MID-KINGS RIVER GROUNDWATER SUSTAINABILITY AGENCY

County of Kings

City of Hanford

Kings County Water District

Barry McCutcheon
Chair

Michael Murray
Vice-Chair

David Ayers

Steven P. Dias

Dennis Mills
Secretary

200 North Campus Dr.
Hanford, CA 93230
Phone: (559) 584-6412
Fax: (559) 584-6882

January 31, 2017

VIA EMAIL AND U.S. MAIL
Mark Nordberg, GSA Project Manager
Sustainable Groundwater Management Program
California Department of Water Resources
901 P Street, Room 213-B
Sacramento, CA 94236
Email: Mark.Norberg@water.ca.gov

RE: ***Notice of the Mid-Kings River Groundwater Sustainability Agency's Intent to Serve as a Groundwater Sustainability Agency for a Portion of the Tulare Lake Subbasin***

Dear Mr. Norberg:

Pursuant to Water Code Section 10723.8, please consider this correspondence the Mid-Kings River Groundwater Sustainability Agency (MKR GSA) notification of its intent to serve as a Groundwater Sustainability Agency (GSA) for a portion of the Tulare Lake Subbasin (5-22.12) of the San Joaquin Valley Groundwater Basin.

Joint Powers Authority Agreement

The MKR GSA is formed by an agreement to form a joint powers authority (JPA) pursuant to Government Code Section 6500, et al. The MKR GSA is comprised of three local public agencies as follows: the Kings County Water District, the City of Hanford, and the County of Kings. Attached hereto as **Exhibit A** is a copy of the executed agreement to form a JPA known as the MKR GSA. Attached hereto as **Exhibit B** is a copy of the meeting minutes of each member of the JPA where their governing boards executed the agreement to form a JPA known as the MKR GSA. At this time, the MKR GSA has not adopted any new bylaws or ordinances.

Notice Within 30 Days of Election

On January 5, 2017, the MKR GSA held a public hearing to consider electing to become a GSA. The public hearing was noticed in the Hanford Sentinel newspaper as is required pursuant to Water Code Section 10723(b) and Government Code Section 6066. Attached hereto as **Exhibit C** is the notice of public hearing and declaration of publication from the Hanford Sentinel newspaper.

The MKR GSA received no written comments prior to the public hearing. At the January 5, 2017 MKR GSA meeting two individuals gave comments. The first comment related to what the State Board might do if intervention was necessary.

The second was a comment that a local NGO would begin to work with MKR GSA representatives to develop a voice for local disadvantaged communities during the future development of the Groundwater Sustainability Plan (GSP). After considering both comments, the MKR GSA Board of Directors unanimously elected to be the GSA for a portion of the Tulare Lake Subbasin. Attached hereto as **Exhibit D** is a copy of Resolution 2017-01 of the MKR GSA Board of Directors approving such election.

From discussions with others in the Tulare Lake Subbasin it appears that there will be five or six formed GSAs by the June 2017 deadline. Already the Tri-County Water Authority and Alpaugh Irrigation District have filed as GSAs in the Tulare Lake Subbasin. The MKR GSA intends to work collaboratively with the other formed GSAs in the Tulare Lake Subbasin to jointly manage groundwater and to develop a GSP. The MKR GSA Board of Directors is planning to negotiate a memorandum of understanding, cooperative agreement, or other form of agreement with other formed GSAs within the Tulare Lake Subbasin for the purpose of implementing a cooperative, coordinated structure for the management of groundwater and the development of a GSP.

Point of Contact

The Point of Contact (POC) for the MKR GSA at this time will be Dennis Mills, Secretary to the MKR GSA Board of Directors. Mr. Mills can be reached at:

Email: kcwdh2o@sbcglobal.net
Phone: (559) 584-6412
Address: 200 North Campus Drive
Hanford, CA 93230

Service Area Boundaries

There are three parties that are involved in the JPA that forms the MKR GSA, being the County of Kings, the City of Hanford and the Kings County Water District. The Tulare Lake Subbasin is almost entirely within the County of Kings[1]. Kings County Water District and the City of Hanford both have service areas completely within the County of Kings. The MKR GSA service area is completely within the service area of Kings County, mostly within the service area of Kings County Water District and partly in the service area of the City of Hanford. The MKR GSA intends to provide GSA coverage for the shown portion of the Tulare Lake Subbasin. Any overlap of the provided GIS shapes for the MKR GSA service area into subbasins other than the Tulare Lake subbasin is <u>not</u> intended.

Kings County Water District, a member of the JPA that forms the MKR GSA, is also a member of the JPA that forms the Greater Kaweah GSA in the Kaweah Subbasin. After reviewing the information submitted by the Greater Kaweah GSA to DWR in their Notice of Intent to become a GSA it appears that the GIS file describing the Greater Kaweah GSA service area extends beyond the Kaweah Subbasin boundary into a small area of the Tulare Lake Subbasin. Kings County Water District has confirmed that this was not the intent of the Greater Kaweah GSA, but rather to

[1] A very small portion of the Tulare Lake Subbasin extends into Tulare County in the far south of the subbasin. The portion that extends into Tulare County is many miles south of the MKR GSA service area.

only cover a portion of the Kaweah Subbasin. The discrepancy appears to be related to the 2003 Bulletin 118 Subbasin boundaries versus the new 2016 Bulletin 118 Subbasin boundaries. The MKR GSA's understanding is that there is no overlap conflict along the shared Kaweah-Tulare Lake Subbasin boundary, rather a display issue with the GIS files that needs clarification from the Greater Kaweah GSA.

For the last several months, parties that are pursuing GSA authority in the Tulare Lake Subbasin have been regularly meeting to discuss progress and specifically attempt to avoid overlapping service areas. The GSA service area to the west of the MKR GSA service area in the Tulare Lake Subbasin is being called the South Fork Kings River GSA. Representatives of both areas have compared service areas and understand that there is no overlap between them. Also it is the intent of both areas that the boundary between them be common such that there is no separation between them.

Also, the GSA service area to the south of the MKR GSA service area in the Tulare Lake Subbasin is being called the El Rico GSA. Representatives of both the MKR GSA and the El Rico GSA have compared service areas and understand that there is no overlap between them. Also it is the intent of both areas that the boundary between them be common such that there is no separation between them.

To the northeast of the MKR GSA service area is a special act district recently formed through legislation called the Kings River East GSA which is in the Kings Subbasin. Representatives of both the MKR GSA and the Kings River East GSA have been in contact for many months and both agencies intend for the Kings River East GSA and the MKR GSA to share a common boundary along a portion of the shared Kings-Tulare Lake Subbasin boundary such that there is no overlap and no separation between them.

To the northwest of the MKR GSA service area is another special act district recently formed through legislation called the North Fork GSA which is in the Kings Subbasin. Representatives of both the MKR GSA and Kings River East GSA have been in contact for many months and both intend for the Kings River East GSA and the MKR GSA to share a common boundary along a portion of the shared Kings-Tulare Lake Subbasin boundary such that there is no overlap and no separation between them.

To the north of the MKR GSA service area in the Kings Subbasin is a developing GSA area being called the Consolidated ID GSA. Representatives of both the MKR GSA and Consolidated ID GSA have been in contact for many months and both intend for the Consolidated ID GSA and the MKR GSA to share a common boundary along a portion of the shared Kings-Tulare Lake Subbasin boundary such that there is no overlap and no separation between them.

Pursuant to Water Code Section 10723.8(a)(1), a copy of the MKR GSA's service area boundaries, the boundaries of the portion of the basin the MKR GSA intends to manage, and the other agencies managing or proposing to manage groundwater within the subbasin is attached hereto as **Exhibit E**. **Exhibit F** is a second map showing the full area of the Tulare Lake Subbasin along with the MKR GSA service area boundary and other local GSAs that have submitted Notices of Intent to become a GSA to DWR for reference.

List of Interested Parties

Pursuant to Water Code Section 10723.8(a)(4), the MKR GSA has developed and will maintain a list of interested persons pursuant to Water Code Section 10723.2. The MKR GSA intends to work cooperatively with stakeholders to develop and implement a GSP by collaborating with other qualified GSAs in the Tulare Lake Subbasin. The MKR GSA will consider all interests of beneficial users and users of groundwater in developing and operating its GSA and developing and implementing its Groundwater Sustainability Plan (GSP). Interested parties will have opportunities, both formal and informal, to provide input to the MKR GSA through the process of developing, operating, and implementing the GSA and GSP. Such opportunities include, but are not limited to, public comment during the MKR GSA's regular and special meetings, and at other times to be determined and noticed pursuant to Water Code Section 10727.8(a).

The MKR GSA's joint powers authority agreement mandates that two standing committees be formed within 120 days of the MKR GSA's formation: a Stakeholder Committee and a Technical Advisory Committee. The Stakeholder Committee shall be comprised of representatives falling within the categories of interested person or representatives of interested entities as described in Water Code Section 10723.2. The Stakeholder Committee shall have one representative serve on the MKR GSA's Board of Directors. For the Technical Advisory Committee, each Director on the Board can appoint one person to the Technical Advisory Committee, which said committee shall not have a seat on the Board of Directors. The MKR GSA may at a future date form further committees should the need arise to ensure representation of all interests of beneficial users and users of groundwater.

Pursuant to Water Code Section 10723.2, the MKR GSA shall consider the interests of all beneficial uses and users of groundwater, as well as those responsible for implementing a GSP. An initial list of stakeholders and interested parties include, but are not limited to the following:

<u>(a)(1) Agricultural users – Holders of overlying groundwater rights</u>

The MKR GSA service area is composed of mostly agricultural lands and agricultural users.

<u>(a)(2) Domestic users – Holders of overlying groundwater rights</u>

There are domestic wells within the MKR GSA area. It is understood that many rural domestic users will fall into the "de minimis extractor" category, so further work will be necessary to understand to what extent domestic users will be affected by GSP requirements.

<u>(b) Public water systems</u>

Armona Community Services District, Home Garden Community Services District and the Hardwick Water Company. There are also several transient public water systems for school districts that would be similar to others listed in this category (Kings River-Hardwick, Pioneer, Hanford Christian).

<u>(c) Municipal water systems</u>

City of Hanford.

(d) Local land use planning agencies

City of Hanford and County of Kings.

(e) Environmental users of groundwater

The MKR GSA has attempted to determine what, if any, environmental users of groundwater there may be in the Tulare Lake Subbasin. At this time, it is unknown whether such use exists. The MKR GSA will continue to consider and evaluate whether such use does exist.

(f) Surface water users, if there is a hydrologic connection between surface and groundwater bodies

It is unknown at this time if such users exist in the Tulare Lake Subbasin. However, the MKR GSA will continue to consider and evaluate whether such use does exist.

(g) The federal government, including, but not limited to, the military and managers of federal lands

The MKR GSA understands that there are federal government lands, including military facilities (Lemoore Naval Air Station) in the Tulare Lake Subbasin. These lands are not understood to be within the Mid-Kings River GSA service area.

(h) California Native American Tribes

The MKR GSA understands that a portion of the Santa Rosa Rancheria (land held in trust by the USA) for the Tachi Yokut Tribe is within the MKR GSA's service area. The MKR GSA will reach out to the Tachi Yokut Tribe regarding their interest in GSA matters and GSP development.

(i) Disadvantaged communities, including, but not limited to, those served by private domestic wells or small community water systems

Armona, Home Garden and Hardwick.

(j) Entities listed in Section 10927 that are monitoring and reporting groundwater elevations in all or a part of a groundwater basin managed by the groundwater sustainability agency

Kings County Water District monitors groundwater levels within its service area and is providing a subset of that information to the Kings River Conservation District for submission to the State's CASGEM system.

Should DWR have any questions or require any further information regarding this Notice of Intent, please contact the MKR GSA at your earliest convenience.

Sincerely,

_____

Dennis Mills, MKR GSA Secretary

Attachments:

1) Exhibit A – MKR GSA Joint Powers Authority Agreement
2) Exhibit B – Minutes from JPA Members adopting the JPA document and forming MKR GSA
3) Exhibit C – Public Hearing Publication
4) Exhibit D – Resolution of the MKR GSA Board of Directors
5) Exhibit E – MKR GSA Boundaries
6) Exhibit F – Tulare Lake Subbasin Reference Map
7) Email and CD – MKR_GSA_Boundary.zip
    - MKR GSA Service Area Boundary (GIS file)
    - Kings County Service Area Boundary (GIS file)
    - Kings County Water District Service Area Boundary (GIS file)
    - City of Hanford Service Area Boundary (GIS file)
8) Email and CD – Exhibit_Document.zip
    - Separate PDF files for Exhibits A – F

Cc:	Mike McKenzie, South Central Region,	Charles.McKenzie@water.ca.gov
	Amanda Peisch-Derby, South Central Region,	Amanda.Peisch@water.ca.gov
	Ray Carlson, MKR GSA Legal Counsel,	carlson@griswoldlasalle.com
	Darrel Pyle, City Manager for City of Hanford,	DPyle@cityofhanfordca.com
	Larry Spikes, CAO for County of Kings,	Larry.Spikes@co.kings.ca.us
	Colleen Carlson, County Counsel for County of Kings,	colleen.carlson@co.kings.ca.us
	Mark Larsen, Greater Kaweah GSA	mlarsen@kdwcd.com
	Chad Wegley, Kings River East GSA	cw@altaid.org
	Phil Desatoff, Consolidated ID	pdesatoff@cidwater.com
	Eric Osterling, North Fork GSA	eosterling@krcd.org
	Scott Sills, Laguna ID	Scott@LagunaID.com
	Eric Osterling, South Fork Kings River GSA	eosterling@krcd.org
	Joef Wyrick, El Rico GSA	jwyrick@jgboswell.com

MID-KINGS RIVER GSA
NOTICE OF INTENT

EXHIBIT A

MID-KINGS RIVER GSA
JOINT POWERS AUTHORITY AGREEMENT

AGREEMENT TO FORM A JOINT POWERS AUTHORITY KNOWN AS THE MID-KINGS RIVER GROUNDWATER SUSTAINABILITY AGENCY

THIS AGREEMENT TO FORM A JOINT POWERS AUTHORITY KNOWN AS THE MID-KINGS GROUNDWATER SUSTAINABILITY AGENCY ("Agreement") is made effective and entered into November 22, 2016, by and between the KINGS COUNTY WATER DISTRICT ("District"), a California county water district formed and existing under the provisions of the County Water District Act, set out at Water Code § 30000-33901, COUNTY OF KINGS, a political subdivision of the State of California ("County"), as defined by California Government Code Section 23000 et seq., and the CITY OF HANFORD ("City"), a California general law city as defined by California Government Code Section 34102 (hereinafter referred to individually as "Member" and collectively as "Members"), with reference to the following matters:

RECITALS:

A. In September 2014, the Governor signed three bills (SB 1168, SB 1319, and AB 1739) into law creating the Sustainable Groundwater Management Act ("SGMA"). SGMA was amended in September and October 2015 when the Governor signed SB 13 and AB 617, respectively; and

B. SGMA authorizes the formation of entities called Groundwater Sustainability Agencies ("GSA"), one or more of which are authorized to implement provisions of SGMA as to each groundwater basin and subbasin falling within the provisions of SGMA; and

C. The Members overlie the Tulare Lake Subbasin (5-22.12 of the Department of Water Resources Bulletin 118 classifications) ("Subbasin") of the San Joaquin Valley Basin ("Basin"), an unadjudicated groundwater basin, portions of which underlie the jurisdictional boundaries of each Member; and

D. Each of the Members is a local government entity with water supply, water management, and/or land use responsibilities within the Subbasin and is qualified individually to serve as a GSA under the provisions of SGMA; and

E. Under SGMA, a combination of local agencies may elect to form a GSA through a joint powers agreement; and

F. The Members intend, by this Agreement, to create a joint powers authority that will serve as a GSA for all or portions of their jurisdictional areas covering a portion of the Subbasin; and

G. Under SGMA, each GSA is responsible for assuming its regulatory role by June 30, 2017, and for submitting a Groundwater Sustainability Plan ("GSP") to the Department of Water Resources by January 31, 2020; and

H. The Members, through the Authority (as defined below), intend to work cooperatively with other GSAs to create a Basin-wide GSP or enter into a Coordination Agreement with other

GSAs if multiple GSPs must be knit together over the Subbasin. The Members desire, once successfully electing to be a GSA, to begin collecting and organizing data, engaging and retaining experts and consultants, and soliciting feedback from beneficial users, users of groundwater and interested parties within the portion of the Subbasin subject to their jurisdiction, for the purpose of contributing to a Subbasin-wide GSP or for the purpose of creating a GSP for the portion of the Subbasin within their jurisdictional boundaries that will be one of multiple GSPs for the Subbasin that will be coordinated by agreement; and

I. The Members intend by this Agreement to provide for the management and funding commitments reasonably anticipated to be necessary for the above purposes; and

J. The County intends to participate in this JPA in order to ensure complete SGMA coverage in this area of the Tulare Lake Subbasin. The County intends for City and District to manage the SGMA implementation, reserving to itself a possible future participatory role in SGMA implementation. Such a future role is separate and distinct from the County's regulatory, land use, and police powers, which are reserved unto the County by State statute and Constitution, and to which the GSA is subject pursuant thereto. . The areas included through the County's political boundary are generally in white areas within the District's external boundary, County islands within the City, and a few small areas just outside the District's external boundary. The geographic boundaries of the GSA contemplated by the Members are set forth in the map attached hereto as Exhibit "A", which is incorporated herein by this reference; and

K. The Members intend by this Agreement to provide a framework for cooperative efforts for all entities and individuals within the Authority's jurisdictional area and to implement SGMA in the most effective, efficient, fair and reasonable way possible, and at the lowest reasonable cost.

NOW THEREFORE, in consideration of the premises and the promises, terms, conditions, and covenants contained herein, the Members hereby agree as follows:

ARTICLE I
GENERAL PROVISIONS

Section 1.01. Creation of Authority. Pursuant to California Government Code Section 6500, et. seq., there is hereby created a public entity to be known as the "Mid-Kings River Groundwater Sustainability Agency" ("Authority"), which shall be a public entity separate and apart from the Members, and shall administer this Agreement.

Section 1.02. Purposes. The purposes of this Agreement are:

(a) To create a Joint Powers Authority separate from its Members that will serve as a GSA for a portion of the Subbasin;

(b) To develop, adopt, and implement a GSP in order to implement SGMA's

requirements and achieve sustainability goals outlined in SGMA; and

(c) To enter into a Coordination Agreement or similar agreement with other GSAs in order to meet the sustainability requirements outlined in SGMA.

ARTICLE II
POWERS

Section 2.01. Powers. The Authority is hereby authorized, in its own name, to do all acts necessary for the exercise of all powers authorized under SGMA and necessary to satisfy the requirements of SGMA.

Section 2.02. Restrictions on Exercise of Powers. Pursuant to Government Code Section 6509 et. seq., the powers of the Authority shall be exercised and restricted in the same manner as those imposed upon the County.

Section 2.03. Obligations of the Authority. No debt, liability or obligation of the Authority shall constitute a debt, liability or obligation of any of the Members, appointed members of the Board of Directors, or committee members.

Section 2.04. Water Rights. As provided in Water Code Section 10720.5, groundwater management under this Authority shall be consistent with Section 2 of Article X of the California Constitution and any GSP adopted by the Authority shall not determine or alter surface water rights or groundwater rights under common law or any provision of law that determines or grants surface water rights.

Section 2.05. Precedence of Land Use Authority. Nothing in this Agreement or a future groundwater sustainability plan shall be interpreted as superseding the land use authority of County or City, including the County General Plan and the City General Plan (W.C. § 10726.8(f).)

ARTICLE III
GOVERNING BODY

Section 3.01. Governing Board. The Authority shall be governed by a Board composed of Directors ("Board"). All voting power of the Authority shall reside in the Board.

(a) The Directors shall be appointed as follows:

(1) Three (3) elected members of the governing body of the District; and

(2) One (1) elected member of the governing body of the City.

(3) One (1) representative of the Stakeholder Committee, as hereinafter described, nominated by said Committee and appointed by the Board.

(b) Each Member shall appoint one person, who is either an elected member of the governing body of the Member entity or on the staff of such Member entity, to serve as an

alternate Director of the Board in the same manner as the Director is appointed by the Member. Any such alternate shall be empowered to cast votes in the absence of the regular Director or in the event of a conflict of interest preventing the regular Director from voting.

(c) Directors and alternate Directors shall serve at the pleasure of the Member that they represent and may be removed or replaced as follows:

(1) Directors and alternate Directors may be removed or replaced at any time by their governing board; and

(2) Directors may be removed by the Board for failure to attend at least three (3) consecutive Board meetings without excuse (e.g. illness, medical or family emergency, jury duty, other legally required appearance); and

(3) The office of a Director or alternate Director who is no longer either an elected member of the governing body of his/her appointing agency or on the staff of such entity that qualified such Director to serve on the Board shall be deemed automatically vacant.

A Board vacancy shall be filled by the outgoing appointee's governing board.

Section 3.02. Meetings of the Board. The Board shall call and conduct its meetings in accordance with Government Code Section 54950 et. seq.

Section 3.03. Minutes. The Secretary shall cause to be kept minutes of the meetings of the Board and shall, as soon as possible after each meeting, cause a copy of the minutes to be forwarded to each Director and to each of the Members.

Section 3.04. Voting. Each Director position on the Board shall have one vote.

Section 3.05. Quorum; Required Votes; Approval. A quorum of the Board for convening of any meeting shall consist of a majority of all Director positions. A quorum of the Board must be present at the time of any vote on any matter before the Board. An affirmative vote of at least a majority of the Director positions present in a quorum of the Board, shall be required for any action of the Board. Notwithstanding the foregoing, approval of certain types of matters shall require the approval of two-thirds (2/3rds) of all Director positions (meaning at least four (4) votes to approve, which would proportionately increase as members are added, if any). The items requiring approval of two-thirds (2/3rds) of all Director positions are: adoption and amendment of budgets, assessments, litigation, hiring or termination of the chief executive officer, adoption or amendment of a GSP, the addition of new Members, the termination or removal of Members, execution and amendment of a Coordinating Agreement with other GSAs, and amendment of this Agreement.

Section 3.06. Bylaws. The Board may adopt bylaws and governing regulations consistent with this Agreement, which may be amended from time-to-time, for the conduct of its meetings and as may be necessary for the purposes hereof.

Section 3.07. Terms of Office. The initial term of office for two (2) District appointees and one (1) City appointee serving on the Board is four (4) years. For the purpose of providing staggered terms of office, the initial term of one (1) District appointee and one (1) appointee representing the Stakeholder Committee shall be for a period of two (2) years. Thereafter, the term of office for each Director shall be for a period of four (4) years.

ARTICLE IV
COMMITTEES

Section 4.01. Committee Formation. Committees shall be formed by the Board in order to advise the Board on matters that fall within the scope of the particular committee's assignment. Committees may be standing committees or ad hoc committees. The Board shall appoint one (1) Director or alternate Director to be a voting member of and the Chair of each committee. Committees shall meet as often as directed by the Board or, if no such direction is given, as often as necessary, as determined by the Chair of the committee. Two (2) standing committees shall be formed as soon as reasonably practical, but in no event later than one hundred and twenty (120) days after formation of the Authority. The standing committees are as follows:

(a) Stakeholder Committee. Committee members shall fall within categories of interested persons or representatives of interested entities as described in SGMA. Committee members shall be appointed by the Board from among applicants.

(b) Technical Advisory Committee. Each Director shall be entitled to appoint one (1) technical person to be a member of the Technical Advisory Committee.

ARTICLE V
OFFICERS AND EMPLOYEES

Section 5.01. Chair and Vice-Chair. During the Board's first regular meeting of each year, the Board shall elect a Chair and a Vice-Chair from among the Directors. The Chair and the Vice-Chair shall serve at the pleasure of the Board and shall perform the duties normally required of said offices.

(a) The Chair shall: (1) preside at and conduct each meeting of the Board, (2) represent the Board as directed by the Board, (3) be an ex-officio member of each committee established by the Board, and (4) perform such other duties as may be imposed by said Board;

(b) The Vice-Chair shall act and perform all of the Chair's duties in the absence of the Chair; and

(c) The Chair or Vice-Chair may sign all contracts and agreements as approved by the Board.

Section 5.02. Secretary. The Board shall appoint a Secretary from among the employees of

the Authority, the employees of the Members, or if no such employees exist, a consultant. The Secretary shall serve at the pleasure of the Board. The Secretary shall act on behalf of the Authority and perform such other duties as may be imposed by the Board. The Secretary may sign agreements for the Authority when authorized by the Board.

Section 5.03. Treasurer and Auditor.

(a) The Treasurer is designated as the fiscal agent and depositary for the Authority. The initial Treasurer for the Authority shall be the General Manager of the District, or designee thereof. The Authority shall reimburse the District for all contributions and expenses incurred by the District pursuant to the District General Manager's role as Treasurer, or for any other administrative assistance provided to the Authority by the District. The Authority and the District may enter into a separate agreement regarding reimbursement of the District for any and all contributions and expenses incurred by the District consistent with this Section.

Thereafter, the Treasurer shall be appointed by the Board. The Treasurer shall be the depositary and have custody of all money of the Authority, from whatever source, subject to the applicable provisions of any indenture or resolution providing for a trustee or other fiscal agent. All funds of the Authority shall be held in the joint operating fund, established later in this Section, or in such other separate accounts as may be necessary, in the name of the Authority and not commingled with the funds of any Member or any other person or entity. Full books and accounts shall be maintained for the Authority in accordance with practices established by, or consistent with, those utilized by the Controller of the State of California for public entities. The books and records of the Authority shall be open to inspection by the Members at all reasonable times, and by bondholders and lenders to the extent provided by resolution or indenture.

The Authority shall have the power to establish a joint operating fund. The fund shall be used to pay all administrative, operating and other expenses incurred by the Authority, and will initially be funded by Member contributions as set forth in the initial and annual operating budgets. The Treasurer shall draw checks or warrants or make payments by other means for claims or disbursements not within an applicable budget only upon the approval of the Board and in accordance with Board directions and authorizations concerning authorized account signatories. The Authority's Members may invest any money in the treasury that is not required for its immediate necessities in the same manner, and upon the same conditions, as any local agency may do pursuant to Government Code Section 53635.

(b) There shall be strict accountability of all funds, and the Treasurer designated by the Board shall report any and all receipts and disbursements to the Board with such frequency as shall reasonably be required by the Board. The Authority will utilize the services of an outside independent certified public accountant (Auditor) to make

an annual audit of the accounts and records of the Authority as required by Government Code Section 6505, unless the Board, by unanimous vote, elect to conduct the audit for a two (2) year period. In each case, the minimum requirements of the audit shall be those prescribed by the State Controller for special districts pursuant to Government Code Section 26909, and shall conform to generally accepted accounting principles. The Auditor selected by the Authority shall be formally designated by a resolution adopted by majority vote of the quorum present stating the effective date of the appointment and the term of the appointment.

Section 5.04. Officers in Charge of Records; Funds; and Accounts. Pursuant to Government Code Section 6505.1, the Treasurer shall have charge of, handle and have access to all accounts, funds and money of the Authority and all records of the Authority relating thereto; and the Secretary shall have charge of, handle and have access to all other records of the Authority.

Section 5.05. Employees and Consultants. The Board may hire employees and consultants, including engineers, accountants and attorneys, to provide services and leadership to the Authority to accomplish the purposes of the Authority.

ARTICLE VI
ACCOUNTS AND REPORTS; FUNDS

Section 6.01. Accounts and Reports. The Treasurer shall establish and maintain such funds and accounts as may be required by good accounting practice. The books and records of the Authority shall be open to inspection at all reasonable times by the public and representatives of the Members. The Auditor, within one hundred twenty (120) days after the close of each Fiscal Year, shall give a complete written report of all financial activities for such Fiscal Year to the Members.

Section 6.02. Annual Budget. The Board shall annually adopt a budget for the Authority. The Treasurer shall disburse funds as set forth in the adopted budget. Members shall make contributions which shall be included in the budget adopted by the Board. A Director's affirmative vote to approve a budget does not constitute consent to finance or otherwise participate in any project or projects within that budget.

Section 6.03. Intention for Reimbursement for Expenditures from Alternative Funds. It is the intention of the Members that the advancement of monies by any Members for expenses of the operational needs of the Authority shall be reimbursed from the proceeds of grants or other funds, if alternative funds are obtained and such reimbursement is allowed by law. Additionally, in accordance with Government Code Section 6512.1, the Board may direct repayment or return to the Members of all or part of the contributions made by the Members, upon such terms as may be consistent with any indebtedness incurred by the Authority. Unless otherwise prohibited by the alternative funding source, said alternative source's funds will be disbursed before local funds for covered Authority obligations.

Section 6.04. Assessment of Members. The Board may vote to assess Members for a share

of costs incurred by the Authority or which are anticipated to be incurred by the Authority based on methods described below. Assessments paid by Members shall be treated as loans to the Authority.

It is the intent of the Members to financially support the Authority only until the Authority can financially sustain itself by developing a reliable funding stream through assessments, water charges or other potential fees. Once the Authority becomes financially self-sustaining, the Members will be reimbursed for the initial start-up funding provided to the Authority. Reimbursement will occur such that the oldest contributions will be reimbursed before newer contributions.

The method of cost allocation among the Members is envisioned to evolve over time. However, as a starting place, it has been agreed that for the initial fiscal budget, costs will be split 73% to the District, 23% to the City and 4% to the County, which allocation is partially based on acres of land within each agency's coverage area. Cost sharing for subsequent budgets will be negotiated in good faith at the time when those budgets are considered. Notwithstanding the foregoing, and because it has no voting rights nor is it actively engaged in implementation, County shall not be required to fund any portion of indemnification triggered by Section 9.03 of this Agreement, but will nevertheless remain an indemnified party.

All assessments shall be paid by Members within sixty (60) days of the approval of the assessment by the Board.

ARTICLE VII
MEMBERSHIP

Section 7.01. Other Members. The Board may vote to approve other entities to be Members of the Authority, as well as to appoint representatives of new Members serving as Directors and alternate Directors on the Board.

Section 7.02. Removal of Member. The Board may vote to remove any Member as a member of the Authority.

ARTICLE VIII
TERM; WITHDRAWAL; TERMINATION

Section 8.01. Term. The Authority shall continue in existence until dissolved by the Members. Dissolution of the Authority will occur only by unanimous written consent of all Members.

Section 8.02. Withdrawal of Member/Territory. A Member may terminate its membership in the Authority at any time, or, alternatively, authorize the withdrawal of land within its service area or political boundary, by giving sixty (60) days' prior written notice of the withdrawal to the Authority. A withdrawing Member shall be entitled to: (i) all data and information gathered and developed by the Authority and the Authority's contractors and consultants through the end of the then-current fiscal year or the effective date of the Member's withdrawal, whichever is later; and (ii) an interest in the Authority's assets in proportion to the withdrawing Member's past unreimbursed contributions and its share of obligations and liabilities for which it will remain responsible following withdrawal. Any such withdrawal shall continue to obligate the Member to pay its share of all debts (e.g. budgeted funding commitments within the fiscal year, indebtedness related to asset acquisition, regulatory fees), liabilities, and obligations incurred or accrued prior to the effective date of such withdrawal, as well as the cost of amending the Subbasin GSP if triggered by either Member or Territory withdrawal.

Should a Member choose to withdraw from the Authority or to authorize the withdrawal of territory within its service area or political boundary in accordance with the terms of this Agreement, that Member expressly retains the right to serve as the GSA or, alternatively, will ensure GSA coverage by another entity, in coordination with DWR and subject to the requirements of the Act, for that portion of the Subbasin underlying its jurisdictional boundaries or service area.

Section 8.03. Disposition of Assets. Upon termination of the Authority, any assets shall be returned to the Members in the same proportion said Members have funded such reserves or surplus, in accordance with California Government Code § 6512.

ARTICLE IX
MISCELLANEOUS PROVISIONS

Section 9.01. Amendments. This Agreement may be amended by the Board at any time, or from time to time. No change, amendment or modification of this Agreement shall be valid unless the same be in writing and signed by the Members.

Section 9.02. Claims. All claims against the Authority, including, but not limited to, claims by public officers and employees for fees, salaries, wages, mileage, or any other expenses, shall be filed within the time and in the manner specified in Chapter 2 (commencing with Section 910) of Part 3, Division 3.6 of Title I of the Government Code, which describes the appropriate content of a claim.

Section 9.03. Indemnification. The Authority shall indemnify, defend, and save harmless the Members, their officers, agents, and employees, and appointed members of the Board of Directors, their officers, agents, and employees, and committee members, their officers, agents, and employees, from and against any and all claims and losses whatsoever, occurring or resulting to persons, firms, or corporations furnishing or supplying work, services, materials or supplies to the Authority in connection with the performance of this Agreement, and, except as expressly provided by

law, from any and all claims and losses accruing or resulting to any persons, firm or corporation, for damage, injury, or death arising out of or connected with the Authority's performance of its obligations under this Agreement. Nothing herein shall limit the right of the Authority to purchase insurance or to create a self-insurance mechanism to provide coverage for the foregoing indemnity.

Section 9.04. Insurance. The Authority shall obtain insurance for all Members, appointed members, and committee members, including but not limited to directors' and officers' liability insurance and general liability insurance containing policy limits in such amounts as the Board of Directors shall determine will be necessary to adequately insure against the risks of liability that may be incurred by the Authority.

Section 9.05. Severability. If any provision of this Agreement is determined to be invalid or unenforceable, the remaining provisions will remain in force and unaffected to the fullest extent permitted by law and regulation.

Section 9.06. Sole and Only Agreement. This Agreement supersedes any and all other agreements, either oral or in writing, between the parties hereto with respect to the matters set forth herein and contains all of the covenants and agreements between the parties regarding said matters. Each party to this Agreement acknowledges that no representations, inducements, promises or agreements, orally or in writing, have been made by any party or anyone acting on behalf of any party which are not embodied in this Agreement and no other agreement, statement or promise shall be valid or binding.

Section 9.07. Waivers. Waiver of a breach or default under this Agreement shall not constitute a continuing waiver of a subsequent breach of the same or any other provision under this Agreement.

Section 9.08. Waiver of Conflict.

(a) This Agreement has been reviewed by Raymond Carlson ("Carlson") for the District and by Ty Mizote ("Mizote") for the City. Carlson and Mizote are partners in the law firm of Griswold, LaSalle, Cobb, Dowd & Gin, L.L.P. ("the law firm"). The law firm is counsel for the District and the City in other matters.

(b) The law firm has explained to each of the undersigned that, in the event of a dispute involving this Agreement, or the rights of the parties hereunder, each of the parties will be required to retain independent legal counsel. The law firm has also explained to each of the undersigned potential areas of conflict of interest in the law firm's review of this Agreement for the respective parties.

(c) Each of the undersigned acknowledges the aforementioned advisements and waives any such conflict of interest. District and City warrant and represent that, prior to executing this document, each has reviewed this Agreement with that counsel, legal or otherwise, which the undersigned have deemed necessary, reasonable and

appropriate to protect their respective interests.

(d) Each of the undersigned is knowingly, willingly, and voluntarily executing this Agreement after such advice and counsel, and with the understanding and intent that this Agreement shall be enforceable by and against each of the Parties in accordance with its terms, and the Agreement will not be void or voidable due to any conflict of interest arising from the law firm's review of this document for the respective parties.

Section 9.09. Notices. All notices required or permitted by this JPA or applicable law shall be in writing and may be delivered in person (by hand or by courier) or may be sent by regular, certified, or registered mail or U.S. Postal Service Express Mail, with postage prepaid, or by facsimile transmission, or by electronic transmission (email) and shall be deemed sufficiently given if served in a manner specified in this Section 5. The addresses and addressees noted below are that Party's designated address and addressee for delivery or mailing of notices.

To City of Hanford:	City of Hanford City Manager 315 North Douty Street Hanford, CA 93230 Telephone: 559-585-2515
To Kings County Water District:	Kings County Water District General Manager 200 North Campus Drive Hanford, CA 93230 Telephone: 559-584-6412
To County of Kings:	County of Kings Community Development Director 1400 W. Lacey Blvd., Bdg. #6 Hanford, CA 93230 Telephone: 559-852-2680
With copy to:	County Counsel 1400 W. Lacey Blvd., Bdg. #4 Hanford, CA 93230 Telephone: 559-852-2445

Any Party may, by written notice to the others, specify a different address for notice. Any notice sent by registered or certified mail, return receipt requested, shall be deemed given on the date of delivery shown on the receipt card, or if no delivery date is shown, three (3) days after the postmark date. If sent by regular mail, the notice shall be deemed given forty-eight (48) hours after it is addressed as required in this section and mailed with postage prepaid. Notices delivered by United States Express Mail or overnight courier that guarantee next day delivery shall be deemed given

twenty-four (24) hours after delivery to the Postal Service or courier. Notices transmitted by facsimile transmission or similar means (including email) shall be deemed delivered upon telephone or similar confirmation of delivery (conformation report from fax machine is sufficient), provided a copy is also delivered via personal delivery or mail. If notice is received after 4:00 p.m. or on a Saturday, Sunday or legal holiday, it shall be deemed received on the next business day.

IN WITNESS WHEREOF, the Members hereto execute this Agreement to be effective on the date first written above.

District:

KINGS COUNTY WATER DISTRICT

By: _____

Ernie Taylor, President, Board of Directors

City:

CITY OF HANFORD

By: _____

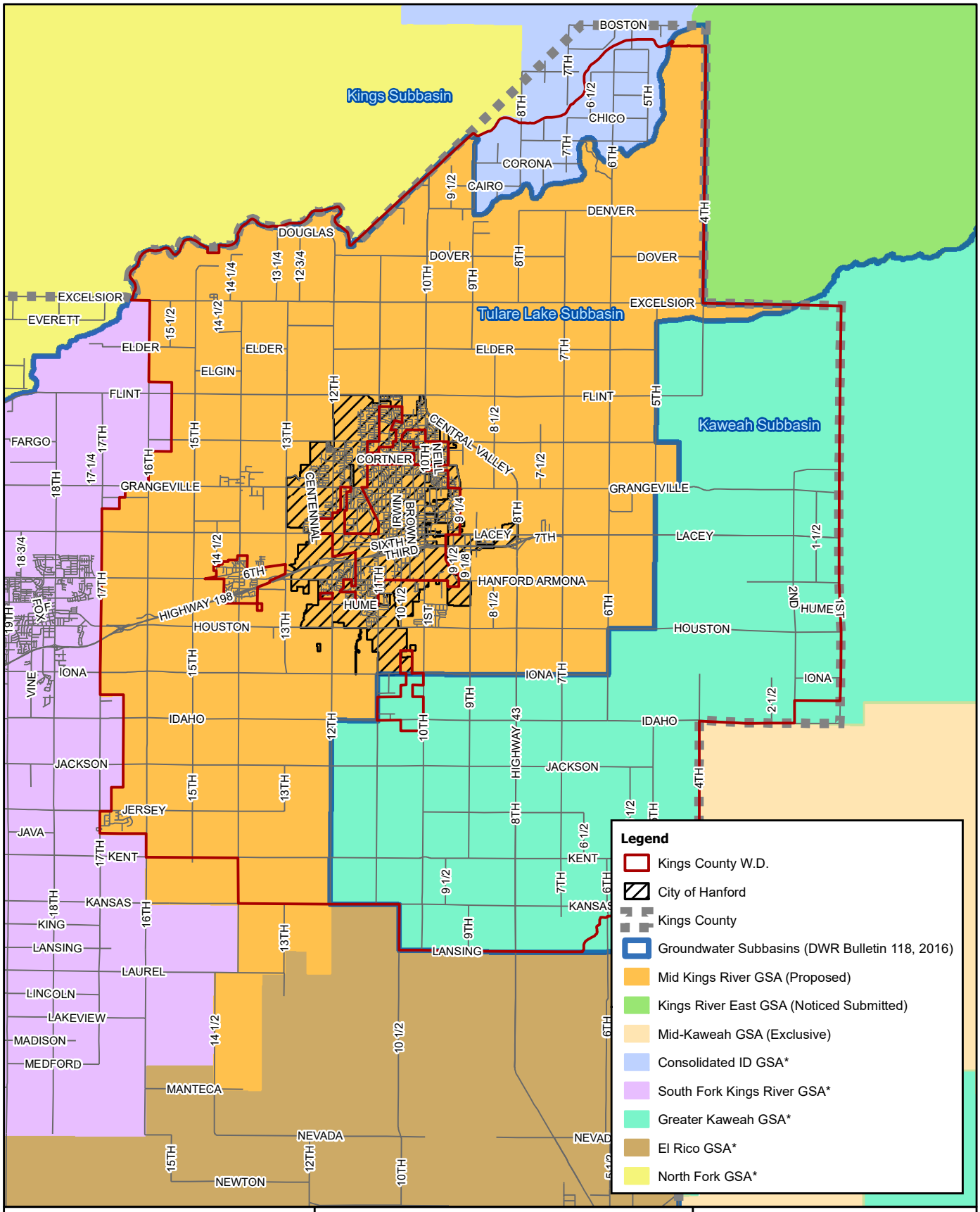
Justin Mendes, Mayor

County:

COUNTY OF KINGS

By: _____

Doug Verboon, Chairman
Kings County Board of Supervisors



EST. 1968
PROVOST & PRITCHARD
CONSULTING GROUP
An Employee Owned Company

0 1 2
Miles

*GSA boundary assumed or currently being developed

EXHIBIT A

Mid Kings River GSA

DRAFT 11-30-2016

11/30/2016 : G:\Kings County WD - 2192\GIS\2192OG01\2016\GSA\Map\review4.mxd

EXHIBIT B

MINUTES FROM JPA MEMBERS ADOPTING THE JPA DOCUMENT AND FORMING THE MID-KINGS RIVER GSA

KINGS COUNTY WATER DISTRICT
THURSDAY, NOVEMBER 10, 2016
MEETING MINUTES

President Taylor called the regular meeting to order at 1:30 p.m.

DIRECTORS PRESENT:	Joseph Freitas, Barry McCutcheon, Michael Murray, Ernest Taylor
DIRECTORS ABSENT:	Steven P. Dias
OTHERS PRESENT:	Dennis Mills, General Manager; Ray Carlson, Attorney; Andy Hemans, Peoples Ditch Company Manager, Neil Bellamy, Last Chance Water Ditch Company Manager

ESTABLISH QUORUM

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

PUBLIC COMMENT PERIOD

None.

MEETING MINUTES OF OCTOBER 6, 2016

President Taylor asked if there was a motion regarding the minutes circulated in this month's Board packets. Director McCutcheon made a motion to approve the October 6, 2016 minutes. Director Freitas seconded the motion and the Board unanimously approved the meeting minutes of October 6, 2016. The vote for all of the Directors was as follows:

AYES: Joseph Freitas, Barry McCutcheon, Michael Murray, Ernest Taylor

NOES: None

ABSTAINED: None

ABSENT: Steven P. Dias

COMMUNICATIONS

Manager Mills informed the Board that he had received property acquisition documents from HSR and attorney Carlson was going to review the documents before President Taylor was asked to sign them. The issue of HSR payment for the property was discussed as it was reported that others have experienced HSR either not paying or extremely long wait times. It was also relayed that HSR has requested a meeting with Manager Mills on November 18.

Manager Mills briefly relayed that William Verboon had discussions with District staff regarding his Peoples Ditch stock and the possible plans for their family's trust.

ATTORNEY: RAY CARLSON

None.

GENERAL MANAGER

MID-KINGS RIVER JPA/GSA

Manager Mills presented the final version of the "AGREEMENT TO FORM A JOINT POWERS AUTHORITY KNOWN AS THE MID-KINGS-RIVER GROUNDWATER SUSTAINABILITY AGENCY". Manager Mills recommended that the Board approve the final document, authorize President Taylor to sign on behalf of the District and to select three District Board members to serve as Mid-Kings River JPA/GSA board members. There was a discussion of the proposal by the Board and Manager Mills. After the discussion concluded, Director Freitas made a motion to approve the final "AGREEMENT TO FORM A JOINT POWERS AUTHORITY KNOWN AS THE MID-KINGS-RIVER GROUNDWATER SUSTAINABILITY AGENCY", to authorize President Taylor to sign on behalf of the District and for Michael Murray, Barry McCutcheon and Steve Dias to serve as the District's representatives on the Mid-Kings River JPA/GSA board. Director Murray seconded the motion and the Board unanimously approved the final "AGREEMENT TO FORM A JOINT POWERS AUTHORITY KNOWN AS THE MID-KINGS-RIVER GROUNDWATER SUSTAINABILITY AGENCY", authorized President Taylor to sign on behalf of the District and made Michael Murray, Barry McCutcheon and Steve Dias the District's representatives on the Mid-Kings River JPA/GSA board. The vote for all of the Directors was as follows:

AYES: Joseph Freitas, Barry McCutcheon, Michael Murray, Ernest Taylor

NOES: None

ABSTAINED: None

ABSENT: Steven P. Dias

GREATER KAWEAH JPA/GSA

Manager Mills gave a brief summary of recent issues related to the Greater Kaweah GSA. The Board and Manager Mills discussed a few matters for clarification, but no actions were taken.

2017 WATER RENTAL PROGRAM

Manager Mills presented a proposal for the District's 2017 Water Rental Program that would move away from allocations in times of shortage. This issue has been discussed with Board at several meetings over the last year. The proposal included revisions that included 1) the development of a down payment based on irrigated acres which would be due at sign-up, 2) delivery to renters on a first come first serve basis as scheduled through the Ditch Companies, 3) billing for the cost of the delivered amount of water (beyond the down payment) after the water is run, and 4) provisions that if the renter does not pay promptly they will not be allowed to rent from the District in the coming year. There was a discussion of the proposal by the Board and Manager Mills. Director McCutcheon requested that the payment due date for the down payment be moved to March 1 rather than upon sign-up in January. This was acceptable to the other directors. Manager Mills also recommended that rental rate the District pay to stockholders for use of their stock remain the same as last year, and that the cost per acre-foot charged to renters be increased from $50/AF to $55/AF for Peoples, Settlers, Riverside, Last Chance, and Lakeside and from $60/AF to $65/AF for Lone Oak and New Deal. After the discussion on the proposal concluded, Director McCutcheon made a motion to approve the proposed 2017 Water Rental Program and rental rates along with his proposed modified due date

for down payment. Director Freitas seconded the motion and the Board unanimously approved the 2017 Water Rental Program and rental rates. The vote for all of the Directors was as follows:

AYES: Joseph Freitas, Barry McCutcheon, Michael Murray, Ernest Taylor

NOES: None

ABSTAINED: None

ABSENT: Steven P. Dias

ON-GOING EFFORTS

Manager Mills reported on efforts with Jim Olivas of Pearson Realty to put the Slenders property on the market for possible sale. Mr. Olivas has recommended listing the property for $27,500 per acre. Contract documents are under review with Mr. Olivas for his services and it is hoped that the property can be listed soon.

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Government Code Section § 54956.9(a)
(Case Name: KRAPOA v. KCWD)

CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Pursuant to Government Code Section § 54956.8
Property: Ditch Stock
Agency negotiator: Dennis Mills, General Manager
Negotiating parties: Donald Souza Trust, Kings CWD
Under negotiation: Price and terms of payment

President Taylor directed that the Board move into Closed Session to discuss existing and pending litigation. Legal Counsel advised the Board that it has authority to hold a Closed Session under Government Code section 54956.9(a). All persons other than the Directors, the General Manager and Legal Counsel thereupon retired from the meeting.

RECONVENE TO OPEN SESSION

Following the Closed Session, President Taylor reported that no reportable action was taken in Closed Session and the meeting was again open to the public.

MONTHLY REPORTS

Manager Mills informed the Board members that the quarterly budget review showing each category was in the packets.

EXPENDITURE LIST & FINANCIAL STATEMENT APPROVAL

On a motion by Director Freitas, with a second by Director McCutcheon, it was unanimously approved by the Board that the expenditure list and financial statement be accepted as submitted. The vote for all of the Directors was as follows:

AYES: Joseph Freitas, Barry McCutcheon, Michael Murray, Ernest Taylor

NOES: None

ABSTAINED: None

ABSENT: Steven P. Dias

TRANSFER OF FUNDS

Manager Mills reported that a transfer of $200,000 from the L.A.I.F. Account to the Union Bank General Account was needed. On a motion by Director Freitas, with a second by Director Murray, it was unanimously approved by the Board to $200,000 from the L.A.I.F. Account to the Union Bank General Account. The vote for all of the Directors was as follows:

AYES: Joseph Freitas, Barry McCutcheon, Michael Murray, Ernest Taylor

NOES: None

ABSTAINED: None

ABSENT: Steven P. Dias

UPCOMING MEETINGS

None.

BOARD MEMBER DISCUSSION, ANNOUNCEMENTS OR REPORTS

None.

ADJOURNMENT

There being no further business, the meeting was adjourned at 3:30 p.m.

Respectfully submitted,

Dennis Mills

Dennis Mills
MIN 11.10.16

The City of Hanford
CALIFORNIA

CITY COUNCIL MEETING
MINUTES
November 15, 2016 7:00 PM
Council Chambers
400 N. Douty St.

6:00 PM CALL TO ORDER STUDY SESSION & CLOSED SESSION:

Mayor Justin Mendes called the sessions to order at 6:00 p.m.

ROLL CALL:

Present: Gary Pannett, Russ Curry, David Ayers, Francisco Ramirez, Justin Mendes

PUBLIC COMMENT - STUDY SESSION & CLOSED SESSION:

Comments from the public are limited to items on the agenda (GC54954.3a). A maximum of five minutes is allowed for each speaker.

Brian stated that he met with the people interested in building the facility and that he also supports the local production of hemp.

A woman also spoke in favor of growing hemp.

STUDY SESSION:

A. Staff Update on Tour of Marijuana Cultivation Facilities

Community Development Director Darlene Mata and Police Chief Parker Sever discussed facilities that they toured in Canada along with District Attorney Keith Fagundes. Chief Sever discussed the indoor grow process and security, as well as the outdoor grow facility process and related security. Ms. Mata discussed the water and energy use for both facilities. They discussed the odor control and that the indoor facilities had very little smell outside of the facility. The greenhouse had significant odor issues and received routine complaints from surrounding businesses. Ms. Mata commented on California's future permit process and potential local issues. Staff requested direction from the City Council regarding an amendment to the Municipal Code, what zones should it be allowed, regulations such as a limit on number of permits that can be issued, security, and taxes. The applicant would enter into an agreement with the City to pay for staff time, consultants, and legal costs. An ordinance and environmental document would be prepared with an estimated completion date of late 2017.

Staff responded to questions and comments by the City Council. Council Member Pannett recommended a study session with Purple Heart for them to present their proposal and business plan. Council Member Curry expressed concern about the lack of regulations by the State at this time. Ms. Mata stated that they are looking at what regulations can be done at the local level, and it would likely be more restrictive than State regulations. Council Member Ayers is in favor of moving forward with caution and permit it as a conditional use for this specific facility and not the entire industrial park. He also supports using the treated wastewater. Vice Mayor Ramirez supports the City moving forward and to look at using treated wastewater. He also has concerns about

security for the cash. Mayor Mendes agreed with maintaining local control and creating regulations that will support that. There were also concerns by the Council on subletting spaces by the applicant.

A majority of the Council directed staff to move forward with drafting an ordinance. They opposed dispensaries, and they also want the ordinance to only allow the cultivation of medical marijuana, not recreational. Staff will continue to bring this subject back for the Council's review of drafts and additional direction.

CLOSED SESSION FOR DISCUSSION OF THE FOLLOWING:

Due to the length of the study session, closed session was postponed to take place at the end of the meeting.

A. CONFERENCE WITH LABOR NEGOTIATORS - Government Code Section 54957.6

Agency designated representatives: Darrel Pyle and Mario Zamora
Employee Organization: Service Employees International Union Local 521 (S.E.I.U.)

B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS - Government Code Section 54956.8

Property: APN 018-242-077
Agency Negotiators: Darrel Pyle and Ty Mizote
Negotiating Party: Jan Kahn for Helena Chemical
Under Negotiation: Terms and Price

C. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Government Code Section 54956.9(d)(2)

Number of Potential Cases - 1

D. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Government Code Section 54956.9(d)(1)

CASE NAME: Ghiglia v. City of Hanford
CASE NUMBER: Kings County No. 16C0207

7:00 PM CALL TO ORDER REGULAR SESSION:

Mayor Mendes called the meeting to order at 7:15 p.m.

ROLL CALL:

Attendee Name	Title	Status	Arrived
Russ Curry	Council Member	Present	6:00 PM
David Ayers	Council Member	Present	6:00 PM
Gary Pannett	Council Member	Present	6:00 PM
Francisco Ramirez	Vice Mayor	Present	6:00 PM
Justin Mendes	Mayor	Present	6:00 PM

INVOCATION:

Kevin Medcalf provided the invocation.

FLAG SALUTE:

Mayor Mendes led the flag salute.

RECOGNITIONS/PROCLAMATIONS:

STAFF COMMUNICATIONS:

Police Chief Parker Sever commented on the hiring of new officers.

Community Development Director Darlene Mata provided an update on the adoption of the General Plan.

Public Works Deputy Director John Doyel discussed current street projects and ones that will be postponed due to the winter.

Parks & Recreation Director Craig Miller announced the upcoming Toys-4-Kids Softball Tournament.

Fire Chief Chris Ekk commented on the new volunteers and the status of the fire station project.

PUBLIC COMMENT:

This is the time for citizens to comment on subject matters not on the agenda within the jurisdiction of the Hanford City Council or to comment on items listed under the Consent Calendar or to request an item from the Consent Calendar be pulled for discussion purposes. Comments related to General Business items or Public Hearing items will be heard at the time the item is discussed.

*A maximum of **five minutes** is allowed for each speaker. Please begin your comments by stating your name and providing your city of residence.*

Bob Ramos expressed his disappointment that staff traveled to Canada and does not believe the comparison is accurate to what would need to be addressed here.

Brian, a resident of Hanford, encouraged the Council to allow distribution and dispensaries of marijuana as it would allow a safer regulation of the product.

Michael Lamb expressed his displeasure that staff traveled to Canada and did not go to other states to review marijuana facilities.

Mackenzie Hayes defended the City's decision to travel to Canada and also supported distribution and dispensaries.

Rob Van Wagoner of the Carnegie Museum commented on upcoming Christmas events and activities sponsored by the Carnegie Museum.

Eric Medina from Visalia appreciated that staff educated themselves on the cultivation of marijuana. He supported a facility in Hanford.

CONSENT CALENDAR:

Consent Calendar items are considered routine and will be enacted in one motion. There will be no separate discussion of these matters unless a request is made and then the item will be removed from the Consent Calendar to be discussed and voted upon by a separate motion.

Motion to approve Consent Calendar.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Gary Pannett, Council Member
SECONDER:	Francisco Ramirez, Vice Mayor
AYES:	Curry, Ayers, Pannett, Ramirez, Mendes

A. City Clerk: Approve Minutes from the November 1, 2016 Meeting

B. City Clerk: Deny claim for damages and direct the City Clerk to send out notification of such to Kimberly Andre-Johnson.

C. IT: Approve Technology Policies regarding City of Hanford Response Plan and Electronic Equipment Destruction

D. Administration: Adopt Resolution 16-47-R Ratifying the Memorandum of Understanding with General Unit Employees 2016-2019

E. Public Works: Purchase of 636 residential refuse containers from Toter Wastequip, LLC., in the amount of $32,658.53 (tax and freight included).

F. Public Works: Permission to Advertise the FY 15/16 Water Distribution Main Extension Project

G. Public Works: Approve Work Order No. 10 with Zumwalt Hansen, Inc. for Topographic Survey services for the FY 2016/2017 Minor Water Main Project for a not to exceed amount of $25,400.

H. Public Works: Adopt Resolution 16-45-R and Resolution 16-46-R regarding Tract No.917, Woodside Homes Subdivision, Initiation of Landscape Assessment District Proceedings

I. Finance: Warrant Register

PUBLIC HEARINGS:

GENERAL BUSINESS:

A. Public Works: Authorize the Mayor to sign the attached agreement forming the Mid-Kings River Joint Powers Authority with the Kings County Water District and Kings County for implementation of the Sustainable Groundwater Management Act, and appoint one member of the Council as the City representative to the MKRJPA Board and one member as the alternate.

Public Works Deputy Director John Doyel provided background information for the Council's review and consideration.

Motion to approve the agreement and appoint Council Member Ayers as the representative and appoint Mayor Mendes as the alternate.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Justin Mendes, Mayor
SECONDER:	Russ Curry, Council Member
AYES:	Curry, Ayers, Pannett, Ramirez, Mendes

COUNCIL REPORTS/COMMENTS:

Mayor Mendes thanked the current Council for all that he has learned since he has been on the Council.

Vice Mayor Ramirez had nothing to report.

Council Member Ayers commented on his attendance at a League of California Cities conference.

Council Member Curry congratulated the two Council Member-elects and is looking forward to following their decisions.

Council Member Pannett welcomed Mr. Devine to the Council. Mr. Pannett praised the City for all of the progress in staffing, equipment, and facilities in public safety in the last four years. He is happy that Hanford has been able to keep their City Manager and did not face a high turnover like previous City Councils. He thanked the City Manager, City Attorney, and staff for doing an outstanding job. Mr. Pannett commented on the challenges that the new Council will be facing in regards to downtown property owners that do not keep their buildings habitable. He also discussed the changes to the zoning ordinances which are making Hanford better. He encouraged the Council to keep it up and thanked the citizens for allowing him to serve.

City Manager Darrel Pyle made clarifications to public comments. Staff did travel to a marijuana facility in San Jose, California and determined that it was a professional operation that did not have a negative impact on the police department or community. Staff looked for other facilities in Washington, Oregon, and Colorado that could be scalable to the proposal in Hanford, but were unsuccessful. A facility did exist in Toronto, and staff was able to collect information about energy, water, and employment. There were also no negative impacts on the community due to the presence of this facility. The Toronto facility was as close of a comparison to the proposed Hanford facility and we should follow their regulations as minimum standards. The cost to travel to either Canada or Colorado were essentially the same, but the facility in Canada was a more appropriate comparison.

ADJOURNMENT:

Mayor Mendes adjourned the meeting to closed session at 7:53 p.m. There was nothing to report out of closed session.

Mayor Mendes adjourned the regular meeting at 8:20 p.m.

Respectfully submitted,

Jennifer Gomez
City Clerk

Kings County
Board of Supervisors

Kings County Government Center
1400 W. Lacey Boulevard ❖ Hanford, California 93230
☎ (559) 852-2362 FAX (559) 585-8047

In compliance with the Americans with Disabilities Act, if you require a modification or accommodation to participate in this meeting, including agenda or other materials in an alternative format, please contact the Board of Supervisors Office at (559) 852-2362 (California Relay 711) by 3:00 p.m. on the Friday prior to this meeting. The Clerk of the Board will provide assistive listening devices upon request.

Action Summary

November 22, 2016

Place: **Board of Supervisors Chambers**
Kings Government Center, Hanford, CA

Chairman:	**Doug Verboon**	**(District 3)**	**Staff:**	**Larry Spikes, County Administrative Officer**
Vice Chairman:	**Craig Pedersen**	**(District 4)**		**Colleen Carlson, County Counsel**
Board Members:	**Joe Neves**	**(District 1)**		**Catherine Venturella, Clerk of the Board**
	Richard Valle	**(District 2)**		
	Richard Fagundes	**(District 5)**		

Please turn off cell phones and pagers, as a courtesy to those in attendance.

I B 1 **CALL TO ORDER**

ROLL CALL – Clerk of the Board
INVOCATION – Robert Needham – New Hope Orthodox Presbyterian Church
PLEDGE OF ALLEGIANCE
MEMBERS PRESENT: JOE NEVES, DOUG VERBOON, CRAIG PEDERSEN, RICHARD FAGUNDES
MEMBERS ABSENT: RICHARD VALLE

II B 2 **UNSCHEDULED APPEARANCES**

Any person may directly address the Board at this time on any item on the agenda, or on any other items of interest to the public, that is within the subject matter jurisdiction of the Board. Five (5) minutes are allowed for each item.

Dave Robinson, Kings County Sheriff stated that staff attended the Homeland Security Grant meeting and was approved for the 2017 Command Post application.

IV B 3 **CONSENT CALENDAR**

All items listed under the consent calendar are considered to be routine and will be enacted by one motion. For any discussion of an item on the consent calendar, it will be removed at the request of any Board Member and made a part of the regular agenda.

A. Approval of the Minutes: November 15, 2016

B. Agriculture Department:
Consider authorizing the Chairman to sign Agreement No. 16-0581-SF with the California Department of Food and Agriculture for the County's Asian Citrus Psyllid Detection Program.
[Agmt 16-127]

C. Community Development Agency:
Consider authorizing the Chairman to sign the partial non-renewal for Land Conservation Contract No. 1902 and finding that notice of non-renewals are categorically exempt from environmental review (California Environmental Quality Act Guidelines Section 15317).

CONSENT CALENDAR CONTINUED

D. Probation Department:
Consider authorizing the Chairman and Chief Probation Officer to sign the Department's Application for Discharge from Accountability for the collection of delinquent court-ordered criminal fines, fees, penalties, assessments and electronic monitoring fees.

E. Public Works Department:
1. Consider authorizing the Director of Public Works to sign a right of entry Agreement with the Department of Energy for the surveillance and maintenance of the former Burris Park Field Station. **[Agmt 16-128]**
2. Consider accepting the dedication for In-Lieu Parcel Map No. 16-02 (Jonathan PM Farley and Karen Ann Farley) into the County Maintained Mileage and authorizing the Clerk of the Board to sign the acceptance on the map.

F. Administration:
Consider authorizing the Chairman to sign an escrow Agreement with Bush Construction, Inc. for the SB 1022 Jail Expansion project. **[Agmt 16-129]**
ACTION: CONSENT CALENDAR APPROVED AS PRESENTED (JN/CP/RF/DV-Aye, RV-Absent)

V **REGULAR AGENDA ITEMS**

B 4 **A. County Counsel – Colleen Carlson**
Consider authorizing the Chairman to sign the Joint Powers Authority Agreements and Memorandums of Understanding with forming Groundwater Sustainability Agencies as they are reviewed by County Counsel for consistency.
ACTION: APPROVED AS PRESENTED (JN/CP/RF/DV-Aye, RV-Absent)

B 5 **B. Human Services Agency – Sanja Bugay**
Consider authorizing the Chairman to sign an Agreement with InTelegy Corporation for service center and lobby design consulting for FY's 2016/2017 and 2017/2018 and authorizing the Purchasing Manager to sign the related sole source form. **[Agmt 16-130]**
ACTION: APPROVED AS PRESENTED (CP/RF/JN/DV-Aye, RV-Absent)

B 6 **C. Information Technology Department – Mark Dawson/Dan Willhite**
1. Consider approving the purchase of six Dodge pickup trucks from Hanford Chrysler Dodge in an amount not to exceed $167,000 and authorizing the Purchasing Manager to sign the purchase order.
ACTION: APPROVED AS PRESENTED (RF/JN/CP/DV-Aye, RV-Absent)
2. Consider approving the purchase of six Nissan Leaf vehicles from Selma Nissan in an amount not to exceed $157,500, authorizing the Purchasing Manager to sign the purchase order and authorizing the Clerk of the Board to sign the budget appropriation and transfer form. **(4/5th vote required)**
ACTION: APPROVED AS PRESENTED (CP/RF/JN/DV-Aye, RV-Absent)

B 7 **D. Administration – Larry Spikes/Rebecca Campbell**
Department of Finance – Rebecca Valenzuela
Assessor/Clerk-Recorder/Elections – Kristine Lee
Information Technology – Mark Dawson
Consider authorizing the Chairman to sign Change Request #2 with 21Tech, LLC for the continuation of data conversion from October 2016 through October 2017. **[Agmt 14-079.2]**
ACTION: APPROVED AS PRESENTED (CP/RF/JN/DV-Aye, RV-Absent)

B 8 **E. Administration – Larry Spikes/Sande Huddleston**
Consider approving changes to the Prescription Drug Plan as recommended by the Health Insurance Advisory Committee.
ACTION: APPROVED AS PRESENTED (RF/DV/JN/CP-Aye, RV-Absent)

VI B 9 F. Board Member Announcements or Reports

On their own initiative Board Members may make a brief announcement or a brief report on their own activities. They may ask questions for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda (Gov. Code Section 54954.2a).

Supervisor Fagundes stated that he attended the Kings Community Action Organization meeting on November 17, 2016, barbecued for the In-Home Supportive Services event on November 19, 2016 and helped at Home Garden Operation Gobble event on November 16, 2016.

Supervisor Neves stated that he attended the Kings Federal Credit Union meeting on November 15, 2016, attended the West Hills College Career Connections, the Grand Jury open house and the Kiwanis meeting on November 16, 2016, attended the Adventist Health Outreach program meeting on November 17, 2016, attended the Tachi Palace Community breakfast on November 19, 2016, attended the West Hills College Basketball tournament on November 19-20, 2016, attended the Soroptimist Christmas tree fundraiser on November 19, 2016 at Kings fair grounds and attended the Lemoore Holiday Stroll on November 19, 2016.

Supervisor Verboon stated that he read the oaths to the new Fire Department personnel on November 18, 2016.

- Board Correspondence: **None**
- Upcoming Events: **Larry Spikes stated that the Thanksgiving Day Community dinner would be held from 11:00 a.m. to 2:00 p.m. at the Lemoore Senior Center and everyone is welcome. He stated that the Kings County Prevention awards will be held on December 1, 2016 at 8:00 a.m. at the First Presbyterian Church, Child Support Christmas breakfast will be held on December 9, 2016 at 8:00 a.m. and the Child Support slipper sox drive for seniors is going on and the deadline to donate is December 19, 2016.**
- Information on Future Agenda Items: **Larry Spikes stated that the following items would be on a future agenda: Humans Services Modular building contract and reimbursement resolution for the financing of the project, out of state travel for Administration and Board of Supervisors members to attend the National Association of Counties annual Legislative conference in Washington D.C. in March 2017, County Legislative Platform and Vehicle Policy updates and the contract amendments for the AB 900 project with DLR. He stated that the meeting next week is canceled due to the California State Association of Counties conference in Palm Springs.**

VII B 10 G. <u>ADJOURNMENT</u>

The next regularly scheduled meeting is scheduled for December 6, 2016, at 9:00 a.m.

VIII 1:30 PM H. HOUSING AUTHORITY- REGULAR MEETING

IX 2:00 PM I. IN-HOME SUPPORTIVE SERVICES- REGULAR MEETING

FUTURE MEETINGS AND EVENTS		
November 29	9:00 AM	Regular Meeting Cancelled/ Board members participating in CSAC Annual Meeting
November 29- December 2		California State Association of Counties (CSAC) Annual Meeting in Palm Springs, CA
December 6	9:00 AM	Regular Meeting
December 6	11:00 AM	California Public Finance Authority Regular Meeting
December 13	9:00 AM	Regular Meeting
December 20	9:00 AM	Regular Meeting
December 20	11:00 AM	California Public Finance Authority Regular Meeting
December 23- January 3	12:00 PM --	County offices closed in observance of Christmas & New Year's/Holiday closure

Agenda backup information and any public records provided to the Board after the posting of the agenda will be available for the public to review at the Board of Supervisors office, 1400 W. Lacey Blvd, Hanford, for the meeting date listed on this agenda.

MID-KINGS RIVER GSA
NOTICE OF INTENT

EXHIBIT C

PUBLIC HEARING PUBLICATION

*** Proof of Publication ***

RECEIVE - 3 2016

The Sentinel
Lee Central California Newspapers
P.O. Box 9
Hanford, CALIFORNIA 93232
PHONE 888-790-0915
Sentinel_Finance@lee.net

KINGS CO. WATER DISTRICT
200 N CAMPUS DR.
HANFORD, CA 93230

ORDER NUMBER 67305

Ad#67305

MID-KINGS RIVER GROUNDWATER SUSTAINABILITY AGENCY JOINT POWERS AUTHORITY

Notice of Public Hearing – Election to Become a Groundwater Sustainability Agency under the Sustainable Groundwater Management Act.

NOTICE IS HEREBY GIVEN that, pursuant to Water Code Section 10723, the Mid-Kings River Groundwater Sustainability Agency Joint Powers Authority (Authority) will hold a public hearing during a special meeting on January 5, 2017, commencing at 10:00 am at the Kings County Board of Supervisors Chambers at 1400 West Lacey Blvd., Hanford, California 93230, to determine whether the Authority will become a Groundwater Sustainability Agency for a portion of the Tulare Lake Subbasin of the San Joaquin Valley Groundwater Basin. Written comments may be submitted to the Authority, Attn: Dennis Mills, Secretary, no later than 5:00 pm on December 29, 2016 to 200 North Campus Drive, Hanford, California 93230. During the hearing, the Authority will allow oral comments and will receive additional written comments before making a decision. The Chairman may limit oral comments to a reasonable length.

Dated: December 15, 2016,

Dennis Mills, Secretary

Publish: December 20, 27, 2016

Publication- The Hanford Sentinel

State of California

County of Kings

I am a citizen of the United States and a resident of the county forsaid; I am over the age of eighteen years, and not a part to or interested in the above-entitled matter. I am the principal clerk of The Hanford Sentinel, a newspaper of general circulation, printed and published daily in the city of Hanford, County of Kings, and which newspaper has been adjudged a newspaper of general circulation by the superior court of the County of Kings, State of California, under the date of October 23, 1951, case number 11623.

That I know from my own personal knowledge the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said nespaper and not in any supplement thereof on the following dates, to wit:

Ad#67305

MID-KINGS RIVER GROUNDWATER SUSTAINABILITY AGENCY JOINT POWERS AUTHORITY

Notice of Public Hearing – Election to Become a Groundwater Sustainability Agency under the Sustainable Groundwater Management Act.

NOTICE IS HEREBY GIVEN that, pursuant to Water Code Section 10723, the Mid-Kings River Groundwater Sustainability Agency Joint Powers Authority (Authority) will hold a public hearing during a special meeting on January 5, 2017, commencing at 10:00 am at the Kings County Board of Supervisors Chambers at 1400 West Lacey Blvd., Hanford, California 93230, to determine whether the Authority will become a Groundwater Sustainability Agency for a portion of the Tulare Lake Subbasin of the San Joaquin Valley Groundwater Basin. Written comments may be submitted to the Authority, Attn: Dennis Mills, Secretary, no later than 5:00 pm on December 29, 2016 to 200 North Campus Drive, Hanford, California 93230. During the hearing, the Authority will allow oral comments and will receive additional written comments before making a decision. The Chairman may limit oral comments to a reasonable length.

Dated: December 15, 2016,

Dennis Mills, Secretary

Publish: December 20, 27, 2016

PUBLISHED ON: 12/20/2016, 12/27/2016

TOTAL AD COST:	132.75
FILED ON:	12/27/2016

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Kings County, California

This Day 27th of December 2016

Signature

MID-KINGS RIVER GSA
NOTICE OF INTENT

EXHIBIT D

RESOLUTION 2017-01
OF THE BOARD OF DIRECTORS

RESOLUTION NUMBER 2017-01
OF THE BOARD OF DIRECTORS OF THE
MID-KINGS RIVER GROUNDWATER SUSTAINABILITY AGENCY
JOINT POWERS AUTHORITY

THE BOARD OF DIRECTORS OF THE MID-KINGS RIVER GROUNDWATER SUSTAINABILITY AGENCY JOINT POWERS AUTHORITY FINDS AND DECLARES AS FOLLOWS:

A. WHEREAS, on September 16, 2014, Governor Jerry Brown signed into law the Sustainable Groundwater Management Act of 2014 ("SGMA"), which authorized local agencies to manage groundwater in a sustainable fashion;

B. WHEREAS, SGMA requires all high- and medium-priority groundwater basins, as designated by the California Department of Water Resources ("DWR"), to be managed by a Groundwater Sustainability Agency ("GSA");

C. WHEREAS, the Tulare Lake Subbasin (5-22.12) has been characterized by DWR as high-priority and critically overdrafted basin;

D. WHEREAS, in order to exercise the authority granted in SGMA, a local agency or combination of local agencies may elect to become a GSA;

E. WHEREAS, the Mid-Kings River Groundwater Sustainability Agency Joint Powers Authority ("Authority") is a joint powers authority duly organized pursuant to the Joint Exercise of Powers Act and consisting of three member agencies: the County of Kings, the Kings County Water District, and the City of Hanford;

F. WHEREAS, the Authority's combined jurisdictional boundaries overlies a portion of the Tulare Lake Subbasin;

G. WHEREAS, the Authority is a joint powers authority authorized to be a GSA for the Subbasin pursuant to Water Code Section 10723.6;

H. WHEREAS, notice of a public hearing to consider whether the Authority should become a GSA for a portion of the Subbasin, a copy of which is attached hereto as Exhibit A, was published in the Hanford Sentinel on December 20 and 27, 2016 pursuant to Government Code Section 6066 and Water Code Section 10723(b);

I. WHEREAS, the Authority currently maintains a list of interested persons and such persons were provided written notice of the hearing date, time and location to their preferred electronic mail address;

J. WHEREAS, at the public hearing, the Authority's Board of Directors considered oral and written comments to the extent provided by the public; and

K. WHEREAS, being in the best interests of the Authority, the Authority wishes to elect to become a GSA and exercise all powers and authorities granted to GSAs through Water Code Sections 10720, et seq.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

1. The Authority hereby elects to be a GSA for a portion of the Tulare Lake Subbasin that is shown on the map attached hereto as Exhibit B and incorporated herein by reference.
2. The Authority shall consider the interests of all beneficial uses and users of groundwater, as well as those responsible for implementing groundwater sustainability plans, as required by Water Code Section 10723.2.
3. Within 30 days of the date of this Resolution, the Secretary is directed to submit a notice of intent to the Department of Water Resources pursuant to Water Code Section 10723.8.
4. The Secretary shall, after complying with Water Code Section 10723.8, begin the process of developing the Groundwater Sustainability Plan for the Subbasin in accordance with all applicable statutes and regulations.
5. The Secretary shall create and maintain a list of persons interested in receiving notices concerning the Authority's SGMA process pursuant to Water Code Section 10723.4.

ALL OF THE FOREGOING being on motion of Director Ayers, seconded by Director Murray, and authorized by the following vote:

AYES: David Ayers, Steven P. Dias, Barry McCutcheon, Michael Murray

NOES: None

ABSTAINED: None

ABSENT: None

MID-KINGS RIVER GROUNDWATER SUSTAINABILITY AGENCY
JOINT POWERS AUTHORITY

CERTIFICATE OF RESOLUTION

I, Dennis Mills, hereby certify as follows:

1. That I am the Secretary of the Mid-Kings River Groundwater Sustainability Agency Joint Powers Authority; and

2. That the foregoing resolution, consisting of three pages, including this page, is a true and correct copy of a resolution of the Board of Directors of the Authority passed at a special meeting of the Board of Directors on January 5, 2017, at the Kings County Board of Supervisors Chambers, located at 1400 West Lacey Boulevard, Hanford, California 93230.

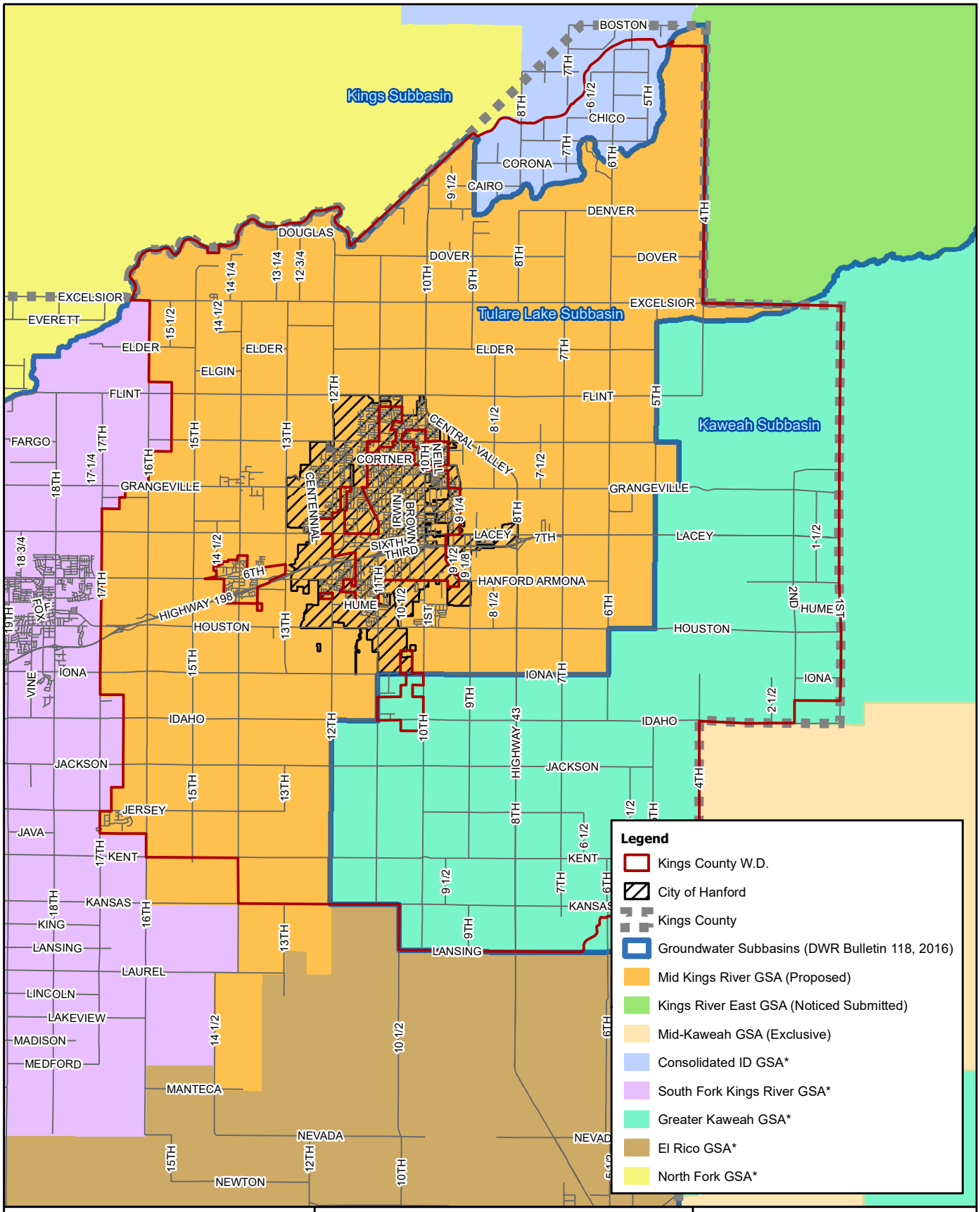
IN WITNESS WHEREOF, I have signed this certificate this 19th day of January, 2017, at the Authority's principal office at 200 North Campus Drive, Hanford California 93230.

Dennis Mills
Dennis Mills, Secretary

MID-KINGS RIVER GSA
NOTICE OF INTENT

EXHIBIT E

BOUNDARIES



EST. 1968
PROVOST & PRITCHARD
CONSULTING GROUP
An Employee Owned Company

0 1 2
Miles

*GSA boundary assumed or currently being developed

EXHIBIT E

Mid Kings River GSA

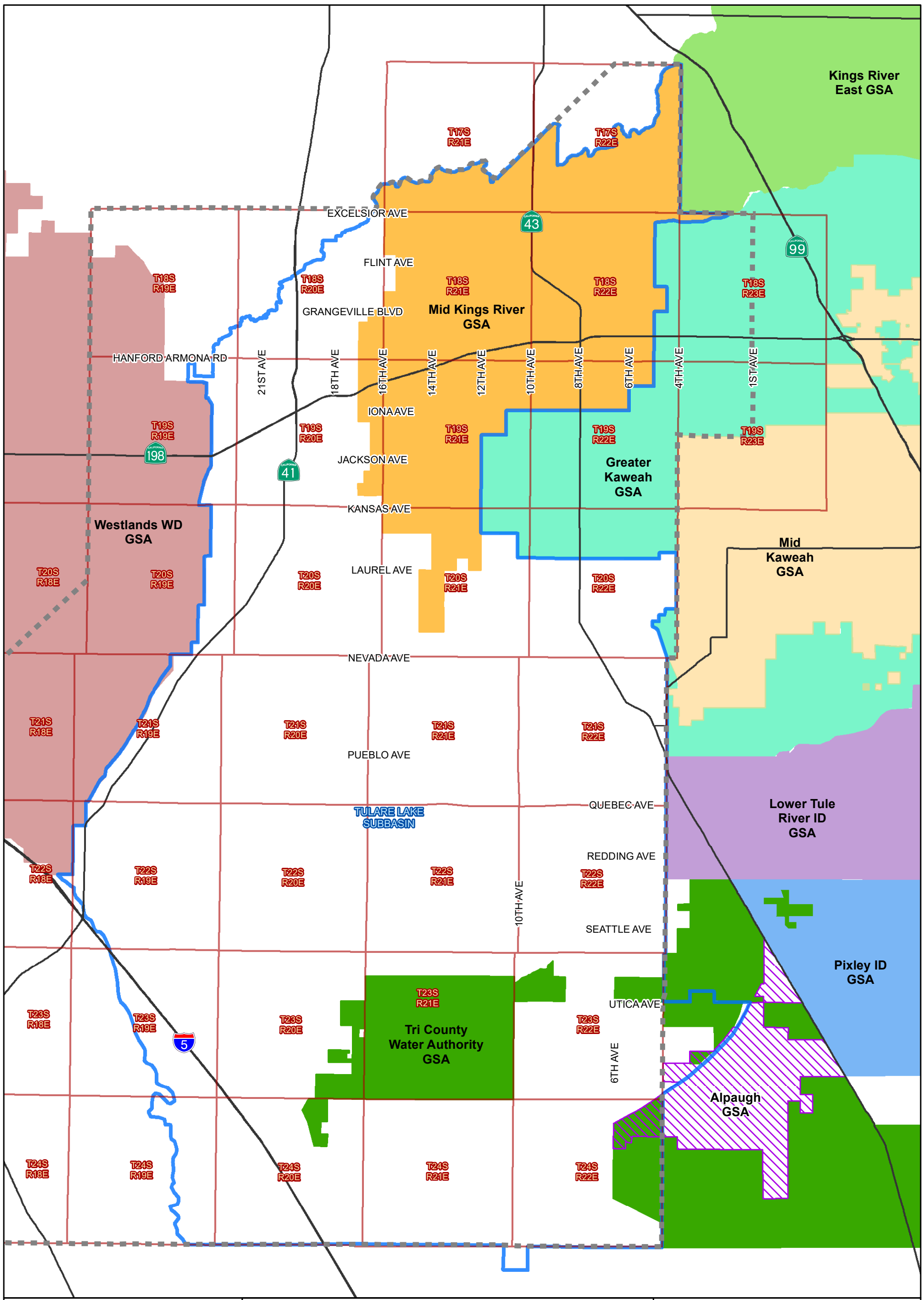
Service Area

11/30/2016 : G:\Kings County WD - 2192\GIS\2192OG01\2016\GSA\Map\review4.mxd

MID-KINGS RIVER GSA
NOTICE OF INTENT

EXHIBIT F

TULARE LAKE SUBBASIN REFERENCE MAP



EST. 1968
PROVOST & PRITCHARD
CONSULTING GROUP
An Employee Owned Company

0 1.5 3
Miles

Legend

- Groundwater Subbasin (DWR 2016)
- Kings County
- Township/Range
- Highway/Interstate

MID KINGS GSA

Groundwater Sustainabilty Agencies

1/24/2017 : G:\Kings County WD - 2192\GIS\2192OG01\2016\GSA\Map\dwr_gsa.mxd