

**THE BOARD OF DIRECTORS OF THE  
NORTH KINGS GROUNDWATER SUSTAINABILITY AGENCY  
JOINT POWERS AUTHORITY  
REGULAR MEETING MINUTES FOR  
APRIL 22, 2021, AT 6:00 P.M.  
2907 SOUTH MAPLE AVENUE – FRESNO, CA**

**TELECONFERENCE MEETING**

**DIRECTORS / ALTERNATE DIRECTORS PRESENT**

Fresno Irrigation District – Chairman Jerry Prieto, Jr. (via conference call)  
County of Fresno – Vice Chairman Brian Pacheco (via conference call)  
Bakman Water Company – Director Steve Pickens (via conference call)  
City of Fresno – Alternate Director Mike Carbajal (via conference call)  
City of Clovis – Director Bob Whalen (via conference call)  
Garfield Water District – Karl Kienow (via conference call – with intermittent connection)  
Biola Community Services District – Alternate Director Eduardo Antunez (Seat 7) (via conference call)

**DIRECTORS / AGENCIES ABSENT**

Malaga County Water District (Seat 7) Moises Ortiz

**MEMBER STAFF PRESENT**

Executive Officer Kassy Chauhan – North Kings GSA (via conference call)  
Legal Counsel Kevin Dale – Atkinson, Andelson, Loya, Ruud, & Romo (via conference call)  
Advisory Committee Chairman Scott Redelfs – City of Clovis (via conference call)  
P&P Consulting Group Representative – Ronnie Samuelian (via conference call)  
Fresno Irrigation District Assistant General Manager – Adam Claes (via conference call)  
Fresno Irrigation District General Manager – Bill Stretch (via conference call)  
City of Kerman Representative – Jerry Jones (via conference call)  
Staff Analyst Andrew Remus - Fresno Metropolitan Flood Control District (via conference call)  
Fresno Metropolitan Flood Control District Representative – Brandy Swisher (via conference call)  
Recording Secretary Lynn B. Rowe – Fresno Irrigation District (via conference call)

**OTHERS PRESENT**

Public At Large – Lisa Koehn (City of Clovis Retired) (via conference call)  
Asian Business Institute & Resource Center Representative – Dao Lor (via conference call)  
Fresno League of Women Voters - Fresno Representative – Diane Merrill (via conference call)  
Independent Reporter Don Wright (via conference call)  
Westlands Water District Representative – Kitty Campbell (via conference call)

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**1. SWEARING IN OF APPOINTED DIRECTORS**

The Oaths of Office were previously taped and then shown during the Board meeting. The oath was administered to Fresno City Mayor Jerry Dyer as Director; followed by the swearing in of City of Clovis Council Member Bob Whalen as Director and Council Member Drew Bessinger as Alternate Director. The remaining Board and staff would like to thank Mayor Jose Flores from the City of Clovis and Former Mayor of Fresno Lee Brand for their service to the North Kings GSA.

**2. PLEDGE OF ALLEGIANCE**

Chairman Prieto called the meeting to order with the Pledge of Allegiance at 6:03 p.m.

Ms. Chauhan, acting as the meeting's moderator, provided the instructions for conducting a teleconference meeting while the Shelter-In-Place order is in effect due to the COVID-19 meeting restrictions. This meeting was held completely virtually. Full instructions were provided in the agenda. Ms. Chauhan reported that no written comments were received for this meeting.

Ms. Chauhan then conducted a roll call of directors, staff, interested parties, and the public who wanted to be identified. Ms. Chauhan reviewed the instructions on the commenting, making of a motion, and voting procedures. Once that was complete, the meeting was turned back over to Chairman Prieto.

**3. REVIEW AGENDA**

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

There were no additions or changes to the agenda.

**4. REVIEW OF FUTURE MEETINGS**

Remaining dates will stay as scheduled.

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

None.

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**6. 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 §18705]

None stated.

**7. ADMINISTRATIVE MATTERS**

**a. Discussion/Possible Action on Board Meeting Minutes – February 25, 2021**

There were no corrections or amendments to the regular meeting minutes.

**M/S/C (Carbajal/Pickens) That the Board of Directors approved the minutes of the February 25, 2021 regular meeting. Ms. Chauhan proceeded with calling of the roll call vote. (Ayes – Pickens, Kienow, Prieto, Jr., Carbajal, Whalen, Pacheco; Nays – 0; Absent – Ortiz; Abstain – 0)**

**b. Kings Subbasin Coordination Update (Samuelian)**

Mr. Ronald Samuelian reviewed the following:

- SGMA Implementation Grant Round 1
  - Recommended for Full Funding (\$4.8M) for four projects from three GSAs in Kings Subbasin.
  - FID Savory Pond Expansion Project and Kerman Lions Park Recharge Project were included.
- Additional money potentially available in draft budget (\$60M). Projects need to be ready to go and competitive to be considered for approval. Must already be in the GSP.
  - If approved, likely out mid-summer, for planning and implementation.
- Spring 2021 Water Level Readings being gathered.
- Proceeding with Coordinated Basin outreach efforts.
- Annual report submitted March 31 (based on water year October 2019 – September 2020).
  - Kings Basin Surface Water Deliveries in water year 2020 were 940,000 AF compared to 1,800,000 AF in water year 2019

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- Kings Basin Groundwater Storage Change estimated to be -550,000 AF (was +390,000 AF in water year 2019)

**c. Water Conditions Update (Claes)**

Adam Claes reviewed the following water conditions:

- Presented Tulare Basin 6-Station chart representing the average vs. current precipitation levels on a month-by-month basis (October – February). Covers between the San Joaquin River and Kern River. Currently shows zero precipitation for the month of April – average is 2.5 inches. A late-season storm is expected in two to three days.
- Presented Snow Water Content chart for the Central area (34% of April 1 average). The April 20 DWR Bulletin 120 Kings Runoff Forecast a 27% of April – July average. This is tracking to be the second driest October – March runoff on record; and on track for being the fifth driest year on record. Mr. Claes reported that FID's BOD has approved the start of water season on June 1.

**d. Advisory Committee Update (Redelfs)**

Mr. Redelfs stated the Advisory Committee last met on April 9, 2021. The Committee took action to recommend the approval of the new Signing and Spending Authority Policy (NKGSA 2021-002). The Committee also acted and approved the financial statements, and the 2021-2022 budget revisions, all of which will be presented during the Board meeting.

**e. Discussion/Possible Action – Adoption of Signing and Spending Authority Policy – NKGSA 2021-002 (Chauhan)**

Ms. Chauhan reviewed the details of Policy NKGSA 2021-002 and laid out the signing authority of the Executive Officer (EO), spending authority of the Executive Officer, Delegation of Authority, and spending authorization limits. The policy outlines that the EO has the authority to approve any budget-approved items up to \$50,000 and up to \$5,000 for non-budgeted items. The NKGSA followed Fresno Irrigation District's purchasing Policy 130-403 for procurement and purchasing.

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The Advisory Committee recommended approval subject to the following changes:

- Removal of Data Collection Section (not applicable for this policy)
- Addition of General Provision
  - Non-disclosure and confidentiality agreements will be brought to the Board of Directors at the next scheduled meeting if not approved by the Board of Directors prior to executing.

If approved, this policy would become effective immediately. After some discussion with the Board concerning the EO reporting schedule to the Board and actual versus budgeted limits, the Board called for a motion.

Ms. Chauhan made note that Eduardo Antunez (Alternate Director for Seat 7) was present and will participate in the motions/vote for the remaining action items.

**M/S/C (Whalen/Kienow) That the Board of Directors approved Policy NKGSA 2021-002 as presented by staff. Ms. Chauhan proceeded with calling of the roll call vote. (Ayes – Pickens, Kienow, Prieto, Jr., Carbajal, Whalen, Pacheco, Antunez; Nays – 0; Absent – 0; Abstain – 0)**

**f. Workgroup Updates (Chauhan)**

**i. Policy Workgroup (Chauhan)**

- 1. Mitigation Responsibility Policy Update**
- 2. Member Agency Reporting Policy Update**

Member Agency Reporting Policy

- Considered by Advisory Committee in May 2021
  - Groundwater Extraction Data
  - Recharge Data
  - Project Implementation Schedule and Milestones
- Timeline:
  - GW Impact Analysis/Follow Up Discussion – April 2021
  - Finalize GW Mitigation Responsibilities – Late April 2021
  - Draft Policy – Work with Member Agencies – April/May 2021
  - Mitigation and Member Agency Reporting Policy Considered by Advisory Committee – May 14, 2021

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- ii. **Project Review Workgroup (Chauhan)**  
Nothing reported.

**8. FINANCIAL MATTERS**

- a. **Discussion/ Possible Action – Approval of the January 2021 and February 2021 Expense Reports (Hailey Koehn)**
- b. **Discussion/Possible Action – Approval of the Financial Statements as of February 28, 2021 (Hailey Koehn)**

Ms. Hailey was not able to attend the meeting; however, Ms. Koehn was able to step in and present the Financial Matters.

Ms. Koehn reported on the January 2021 and February 2021 Expense Reports including expenses for attorney services, Fresno Irrigation District reimbursement, Kings River Conservation District (for public information services), and Provost & Pritchard Consulting. Expenses were reported to be within budget.

Ms. Koehn reported on the financial statements, including Balance Sheet, Income Statement, and Unpaid Invoices that ended February 28, 2021. All items were reported to be within budget.

Both item 7. a. and b. were taken as one vote, as directed by the Board.

**M/S/C (Pacheco/Pickens) That the Board of Directors approved the January 2021 and February 2021 Expense Reports and the Financial Statements as of February 28, 2021 as presented. Ms. Chauhan proceeded with the calling of the roll call vote. (Ayes – Pickens, Kienow, Prieto, Jr., Carbajal, Whalen, Pacheco, Antunez; Nays – 0; Absent – 0; Abstain – 0)**

- iii. **Discussion/Possible Action – Approval of the FY 2020-2021 Budget Revision (Hailey Koehn)**

Ms. Koehn outlined the revisions of the 2020-2021 budget:

- Contributions – No Revisions
  - Member Agency Contributions

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**TELECONFERENCE MEETING**

- Interested Party Contributions
- Grant Contributions
- Increased Expenses
  - Public Information
  - Dues/Subscriptions (ACWA dues increased)
- Decreased Expenses
  - Legal Expenses
  - Kings Basin Coordination
  - Engineering Consultant
  - Staff Expenses

Any excess funds will be carried over to next year's budget and used towards the Member Agency Contributions.

Ms. Chauhan stated the Advisory Committee reviewed the revised budget and approved (except for the increased dues to ACWA, as the invoice was not received until after the Advisory Committee meeting). The Committee voted to approve the 2020/2021 Revised Budget. In response to Chairman Prieto's inquiry about expenses going up on insurance and subscription costs, staff reported they contacted ACWA regarding the increases and were told the increase was calculated based on the NKGSA operating expenses using the ACWA membership dues calculator. As an affiliate member, the NKGSA pays half of the calculated membership dues.

**M/S/C (Kienow/Carbajal) That the Board of Directors approved the 2020/2021 Revised Budget as presented. Ms. Chauhan proceeded with calling of the roll call vote. (Ayes – Pickens, Kienow, Prieto, Jr., Carbajal, Whalen, Pacheco, Antunez; Nays – 0; Absent – 0; Abstain – 0)**

**iv. Interested Party Invoices Update (Hailey Koehn)**

Invoices were mailed out on April 1, 2021 and are due by April 30, 2021. To date we have received the voluntary contributions from: Self Help Enterprises, Pinedale County Water District, and Malaga County Water District.

Ms. Chauhan stated the Interested Party invoices are on track for the same as last year. Voluntary contributions received this year will be put towards the 2021/2022 fiscal year budget.

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**9. EXECUTIVE OFFICER REPORT (Chauhan)**

**a. Kings Subbasin Annual Report – Water Year 2020**

- Two Dry Years – Anticipated Decline in Water Levels
  - Considered in Development of GSP
- Water Level Measurements (staff keeping a close eye on this)
  - Some Representing Monitoring Wells (RMWs) at or below Measurable Objectives (MOs) – could be they are not good RMWs
  - Need to Evaluate RMWs
  - No changes to MOs/MT (Minimum Thresholds)

Staff continues to gather water level information for the entire NKGSA and will bring the results to the Board for review. Preliminary data shows that water levels appear to be four to five feet lower than previous readings.

**b. Member Agency – Call for Projects**

Timeline

- April 2021 – Call for Projects – Agencies to submit outline to GSA via template provided
- May 27, 2021 – Project submittal deadline for potential projects
- May 31 – June 4, 2021 – Project workgroup evaluates potential projects for inclusion on project list
- June 11, 2021 – Advisory Committee considers recommended projects
- June 24, 2021 – Board considers approval of recommended projects and projects added

**c. Member Agency Mitigation Responsibility Update**

- Simplified procedure developed
- Follow-up meetings in progress
- Large group meeting – May 2021
- Mitigation responsibility policy to Advisory Committee in May 2021



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**d. Outreach / External Affairs Update**

- Domestic well owners
  - Domestic well owner brochure (well drillers webinar held in March 2021)
- Schools
  - Schools brochure
  - Webinar – April 20, 2021
  - Discussed alternate water source and conservation
- San Joaquin Valley Water Collaborative Action Plan
  - Drinking Water Caucus Discussions – (almost completed) Development of Problem Statement
- Social Media
  - Increased engagements
  - Short video series
- Blog Posts – E-News
  - Board meeting update
  - Brochures announcement
- Website Updates and Refresh – working on timely updates and keeping up with pertinent information
- Staff Report – Recommendations for an Effective Water Rights Response to Climate Change
  - 12 Recommendations
  - Comments Submitted – March 31<sup>st</sup>
    - KRWA on Behalf of Member Agencies
    - Kings Subbasin – five to seven GSAs

Per Chairman Prieto's request, the comment letter will be added to the NKGSA website.

**e. Representative Monitoring Network Update**

- Spring Measurements Scheduled
  - All water level measurements taken in March and October each year
  - City of Fresno, City of Clovis and FID
  - Alternate sites needed

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- Contact with Well Owners
  - Securing well access agreements
  - Scheduling downhole video inspections
  - Scheduling pump pulling – prior to irrigation season
  - Need construction information for all monitoring wells

<b>RMW Network</b>	<b>Site Visits – Camera Access</b>	<b>Construction Info Needed</b>
<b>Water Level</b>	<b>5 Remaining</b>	<b>10 Wells</b>
<b>Water Quality</b>	<b>0</b>	<b>6 – Centerville School/Vulcan Materials and Four Private Wells</b>

**f. Miscellaneous**

- Fresno County Coordination Update:
  - New Well Permit Review (increase in number of permits submitted to the County). No increase in delay of the new permits
  - Driller Meeting
    - March 18<sup>th</sup>
    - 30+ participants
  - Planning Document Routing and Review
  - Quarterly coordination discussions
  - Outreach to residents in white areas
- AEM Survey Results – Foothill Area (reviewed preliminary report – little new information). Waiting on final report from Standard University
- DWR Well Standards TAC – Kickoff Meeting and sub-committee meetings (will have an opportunity to review and provide public comment)
- Drought Response Inquiries
  - New well permit applications
  - Interview (Ms. Chauhan) with Monica Vaughn – Fresno Bee – Fresnoland
  - CSUF – proposed drought hotline

**10. DIRECTORS REPORT**

**Director Pickens** – nothing to report.

**Director Kienow** – nothing to report.

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**Alternate Director Carbajal** – nothing to report.

**Director Prieto** – nothing to report.

**Director Whalen** – nothing to report.

**Director Pacheco** – nothing to report.

**Alternate Director Antunez** – nothing to report.

Ms. Chauhan stated anyone not participating in the Closed Session portion of the meeting should log out. Anyone wanting to reconnect to Open Session, can do so after waiting a short time and then reconnect to the meeting where it will be re-opened once Closed Session has concluded.

Open Session recessed at 7:22 p.m.

**CLOSED SESSION**

Director Pacheco recused himself from Closed Session and left the meeting.

**Conference with Legal Counsel – Anticipated Litigation** (Government Code Section 54956.9(d)(2)): One potential case

Closed Session adjourned at 8:06 p.m. and Open Session was reopened.

**11. REPORT ON ACTIONS(S) TAKEN IN CLOSED SESSION**

Chairman Prieto reported that there was nothing to report out from Closed Session.

**12. ADJOURNMENT**

With no further discussion or action, Chairman Prieto adjourn the meeting at 8:06 PM.

Submitted by,

  
\_\_\_\_\_  
Kassy Chauhan, Executive Officer-Secretary/Treasurer