JPIA coverage only covers up to the time that the GSP is submitted to the DWR.

Ms. Chauhan stated that Staff has been reviewing the GSPs of the other GSAs within the Kings Subbasin and surrounding areas and is providing recommendation/comment letters. Two comment letters have been submitted to date.

5. DIRECTORS REPORT

Director Pickens – none.

Director Kienow – Ms. Chauhan and Mr. Claes appeared at the American Public Works Association chapter meeting. Mr. Claes gave an excellent presentation.

Director Armstrong – none.

Director Prieto – reported that he will miss the next two to three meetings due to health issues.

Alternate Director Carbajal – none.

Director Flores – absent.

Director Pacheco – none.

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Open Session was concluded at 6:46 p.m. with the Board of Directors, the Executive Officer, and some management Staff going into Closed Session at 6:46 p.m.

CLOSED SESSION

Conference with Legal Counsel – Anticipated Litigation (Government Code Section 54956.9(d)(2)): Two potential cases

Closed Session was adjourned at 7:03 p.m. and Open Session resumed immediately.

6. REPORT ON ACTION TAKEN IN CLOSED SESSION

Chairman Prieto stated there was nothing to report out of Closed Session.

7. ADJOURNMENT

With no further discussion or action, Chairman Prieto adjourned the meeting at 7:03 p.m.

Submitted by,



Gary R. Serrato, Executive Officer-Secretary/Treasurer