

**THE BOARD OF DIRECTORS OF THE
NORTH KINGS GROUNDWATER SUSTAINABILITY AGENCY
JOINT POWERS AUTHORITY
MINUTES FOR THE DECEMBER 7, 2016, at 6:00 P.M.**

DIRECTORS PRESENT

Jerry Prieto, Jr. – Fresno Irrigation District
Karl Kienow – Garfield Water District
Rudy Hernandez – Biola Community Service District
Jose Flores – City of Clovis
Ashley Swearengin – City of Fresno (arrived at 6:08 pm)
Brian Pacheco – County of Fresno
Seventh Board Seat (Individual to be Named at a Later Date)

DIRECTORS ABSENT

None

MEMBER STAFF PRESENT

Gary R. Serrato – Fresno Irrigation District (Facilitator)
Tommy Esqueda – City of Fresno
Luke Serpa – City of Clovis
Augustine Ramirez – County of Fresno
Lisa Koehn – City of Clovis
Adam Claes – Fresno Irrigation District
Bill Stretch – Fresno Irrigation District
DeAnn Hailey – Fresno Irrigation District
Lauren Layne – Baker, Manock and Jensen
Bernard Jimenez – County of Fresno
Dwight Miller – Biola Community Service District
Shay Bakman – Bakman Water District
Sarge Green – California State University, Fresno
Nick Keller – Garfield Water District Consultant
Ken Moore – City of Kerman
Alan Hofmann – Fresno Metropolitan Flood Control District
Lynn B. Rowe – Fresno Irrigation District (Recording Secretary)

Chairman Prieto called the meeting to order at 6:00 p.m.

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.

**THE BOARD OF DIRECTORS OF THE
NORTH KINGS GROUNDWATER SUSTAINABILITY AGENCY
JOINT POWERS AUTHORITY
MINUTES FOR THE DECEMBER 7, 2016, at 6:00 P.M.**

1. ADMINISTRATIVE MATTERS

a. Pledge of Allegiance

b. Review Agenda

No changes to the agenda.

c. Public Hearing for Election of Joint Powers Authority to be Groundwater Sustainability Agency

i. Public Comments

Mr. Serrato stated the required legal public notice was posted in the Business Journal on November 23 and 30, 2016. Chairman Prieto opened the comment period at 6:02 p.m. and asked if there were any public comments. With no comments, Chairman Prieto closed the comment period at 6:03 p.m.

ii. Take Action to Adopt Resolution of Intent (Resolution 16-01)

The North Kings Groundwater Sustainability Agency is a joint powers authority, formed pursuant to the Joint Exercise of Powers Act consisting of multiple local agencies and is therefore eligible to serve as a GSA within the Kings Subbasin.

M/S/C (Kienow/Flores) That the Board of Directors approved Resolution 16-01 by the following roll call vote. (Ayes – Kienow, Hernandez, Prieto, Flores, Pacheco; Nays – 0; Absent – Swarengin; Abstain – 0)

iii. Direct Staff to File GSA Notification with DWR

The Board directed staff to file all the necessary notifications with DWR as stated in item 5. of Resolution 16-01.

d. Public Presentations (for items not on agenda) – 3 Minutes Maximum Per Person, 10 Minutes Maximum Per Subject

Mr. Serrato introduced a letter from Pinedale County Water District endorsing Bakman Water District for admission into the NKGSA. A similar letter was presented from the Malaga County Water District at the November 2016 meeting.

e. Consent Calendar

i. Approval of Regular Board Meeting Minutes – November 16, 2016

M/S/C (Hernandez/Flores) That the Board of Directors approved the Consent Calendar by the following vote. (Ayes – Kienow, Hernandez, Prieto, Flores, Pacheco; Nays – 0; Absent – Swarengin; Abstain – 0)

f. Review of Future Meetings – Take Action to Set Dates for 2017 Board Meetings

**THE BOARD OF DIRECTORS OF THE
NORTH KINGS GROUNDWATER SUSTAINABILITY AGENCY
JOINT POWERS AUTHORITY
MINUTES FOR THE DECEMBER 7, 2016, at 6:00 P.M.**

- i. Recommendation: Reoccurring 4th Thursdays of each month, 6:00 PM at Fresno Irrigation District office as shown in schedule**

Mr. Serrato stated that during the November 28 Advisory Committee meeting the agencies discussed holding the regular board meetings on the fourth Thursdays of each month at the Fresno Irrigation District office. A tentative calendar has been provided for review/approval.

M/S/C (Kienow/Flores) That the Board of Directors approved the regular meeting dates as the fourth Thursday of each month at the Fresno Irrigation District office with the time set to start at 6:00 p.m. by the following vote. (Ayes – Kienow, Hernandez, Prieto, Flores, Pacheco; Nays – 0; Absent – Swearengin; Abstain – 0)

g. Member Updates

Mr. Serrato stated an MOU is being developed with the Fresno Metropolitan Flood Control District (FMFCD) which would allow them to become a participating party on the Board. Coordination is being handled through Baker, Mancok & Jensen who is representing FMFCD. Staff hopes to have the document ready for the January 2017 meeting.

Ms. Lane stated that the State Water Resources Control Board has not yet responded to the inquiry on whether the University of California, Fresno can be a participating entity of the Groundwater Sustainability Agency.

h. Advisory Committee introduction and update – Review and Take Action

- i. Recommendation: Approve Legal Counsel RFP and Technical Engineering Consultant RFQ review panels. (List will be provided during meeting)**

Mr. Luke Serpa, Chairman of the Advisory Committee, stated the first committee meeting took place on November 28 with each of the NKGSA participating members having a representative on the committee. Sub-committee members for the Legal Counsel RFP and the Engineering Consultant RFQ were identified. It will be the sub-committees' responsibilities to review all incoming RFPs and RFQs. Staff requested approval of the panels as presented.

M/S/C (Flores/Kienow) That the Board of Directors approved the selected legal counsel and engineering technical consultant panels as presented by Staff by the following vote. (Ayes – Kienow, Hernandez, Prieto, Flores, Swearengin, Pacheco; Nays – 0; Absent – 0; Abstain – 0)

**THE BOARD OF DIRECTORS OF THE
NORTH KINGS GROUNDWATER SUSTAINABILITY AGENCY
JOINT POWERS AUTHORITY
MINUTES FOR THE DECEMBER 7, 2016, at 6:00 P.M.**

i. Rename Secretary/Treasurer title to Executive Officer – Review and Take Action

i. Recommendation: Rename the “Secretary/Treasurer” title to “Executive Officer” to better match functions and responsibilities

Mr. Serrato explained that when he attends other meetings or functions, the title executive officer better represents Mr. Serrato’s position with the NKGSA. Mr. Serrato requested that the title change be approve.

M/S/C (Swearengin/Hernandez) That the Board of Directors approved Gary Serrato’s title change by the following vote. (Ayes – Kienow, Hernandez, Prieto, Swearengin, Flores, Pacheco; Nays – 0; Absent – 0; Abstain – 0)

j. North Kings GSA Letterhead and Logo – Requesting Board Direction

i. Recommendation: Authorize Admin/Fiscal Agent to draft several letterhead and logo options for consideration at the January 2017 Board Meeting

Mr. Serrato stated that the NKGSA is being asked to respond to different government agencies. Staff believes it would be beneficial to develop a logo and letterhead specifically for the NKGSA.

The Board directed Staff to develop different options for the Board to choose from.

2. LEGAL MATTERS

a. Bakman Water Company Participation Agreement – Review and Take Action

i. Recommendation: Adopt Bakman Water Company Participation Agreement

Ms. Layne stated that this agreement has been routed and approved by the individual agencies. The agreement would allow the Bakman Water Company to participate on the Board and assume its financial share of costs. SGMA allows for private water companies to participate in GSAs; however, there were some requirements that Bakman needed to work through with the Public Utilities Commission (PUC) since Bakman reports to the PUC.

Mr. Shay Bakman representing Bakman Water District thanked everyone for helping to development this agreement and is pleased to be able to participate.

M/S/C (Flores/Kienow) That the Board of Directors approved the Bakman Water Company Participation Agreement by the following vote. (Ayes – Kienow, Hernandez, Prieto, Swearengin, Flores, Pacheco; Nays – 0; Absent – 0; Abstain – 0)

**THE BOARD OF DIRECTORS OF THE
NORTH KINGS GROUNDWATER SUSTAINABILITY AGENCY
JOINT POWERS AUTHORITY
MINUTES FOR THE DECEMBER 7, 2016, at 6:00 P.M.**

b. Conflict of Interest Code – Review and Take Action

i. Recommendation: Adopt Conflict of Interest Code

Ms. Layne explained that the Conflict of Interest Code (COI) governs which positions need to complete the yearly Statement of Economic Interest forms (Form 700). Currently the Directors, executive officer, legal counsel and engineering consultant are required to file 700 Forms. This code should be updated every two years. Ms. Layne also reminded the Directors that their 700 Forms for the NKGSA are due in a few days to the County of Fresno with FID acting as the filing official.

M/S/C (Swearengin/Hernandez) That the Board of Directors approved the Conflict of Interest Code as presented by Staff by the following vote. (Ayes – Kienow, Hernandez, Prieto, Swearengin, Flores, Pacheco; Nays – 0; Absent – 0; Abstain – 0)

c. Insurance

Mr. Serrato stated that it is critical for the group to carry errors and omissions insurance. Staff has reached out to a couple of different agencies (ACWA-JPIA and California Special District Association). Staff is looking into different options and will update the Board as needed. Mr. Serrato stated that each Director should review their “home” board insurance policy to verify that they are covered to participate on the NKGSA Board until an insurance policy can be acquired for the NKGSA Board.

d. Policy Updates

The Advisory Committee is working on the by-laws and procurement policies and hopes to have them ready to present at the January meeting.

3. FINANCIAL MATTERS

a. Remainder of Fiscal Year 2016-2017 JPA/GSA Budget (November 16, 2016 through June 30, 2017) - Informational

Mr. Claes reviewed how the percentage of cost shares were developed among the participating agencies for the 2016/17 fiscal year. Factors considered in the decision were the land area of each party, estimated groundwater pumping, minimum cost participation, as well as other aspects. The 2016/2017 budget is \$345,328.38 and the three-year budget is projected to be \$1,935,220.

b. Fiscal Agent Report

i. Financial Report

Ms. DeAnn Hailey reported that the NKGSA now has a federal identification number. Invoices have been sent out, checks have been received and fiscal policies are being developed.

**THE BOARD OF DIRECTORS OF THE
NORTH KINGS GROUNDWATER SUSTAINABILITY AGENCY
JOINT POWERS AUTHORITY
MINUTES FOR THE DECEMBER 7, 2016, at 6:00 P.M.**

- ii. **NKGSA JPA Bank Account Setup – Review and Take Action**
 - a. **Recommendation: Authorize Fiscal Agent to setup bank accounts for NKGSA JPA**

Ms. Hailey requested authorization to open a checking account to handle the financial needs for the NKGSA JPA.

M/S/C (Hernandez/Flores) That the Board of Directors approved the fiscal agent to open up a checking account by the following vote. (Ayes – Kienow, Hernandez, Prieto, Swarengin, Flores, Pacheco; Nays – 0; Absent – 0; Abstain – 0)

- b. **Recommendation: Designate Secretary/Treasurer (Executive Officer) as primary signee, with sitting Board Members as secondary signees**

Ms. Hailey also requested that the Executive Officer-Secretary/Treasurer be designated as the primary signee on the account with each sitting Director as a secondary signee.

M/S/C (Kienow/Hernandez) That the Board of Directors approved the Executive Officer-Secretary/Treasurer as the primary signee and the sitting Directors as the secondary signees by the following vote. (Ayes – Kienow, Hernandez, Prieto, Swarengin, Flores, Pacheco; Nays – 0; Absent – 0; Abstain – 0)

Mr. Serrato stated that LAFCo is developing a water policy. Mr. Serrato is encouraging LAFCo to meet with the area's GSAs before developing a water policy. LAFCo's Executive Officer David Fey will be attending NKGSA's January Board meeting.

A coordination agreement is being developed among the six area Groundwater Sustainable Agencies within the Kings Basin to meet the requirements of the Act.

4. DIRECTORS REPORT

Director Kienow – none

Director Hernandez – none

Director Prieto – commented on an article printed in the publication *Families Protecting the Valley* on a proposed major fast food chain restaurant in the Firebaugh/Mendota – I-5 Corridor. The restaurant was required to have two acre-feet of water to service the restaurant in order to be able to open. The area is serviced by the San Luis Water District and because they did not receive any water this year, the restaurant was not able to be built. This caused 50-60 jobs to be lost in an area that desperately needs them.

Director Swarengin – enjoyed being on the Board even though it was for a short time.

**THE BOARD OF DIRECTORS OF THE
NORTH KINGS GROUNDWATER SUSTAINABILITY AGENCY
JOINT POWERS AUTHORITY
MINUTES FOR THE DECEMBER 7, 2016, at 6:00 P.M.**

Director Flores – none

Director Pacheco - none

5. ADJOURNMENT

With no further action, Chairman Prieto adjourned the meeting at 6:56 p.m.

Respectfully Submitted by,



Gary R. Serrato, Executive Officer-Secretary/Treasurer