

**MID-KINGS RIVER GROUNDWATER SUSTAINABILITY AGENCY
JOINT POWERS AUTHORITY
SPECIAL MEETING MINUTES
THURSDAY, DECEMBER 14, 2017**

Chair McCutcheon called the special meeting to order at approximately 1:00 p.m.

DIRECTORS PRESENT: David Ayers; Barry McCutcheon, Chair,
Michael Murray, Vice-Chair

DIRECTORS ABSENT: Steven P. Dias

OTHERS PRESENT: Dennis Mills, Secretary Ray Carlson, Legal Counsel;
Mike LaSalle Julianne Phillips, County of Kings
Abigail Solis, Self-Help Enterprises Bill Toss
John Doyel, City of Hanford Dusty Ference, K.C. Farm Bureau
Dennis Tristao, J. G. Boswell Co.

ESTABLISH QUORUM

It was determined that a quorum was present at the meeting.

CONFLICT OF INTEREST

None.

PUBLIC COMMENT PERIOD

None.

APPROVAL OF OCTOBER 18, 2017 SPECIAL MEETING MINUTES

Chair McCutcheon asked if there was a motion regarding the minutes circulated in this month's Board packets. Director Ayers made a motion to approve the October 18, 2017 regular meeting minutes. Vice-Chair Murray seconded the motion and the Board unanimously approved the regular meeting minutes of October 18, 2017. The vote for all of the Directors was as follows:

AYES: David Ayers, Barry McCutcheon, Michael Murray

NOES: None

ABSTAINED: None

ABSENT: Steven P. Dias

COMMUNICATIONS

Secretary Mills relayed that a letter was sent on behalf of the MKR GSA to oppose CWC Prop 1 funding for the SWSD Tulare Lake Floodwater Project. Also, Brian Ehlers from Provost and Pritchard and John Lambe from EPUR have both asked questions about how they might be

involved in Tulare Lake Subbasin GSP Development. Finally, Carole Combs of the Tulare Basin Wildlife Partners requested to be added to the interest parties list.

WEBSITE PROPOSAL

Secretary Mills reported that he had contacted a few firms related to GSA website development. After initial discussions he requested a proposal from Provost and Pritchard Consulting Group. The proposal includes the domain purchase, development of a four to five page website and initial hosting billed on a time and materials basis with an estimated budget of \$4,000. After the initial phase annual hosting and uploading of information would also be billed on a time and materials basis with an estimated budget of \$2,000. Secretary Mills recommended authorizing either himself or Chair McCutcheon to sign the proposal and get the work started as soon as possible. Vice-President Murray made that motion, Director Ayers seconded the motion and Chair McCutcheon called for the vote. The vote for all Directors was as follows:

AYES: David Ayers, Barry McCutcheon, Michael Murray

NOES: None

ABSTAINED:None

ABSENT: Steven P. Dias

DWR NOTICE OF INITIATION OF GSP DEVELOPMENT

Secretary Mills reported that a Notice of Intitiation (NOI) of GSP Development was required under California Water Code §10727.8 and GSP Regulation §353.6. At the current time, this notice must be made to DWR in writing, must explain the manner in which interested parties may contact the Agency and participate in the development and implementation of the Plan. Also the GSA is required to post the NOI notice on the GSAs website. The Board discussed the NOI and instructed Secretary Mills to file the NOI with DWR as soon as the GSA website is ready.

RFP FOR TULARE LAKE SUBBASIN GSP EFFORT

Secretary Mills reported that on Nov. 13, MKR GSA submitted the “Tulare Lake Subbasin GSP Development and SGMA Compliance Project” grant application on behalf of the Tulare Lake Subbasin. Secretary Mills developed a DRAFT RFP development process that was discussed with the TL GSA Parties on Nov. 20. Secretary Mills used the Kings County RFP for GW Modeling Services from 2016 as an example to develop the RFP for the Tulare Lake Subbasin GSP Effort. The main document will also be supported by a copy of the grant application, an example agreement from DWR, a standard agreement for services from the MKR GSA, and the Interim Operating Agreement for the Tulare Lake Subbasin. The proposal scoring is intended to focus on i) Local Experience groundwater, surface water, municipalities-communities, agriculture and planning documents, ii) groundwater modeling, iii) and a variety of several other topics. Secretary Mills relayed that he still need to reach out to other GSA leads to get concurrence on the proposal scoring criteria. The anticipated schedule for the effort is: i)

RFP out to consultants on Wed. 12/20/17, ii) Tentative grant awards by DWR on 01/12/18, iii) Proposals back by Fri. 02/02/18, iv) Interview of top candidates the week of 02/18-22/18, v) Consultant selection by early March '18, vi) Grant contract in May '18. Secretary Mills recommended that the Board approve the RFP in concept (pending final edits and review from legal counsel) and authorize him to send out the RFP after discussions with the other GSA leads about the RFP Scoring Criteria. Director Ayers made that motion, Vice-President Murray seconded the motion and Chair McCutcheon called for the vote. The vote for all Directors was as follows:

AYES: David Ayers, Barry McCutcheon, Michael Murray

NOES: None

ABSTAINED: None

ABSENT: Steven P. Dias

PROPOSED MODIFICATION OF TULARE LAKE/KAWEAH SUBBASIN BNDY

Secretary Mills reported that DWR has opened another window for subbasin boundary modifications beginning Jan 2018 and that the El Rico GSA wants to modify the Tulare Lake / Kaweah Subbasin boundary to move a portion of the Corcoran ID well field from the Kaweah to the Tulare Lake Subbasin. The Greater Kaweah GSA and other Tulare Lake GSAs have been made aware of the request, but no specifics on the area have yet been provided. His current understanding is that the change area is south of the Mid-Kings River GSA area and would not impact this agency.

RECENT CA SUPREME COURT CASE ON GW CONSERVATION FEES

Secretary Mills briefly reviewed the basics of City of San Buenaventura v. United Water Conservation District (Cal. Supreme Court Case No. S226036). The conclusion appears to be that pumping charges funding groundwater management programs are not property-based fees and therefore not subject to Proposition 218. However, groundwater charges levied must bear a reasonable relationship to benefits received by payors. But to be clear, this case is no direct answer on whether fees related to SGMA compliance are subject to Prop 218.

ONGOING EFFORTS

None.

SET NEXT MEETING DATE

The next regular Mid-Kings River GSA Board meeting is planned for Tuesday January 9, 2018 at 1:00 pm at the Kings County Water District office.

ADJOURNMENT

There being no further business, the meeting was adjourned at 2:20 p.m.

Respectfully submitted,

Dennis Mills
MKR MIN 171018