

315 E. Lindmore Street Lindsay, CA 93247 Tel: (559) 562-2534

www.ekgsa.org

NOTICE

REGULAR MEETING OF THE BOARD OF DIRECTORS

Monday, April 22, 2024, at 3:00 p.m.
Lindmore Irrigation District Corporation Yard (Conference Room)
240 West Lindmore Street, Lindsay CA 93247
Remote Access – Meeting ID: 875 1535 5246 and Passcode: 391838

AGENDA

- 1. Roll Call by Secretary
- 2. Approve the Agenda
- 3. Pledge of Allegiance
- 4. Public Comment
- **5. Minutes:** The Board will review and consider adopting the minutes provided by the Secretary from the February 26, 2024, Special Board meeting.
- 6. Administration
 - a. Committee Appointments: Consider appointing members to the Advisory Committee (Hagman)
 - b. Payments: Consider Ratifying Payments made to meet the obligations of the EKGSA (Hagman/Bennett)
 - c. Financial Reports: Consider accepting the Quarterly Reports (Hagman)
 - d. Flying Dragon: Update on projects at the Flying Dragon property 58.13 acres (Hagman)
 - e. Grant Updates: RCIS Planning, Implementation Grants (2), MLRP (Hagman/Hunter)
 - f. Consider Adoption of Resolution 2024-02: Resolution Certifying to the County of Tulare the Validity of the Legal Process Used to Place Direct Charges (Special Assessment) on the Secured Tax Roll.
- 7. Groundwater Sustainability Plan Implementation:
 - a. Mitigation Framework and Program: Status Update (Palys/Hagman)
 - **b. GSP Rewrite Update:** Recommendation on Sustainable Management Criteria, Status Report GSP (Intera/Hagman)
 - c. Subbasin Report: Annual Report, DMS, Modeling, Water Marketing (Peltzer, Hornung, Hagman)
- 8. Closed Session
 - <u>CONFERENCE WITH LEGAL COUNSEL POTENTIAL LITIGATION:</u> [Government Code Section 54956.9 (d)(2)] Number of Potential Cases: Two
- 9. Schedule Next meeting Next regularly scheduled meeting is July 22, 2024
- 10. Adjournment

EAST KAWEAH GROUNDWATER SUSTAINABILITY AGENCY **BOARD OF DIRECTORS**

MINUTES FOR THE SPECIAL MEETING ON FEBRUARY 26, 2024

The East Kaweah Groundwater Sustainability Agency ("EKGSA") Board of Directors duly met for a Special meeting on Monday, February 26, 2024, in person.

OPEN SESSION: Convened at 3:06 p.m. with a quorum.

DIRECTORS PRESENT: Brownfield, Buldo (3:08pm), Caudillo, Ferrara, Tienken, Hornung, 1. Micari, Peltzer, Roberts, Watson

DIRECTORS ABSENT: Milanesio, S.

OTHERS PRESENT: Michael Hagman, Executive Director; Joe Hughes, Counsel; Chris Hunter, Program Manager; Kathryn Bennett, Senior Analyst; Scott Maskell, Management Analyst; Matt Klinchuch, Consulting Engineer; Kaitlyn Palys, Consulting Engineer.

2. APPROVE THE AGENDA: Motion to approve the agenda was made by Director Micari, seconded by Director Caudillo, and carried by the following vote:

AYES:

Brownfield, Caudillo, Ferrara, Tienken, Hornung, Micari, Peltzer, Roberts.

Watson

NOES:

None None

ABSTAIN: ABSENT:

Buldo, Milanesio, S.

- 3. PLEDGE OF ALLEGIANCE
- 4. **PUBLIC COMMENT: None**
- 5. MINUTES: The minutes provided by the Secretary from the January 22, 2024, Board Meeting were included in the packets and a motion to adopt and ratify them, was made by Director Micari, seconded by Director Hornung, and carried by the following vote:

AYES:

Brownfield, Caudillo, Ferrara, Tienken, Hornung, Micari, Peltzer, Roberts,

Watson

NOES:

None

ABSTAIN:

None

ABSENT:

Buldo, Milanesio, S.

Director Buldo arrived at 3:18 PM

6. **ADMINISTRATION:**

Land Purchase: Executive Director provided an update on the purchase of fifty-eight a. acre "Flying Dragon" project. The land purchase is complete and the process of CEOA has started for the project which will be funded through a MLRP grant.

- b. **Grant Updates:** Executive Director and Program Manager provided updates on activity for the grants.
- c. **2021 Unpaid Assessments:** Executive Director provided an update on the 2021unpaid assessments. A motion to set a hearing date for April 22, 2024 for the consideration of lien was made by Hornung and 2nd by Micari and carried by the following vote:

AYES:

Brownfield, Buldo, Caudillo, Ferrara, Tienken, Hornung, Micari, Peltzer,

Roberts, Watson

NOES:

None

ABSTAIN:

None

ABSENT:

Milanesio, S.

7. GROUNDWATER SUSTAINABILITY PLAN IMPLEMENTATION:

- a. **Allocation Interpretation Variance:** Executive Director provide the board a detailed review of the Resolutions and Rules and Regulations that define the current implementation of the Pumping Cap. There was a lengthy discussion with the Board and members of the EKGSA TAC.
- b. **Mitigation Water:** Executive Director provided an update on the current accounting or 2024 Mitigation Water. The Board held discussions on the appropriate process to sale unclaimed mitigation credits. Board provided direct to staff to implement an appropriate process.
- c. **Mitigation Framework and Program:** Intera provided an update on the Drat Mitigation Framework and Program
- d. **GSP Rewrite Efforts:** Intera provided an update on the GSP Effort, the coordination amongst the Kaweah Subbasin, and the meetings with the SWRCB.

8. CLOSED SESSION:

The board went into closed session at 5:11 p.m. and after discussion, came out of closed session at 5:40 p.m. There was no reportable action.

9. SCHEDULE NEXT MEETING:

There is a regular Board meeting scheduled for Monday, April 22, 2024 at 3:00 p.m.

10. ADJOURNMENT:

The meeting was adjourned at 5:41 p.m.

East Kaweah GSA Check Register For the Period From Jan 22, 2024 to Apr 19, 2024

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Amount	
1653	2/12/24	Provost & Pritchard, Inc.	16,098.33	
1654	2/12/24	Klein, DeNatale, Goldner	420.00	David Roberts (Chair) being annointed by the
1655	2/12/24	Land IQ	7,431.22	East Kaweah Groundwater Sustainability Agency
1656	2/21/24	Tulare Irrigation District	3,012.75	(EKGSA), have reviewed the payments annotated on this register and by a vote of the Board. do
1657	2/21/24	CA Assoc of Mutual Water Companies	100.00	agree that such payments are for claims against
1658	2/21/24	Lindmore Irrigation District	138,250.00	meet the needs of the EKGSA
1659	2/21/24	Professional Print & Mail, Inc.	2,672.97	Signed
1660	2/22/24	Blueprint for the SJV - Education Fund	2,500.00	
1661	3/12/24	Provost & Pritchard, Inc.	44,394.00	Dated: April 22, 2024
1662	3/12/24	INTERA, Inc.	111,065.00	
1663	3/12/24	Klein, DeNatale, Goldner	960.00	
1664	3/12/24	Land IQ	7,431.22	
1665	3/12/24	Mid-Kaweah Groundwater	135,764.00	Crain Horning (Vice-Chair) being appointed by
1666	3/22/24	INTERA, Inc.	76,001.96	the East Kaweah Groundwater Sustainability
1667	4/18/24	Provost & Pritchard, Inc.	36,450.00	Agency (EKGSA), have reviewed the payments annotated on this register and by a vote of the
1668	4/18/24	Insurica	9,203.00	Board, do agree that such payments are for claims
1669	4/18/24	Klein, DeNatale, Goldner	1,125.00	provided to meet the needs of the EKGSA
1670	4/18/24	Land IQ	7,431.22	Signed
1671	4/18/24	Southern California Edison	193.46	
				Dated: April 22, 2024
Total			600,504.13	
		٠		

East Kaweah GSA

Treasurer's Cash Report 1st Qtr 2024 April 17, 2024

Beginning Cash *	January 1, 2024		\$ 1,794,954.50
Deposits Bank of the Sierra Checking Total Deposit	s	514,912.07	514,912.07
Withdrawals Bank of the Sierra Checking Total Withdrawals	s	(1,645,595.46)	(1,645,595.46)
Net Increase/(reduction)			(1,130,683.39)
Ending Cash Balance	March 31, 2024		\$ 664,271.11
Balance by Account:			
Bof Sierra General Checking		664,271.11	
Ending Cash Balance	March 31, 2024	· · · · · · · · · · · · · · · · · · ·	\$ 664,271.11

^{*} Beginning cash may be adjusted compared to prior Board meeting report

FOR MANAGEMENT PURPOSES ONLY

East Kaweah GSA MEMORANDUM TO THE BOARD

TO:

Board of Directors

FROM:

Kathryn Bennett

DATE:

February 6, 2024

SUBJECT:

Affidavit of Reconciliation

I inspected and reconciled the cash accounts of the East Kaweah GSA. The East Kaweah GSA maintains one cash account. For the month of **January 2024**, the district had the following accounts open and with balances:

Working Accounts -

General Checking (Bank of the Sierra)

During my reconciliation, I have found the following:

Working Accounts -

No Variances.

After my reconciliation and inspection of the books, it is my opinion that the cash registers reflect the cash activity of the East Kaweah GSA. The East Kaweah GSA staff allowed me full access to the cash registers and ledgers of the Agency. The actual reconciling documents are stored in the Agency vault and can be viewed or copied upon request,

Yorkyn Bennott
Kathryn Bennett

East Kaweah GSA MEMORANDUM TO THE BOARD

TO:

Board of Directors

FROM:

Kathryn Bennett

DATE:

March 4, 2024

SUBJECT:

Affidavit of Reconciliation

I inspected and reconciled the cash accounts of the East Kaweah GSA. The East Kaweah GSA maintains one cash account. For the month of **February 2024**, the district had the following accounts open and with balances:

Working Accounts -

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Jathun Bennett

East Kaweah GSA MEMORANDUM TO THE BOARD

TO:

Board of Directors

FROM:

Kathryn Bennett

DATE:

April 1, 2024

SUBJECT:

Affidavit of Reconciliation

I inspected and reconciled the cash accounts of the East Kaweah GSA. The East Kaweah GSA maintains one cash account. For the month of **March 2024**, the district had the following accounts open and with balances:

Working Accounts -

General Checking (Bank of the Sierra)

During my reconciliation, I have found the following:

Working Accounts -

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After my reconciliation and inspection of the books, it is my opinion that the cash registers reflect the cash activity of the East Kaweah GSA. The East Kaweah GSA staff allowed me full access to the cash registers and ledgers of the Agency. The actual reconciling documents are stored in the Agency vault and can be viewed or copied upon request.

Lathern Bennett

East Kaweah GSA Income Statement

Compared with Budget For the Three Months Ending March 31, 2024

	January - March Actual	Year to Date Actual	Annual Budget	Year to Date % Variance
Revenues				
Call for Funds - Governance	\$ 63,674.00 \$	63,674.00 \$	254,696.00	25%
Call for Funds - Plan	0.00	0.00	0.00	0%
Call for Funds-Implementation	0.00	0.00	0.00	0%
Penalties on Delinquent Accts	738.13	738.13	0.00	0%
Assessment Revenues	1,010,292.34	1,010,292.34	1,020,274.00	99%
Assessmenmt Penalty Revenue	0.00	0.00	0.00	0%
GWPumpingFees	0.00	0.00	0.00	0%
GW.T1.Penalty	0.00	0.00	0.00	0%
GW.T2.Penalty	0.00	0.00	0.00	0%
GW.Overdraft.Fine	0.00	0.00	2,694,860.00	0%
Mitigation Supply	257,482.50	257,482.50	0.00	0%
Interest Revenue	0.00	0.00	0.00	0%
Other Misc Revenue	0.00	0.00	0.00	0%
Reimbursement Other Govt's	15,178.73	15,178.73	110,000.00	14%
Grant: Plan Grant (P68)	0.00	0.00	180,000.00	0%
Grant: WCB-RCIS	0.00	0.00	0.00	0%
Total Revenues	1,347,365.70	1,347,365.70	4,259,830.00	32%
Expenses GOVERNANCE & ADMIN Admin Staff Exp	24.461.50	24.461.50	127.046.00	0.50/
Copying	34,461.50 0.00	34,461.50	137,846.00	25%
Postage	2,672.97	0.00	0.00	0%
Bank Fees	6.00	2,672.97 6.00	27,500.00	10%
Audit	0.00	0.00	0.00	0%
Legal Postings	100.00	100.00	10,500.00 0.00	0%
Other	2,500.00	2,500.00	0.00	0% 0%
Meeting Expense	0.00	0.00	2,550.00	0%
Liability Ins	0.00	0.00	8,800.00	0%
LEGAL	0.00	0.00	0,000.00	0/0
General Counsel ENGINEERING	1,380.00	1,380.00	60,000.00	2%
General Engineering Expense	1,440.00	1,440.00	7,500.00	19%
Prop 218 - FY2021	0.00	0.00	0.00	0%
FEES - OTHER GOVT'S				
SWRCB Fees	0.00	0.00	0.00	0%
IMPLEMENTATION STAFF				
Agreement Services	103,788.50	103,788.50	415,154.00	25%
Policy Development	0.00	0.00	10,000.00	0%
Basin Setting Coordination IMPLEMENTATION MONITORING	0.00	0.00	20,000.00	0%
Demand Metering	22,293.66	22,293.66	90,000.00	25%
Water Quality Monitoring	0.00	0.00	0.00	0%
Subsidence Monitoring	0.00	0.00	0.00	0%
Reporting	43,510.20	43,510.20	75,000.00	58%
Other Implementation	0.00	0.00	2,500.00	0%

East Kaweah GSA Income Statement Compared with Budget For the Three Months Ending March 31, 2024

	January - March Actual	Year to Date Actual	Annual Budget	Year to Date % Variance
Contract Engineering Spprt	0.00	0.00	75,000.00	0%
Customer Data System	23,219.60	23,219.60	110,000.00	21%
Customer Data System-Basin	0.00	0.00	0.00	0%
Mon. Syst and Projects	0.00	0.00	0.00	0%
GROUNDWATER PLAN				0,0
Consultant GW Plan	152,636.96	152,636.96	820,000.00	19%
Basin Setting Consulting	0.00	0.00	0.00	0%
Grant: Plan Grant (P68)	0.00	0.00	180,000.00	0%
Grant: WCB-RCIS	0.00	0.00	0.00	0%
Plan Update Collection	12,674.20	12,674.20	50,000.00	25%
Well Mitigation Program	0.00	0.00	175,000.00	0%
Mitigation Water Purch	0.00	0.00	1,375,000.00	0%
PROJECTS				
Flying Dragon	3,012.75	3,012.75	0.00	0%
Total Expenses	403,696.34	403,696.34	3,652,350.00	11%
Net Income	\$ 943,669.36 \$	943,669.36 \$	607,480.00	155%

East Kaweah GSA Balance Sheet March 31, 2024

ASSETS

Current Assets				
Sierra Checking - 0301241619	\$	664,271.11		
Assessments Due		357,080.22		
Water Fees Receivables		736,022.92		
Prop 68 Imp Grant		200,000.00		
Assessments Delinquent		45,680.92		
•			-	
Total Current Assets				2,003,055.17
Property and Equipment				
Property/Land/Easments		901,418.32		
		501,110.52	-	
Total Property and Equipment				901,418.32
Total Assets			\$	2,904,473.49
LIABILITIES AND CAPITAL				
Current Liabilities				
Accounts Payable	\$	36,450.00		
	Ψ_	30,430.00	•	
Total Current Liabilities				36,450.00
Long-Term Liabilities				
FY2020 Member Loan		854,960.00		
= 2			•	
Total Long-Term Liabilities				854,960.00
3				001,500.00
Total Liabilities				891,410.00
				0>1,110.00
Capital				
FB Assigned to Governance (2022)		(63,454.45)		
FB-Assigned to Implementation (2022)		214,515.55		
FB Assigned to Governance (est 2023)		48,411.46		
FB-Assigned to Implementation (est 2023)		869,921.57		
Net Income Govenance		21,113.53		
Net Income Plan		(152,636.96)		
Net Income Implementation		1,075,192.79		
Total Capital				2,013,063.49
Total Liabilities & Capital			\$	2,904,473.49
		:		2,201,17017

Fiscal Year	
2024	
Approved	
Budget	
	1

2024 Activity Through March 31

GOVERNANCE ACTIVITY				
T 11.				
Expenditures	•			
Executive/Admin Agreement	\$	137,846	\$	34,462
Legal		60,000		1,380
Legal Postings		-		100.00
Engineering		7,500		1,440
Auditing		10,500		-
Insurance		8,800		-
Postage		27,500		2,673
Miscellaneous		2,550		2,506
Total Fixed Expenditures	\$	254,696	\$	42,560
REVENUES				
Call for Funds Reconciled	\$	-	\$	-
Call for Funds #1		63,674	₹	63,674
Call for Funds #2		63,674		-
Call for Funds #3		63,674		_
Call for Funds #4		63,674		_
Total Revenue	\$	254,696		63,674
Other Miscellaneous Revenue	\$	-	\$	-
Governance Fund - Gain/(Loss)	\$	-	\$	21,114
PLAN DEVELOPMENT ACTIVITY				
Plan Daveleum aut		000.000		
Plan Development		800,000		152,637
Other Tatal CSA Pl		20,000		-
Total GSA Plan Development Cost		820,000		152,637
REVENUE				
Plan				-
TOTAL REVENUE		-		-00
Plan Fund - Net Gain/(Loss)	\$	(820,000)		(152,637)

IMPLEMENTATION ACTIVITY

Annual Recurring Implementation Expenses					
Executive/Admin Agreement	\$	415,154		\$	103,789
Annual Report		75,000			43,510
Basin Setting Coordination		20,000			-
Demand Metering		90,000			22,294
Contract Engineering Support		75,000			-
Plan Policy Development		10,000			_
Customer Data System/Outreach		110,000			23,220
Miscellaneous (Customer Data System)		2,500			-
Total GSA Annual Recurring Cost	\$	797,654	-	\$	192,812
One Time Implementation Expenses					
Proposition 218	\$	_		\$	7 - 2
Grant - Planning Work Prop 68	*	180,000		Ψ	_
Grant - WCB-RCIS		-			_
Monitoring System Projects/Assets		_			_
GSP Rewrite		_			_
Projects		_			3,013
Management Actions		1,375,000			3,013
Well Mitigation		175,000			-
Total GSA Plan Implementation Cost		1,730,000	-		3,013
Total Gold I am Implementation Cost		1,750,000			3,013
Plan Update Collection		50,000	. <u> </u>		12,674
Total Implementation Costs	\$	2,577,654		\$	208,499
REVENUE					(4)
Assessment - Land Owners	\$	1,007,013		\$	997,032
Assessment - City of Lindsay		13,261			13,261
Interest Revenue - Assessment		-			=-
Assessment Penalty		-			738
Ground Water Pumping Fees		-			- 13
Mitigation Supply		<u>-</u>			257,483
Fines		2,694,860			-
Grant - Planning Work (P68)		180,000			-0
Grant - RCIS (WCB P68)		-			-
Other - Govt's (Annual Report)		50,000			15,179
Other - Govt's (Dashboard)		60,000			-
Total Revenue	\$		-:	\$	1,283,692
Implementation Fund - Net Gain/(Loss)		1,427,480			1,075,193
		2,127,100			-,- · - ,- · -

BEFORE THE BOARD OF DIRECTORS

OF THE

EAST KAWEAH GROUNDWATER SUSTAINABILITY AGENCY

COUNTY OF TULARE, STATE OF CALIFORNIA

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE EAST KAWEAH GROUNDWATER SUSTAINABILITY AGENCY CERTIFYING TO THE COUNTY OF TULARE THE VALIDITY OF THE LEGAL PROCESS USED TO PLACE DIRECT CHARGES (SPECIAL ASSESSMENT) ON THE SECURED TAX ROLL.

RESOLUTION NO.: 2024-02

WHEREAS, the notices and election for special assessment fees for the purpose of paying for fixed obligations of the East Kaweah Groundwater Sustainability Agency (the "Agency") to be included on the regular County property tax bill for property owners of the Agency was completed on October 26, 2020 and certified into place by action of the Board of Directors on December 1, 2020 in Resolution 2020-02; and

WHEREAS, the Agency is placing the special assessments on the Tulare County secured property tax roll for collection; and

WHEREAS, the Agency has complied with all laws pertaining to the levy of the special assessments to be collected; and

WHEREAS, the monies collected are not in any way to be based on the assessed valuation of the properties involved; and

WHEREAS, the Agency agrees that it shall be solely liable and responsible, and will defend and hold the County of Tulare harmless from any liability as a result of claims or claims for refunds and related interest due filed by taxpayers against any assessments, fees, charges or taxes placed on the roll for the District by the County; and

NOW THERFORE BE IT RESOLVED by the East Kaweah Groundwater Sustainability Agency that the list submitted with parcel numbers and amount are certified as being correct, the President or Treasurer is hereby authorized to sign any documents required and directed to give the list to the Tulare County Auditor on behalf of the Agency for placement on the secured tax roll for collection:

- 1. Parcel and Assessment listing
- 2. Direct Charge (Special Assessment) Control Sheet
- 3. Direct Charge (Special Assessment) Change Authorization Sheet
- 4. Compliance Certification and Hold Harmless Statement

Upon motion by Director XXXX Resolution was passed and adopted	CXX seconded led the	by Director	XXXXXXX,	the foregoing
22nd day of April 2024 by the follow	ving vote:			
AYES:				
NOS:				
ABSTAIN:				
ABSENT:				
		vid Roberts,	ustainability Board of Dire	
ATTEST:				
Michael Hagman, Secretary of the Board of Directors				

CERTIFICATE OF SECRETARY

- I, Michael Hagman, Secretary of the Board of Directors of EAST KAWEAH GROUNDWATER SUSTAINABILITY AGENCY hereby certify that:
 - (a) the foregoing is a full, true and correct copy of **Resolution 2024-02** duly adopted at a special meeting of the Board duly and regularly held at the regular meeting place thereof on April 22, 2024;
 - (b) all directors had due notice of the meeting and a majority thereof were present;
 - (c) at the meeting such resolution was adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

- (d) I have compared such resolution with the original minutes of the meeting on file and of record in my office and that such resolution is a full, true and correct copy of the original thereof adopted at the meeting and entered in the minutes; and
- (e) the original resolution has not been amended, modified or rescinded since the date of its adoption, and is now in full force and effect.

WITNESS my hand and the seal of EAST KAWEAH GROUNDWATER SUSTAINABILITY AGENCY this 22nd day of April 2024.

Michael Hagman, Secretary of the Board of Directors