

Glenn Groundwater Authority

Groundwater Sustainability Agency

225 N. Tehama Street, Willows, CA 95988 | 530.934.6540

Special Meeting of the Glenn Groundwater Authority Board of Directors

July 26, 2023 | 1:30 PM

225 North Tehama Street, Willows, CA 95988

Remote Public Participation Option:

Microsoft Teams meeting

Join on your computer, mobile app or room device

[Click here to join the meeting](#)

Meeting ID: 285 695 522 687

Passcode: PyC9pB

[Download Teams](#) | [Join on the web](#)

Or call in (audio only)

[+1 323-676-6164,,348026667#](#) United States, Los Angeles

Phone Conference ID: 348 026 667#

[Find a local number](#) | [Reset PIN](#)

[Learn More](#) | [Meeting options](#)

1. CALL TO ORDER

The Chairperson will call the meeting to order and lead the [flag salute](#).

2. ROLL CALL

Roll call will be conducted.

3. ELECTION OF OFFICERS EFFECTIVE JULY 26, 2023 FOR A TERM ENDING JUNE 30, 2024.

- a. *Election of Chairperson
- b. *Election of Vice-Chairperson
- c. *Election of Secretary
- d. *Confirm appointment of Treasurer as County of Glenn

The Glenn Groundwater Authority JPA Agreement outlines election of Officers in Article 4.3 of the Agreement. The appointment of a Treasurer is outlined in Article 5.7.

4.3 Officers. The Board of Directors shall elect a Chairperson, a Vice-Chairperson, and a Secretary, and shall appoint a Treasurer as provided in Article 5.7. All officers will be elected by a supermajority of all Directors present as defined in Article 4.7. All officers will serve a one-year term extending from no earlier than July 1 of a given year and ending no later than June 30 of the following year. The Chairperson and Vice-Chairperson shall be Directors of the Board and the Secretary may, but need not

be a Director of the Board. The Chairperson shall preside at all meetings of the Board and the Vice-Chairperson shall act as the chairperson in the absence of the Chairperson elected by the Board.

5.7 Depository and Treasurer. The Treasurer of the Authority shall be the County Treasurer, who shall be the depository 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 separate accounts in the name of the Authority and not commingled with funds of any Member or any other person or entity. The Treasurer shall perform the duties specified in Government Code sections 6505 and 6505.5. Subject to the voting requirements in Articles 4.6 and 4.7, the Board may elect to appoint a different Treasurer, provided such appointment is subject to the requirements of Government Code sections 6505 and 6505.5.

The current slate of Officer includes:

Chairperson: John Amaro

Vice-Chairperson: Gary Hansen

Secretary: Lisa Hunter

Treasurer: County of Glenn

4. APPROVAL OF MINUTES

- a. *Approval of the special meeting minutes from July 17, 2023.

Draft meeting minutes from the July 17, 2023 special meeting are attached.

Attachments

- July 17, 2023 GGA Board special meeting minutes

Glenn Groundwater Authority

Groundwater Sustainability Agency

225 N. Tehama Street, Willows, CA 95988 | 530.934.6540

Special Meeting Minutes

Glenn Groundwater Authority Board of Directors

July 17, 2023 | 1:30 p.m.

LOCATION: 225 North Tehama Street, Willows, CA 95988

Public participation was also offered via teleconference; accessible via telephone, computer, smartphone or tablet.

Director Members Present:	Alternate/2 nd Alternate Directors	Agency Representing:
X Grant Carmon	Tom Arnold	County of Glenn
X Bruce Roundy	Pete Carr	City of Orland
	Ed Vonasek (2 nd)	City of Orland
X Gary Hansen (Vice Chair)	R Evan Markey	City of Willows
X Matt Deadmond	Michael Alves	Glide Water District
X John Amaro (Chair)	Thad Bettner	Glenn-Colusa Irrigation District
X Charles Schonauer	X Emil Cavagnolo	Orland-Artois Water District
X Randy Hansen	Wade Danley	Kanawha Water District
X Mark Lohse	Seth Fiack	Monroeville Water District
R Gary Enos	Lance Boyd	Princeton-Codora-Glenn Irrigation District/ Provident Irrigation District

Directors attending remotely are designated with "R" and are not counted toward a quorum, do not vote, and are considered members of the public.

Others in attendance:

Lisa Hunter (GGA/Glenn County), Valerie Kincaid (GGA Counsel), Kaitlyn Murray (GGA/Glenn County), Matt Hansen, Del Reimers, Ben King, Brandon Davison (DWR), Michael Bolzowski, Nichole Bethurem, Gina Nicholls, Jenny Scheer, Holly Reimers

1. CALL TO ORDER

- Chairman Amaro called the meeting to order at 1:32 p.m. and the pledge of allegiance was recited.

2. ROLL CALL

- Roll call was taken as indicated above.

3. APPROVAL OF MINUTES

- *Approval of the meeting minutes from July 10, 2023.

- Chairman Amaro invited comments or revisions on the aforementioned meeting minutes.

There was a motion by Director Schonauer, seconded by Director Roundy to approve the meeting minutes from July 10, 2023.

- Director Cavagnolo noted a revision needed in the July 10, 2023 minutes under Item 4, Period of Public Comment, to remove Chair Amaro's name and replace with Vice Chair Hansen.

Director Schonauer amended the motion to include the revision, Director Roundy agreed to second the motion with the noted revision. The motion passed unanimously.

4. PERIOD OF PUBLIC COMMENT

- Chair Amaro invited public comments; whereby, none were heard.

5. CLOSED SESSION

Gov't Code §54956.9 (d)(2)– Conference with Legal Counsel – Significant exposure to litigation – one matter.

- No public comments were presented or heard for Item 5.
- The Board adjourned to closed session at 1:35 p.m.

6. REPORT OUT FROM CLOSED SESSION

- The Board returned from closed session at 2:32 p.m.
- Chair Amaro stated the Board received advice from Counsel regarding the Fee Study.

7. GSP IMPLEMENTATION FEE PROJECT

- a. Receive an update on the GGA Fee Project and timeline.
- b. *Consider Schedule for Long-Term Fee.

- Ms. Kincaid stated the Proposition 218 fee notice was sent out using an outdated address list resulting in an estimated 35% of incorrect addresses. In addition to some parcel related issues, she expressed concerns over the high percentage rate of error and how this could affect the statutory requirement which states, all parcels subject to the fee are to be notified within a 45-day period.
- Vice Chair Hansen asked if the listing was from the 2019 Proposition 218 process. Ms. Kincaid stated the current Assessor's list was compared with the 2019 list and it appears the 2019 Proposition 218 list was primarily relied upon for the mailing.
- Mr. Carmon stated concerns with moving forward with the fee as he feels the percentage of error is too high.
- Ms. Kincaid stated the GGA has at least another year under the existing Proposition 218 process. She stated options the Board has to consider, including moving forward with the new Proposition 218 process or rescinding the Proposition 218 notices, cancelling the public hearing and not seek to adopt a new 218. If the latter is selected, the GGA would rely on the existing Proposition 218, in which they would use the same process as previous years and adopt a Resolution setting the fee.
- Ms. Nicholls expressed concerns over the legalities of the existing fee as well as the new proposed fee and encouraged the Board to take additional time and propose a fee that can pass all of the legal requirements.

On motion by Director Gary Hansen seconded by Director Roundy, it was unanimously ordered to rescind the Proposition 218 notice for this year and not hold a Public Hearing on August 7, 2023 in reference to the Proposition 218 notice process.

8. MEMBER REPORTS AND COMMENTS

- No additional reports or comments were heard.

9. NEXT MEETING

- A special meeting is scheduled for August 7, 2023 with a time to be determined.

10. ADJOURN

- The meeting was adjourned at 2:43 p.m.

5. PERIOD OF PUBLIC COMMENT

Members of the public are encouraged to address the GGA Board of Directors on items relevant to the GGA. Public comments are limited to no more than 5 minutes. No action may be taken on public comments.

6. STAFF UPDATES

The program manager will provide brief status updates. Reminders and/or clarifications may also be made at this time.

7. FINANCIAL REPORT

- a. *Review and consider approval of claims.

The Claims Summary is attached.

Attachments

- Claims Summary

Claims Summary

Glenn Groundwater Authority
 Invoices to be paid
 Meeting Date: July 26, 2023

Invoice Date	Invoice Number	Description	Amount
7/1/2023	2230	Paris Kincaid Wasiewski, LLP; Matter #1850	\$ 7,300.00
7/12/2023	39995	Luhdorff & Scalmanini Consulting Engineers (Fee Project)	\$ 37,543.55
7/17/2023	519424	Geosyntec Consultants (GW Recharge Services)	\$ 7,955.47
Total			\$ 52,799.02

8. *CONSIDER APPROVAL OF THE PROPOSAL FROM PROVOST & PRITCHARD CONSULTING GROUP TITLED ADDENDUM #4 TO CONSULTANT SERVICES AGREEMENT (CSA) NO. 18-344- CONSULTING SERVICES FOR TAX YEAR 2023-2024 DIRECT CHARGE PREPARATION, GLENN GROUNDWATER AUTHORITY, GLENN COUNTY, CALIFORNIA AND AUTHORIZE THE CHAIRMAN TO EXECUTE AN AGREEMENT PENDING LEGAL REVIEW

In order for the GGA property-related fee to be placed on the Glenn County Tax Roll for fiscal year 2023/2024, the direct charge file must be submitted to the Glenn County Department of Finance by August 10, 2023. In addition to the standard information for each entry, the file includes the parcel number and fee associated with the parcel. This list may change slightly from year to year for a variety of reasons, such as parcel splits.

Because Provost & Pritchard Consulting Group has the data files and mapping components that were used to compile the 2019 fee study and the 2019, 2020, 2021, and 2022 direct charge files, staff requested Provost & Pritchard to prepare a proposal to update the files for fiscal year 2023/2024. Staff believes contracting with Provost & Pritchard to complete this task will create the most consistent process and will be the most cost-efficient.

Provost & Pritchard Consulting Group has prepared the proposal in the form of an addendum to the original agreement to prepare the fee study in 2019. Addendums were executed for the preparation of the direct charge files in 2020, 2021, and 2022.

Staff recommends authorizing the Chairman to execute an agreement with Provost & Pritchard Consulting Group pending legal review in an amount not to exceed \$3,500.

Attachments

- Provost & Pritchard Proposal: Addendum #4 to Consultant Services Agreement (CSA) No. 18-344 - Consulting Services for Tax Year 2023-2024 Direct Charge Preparation, Glenn Groundwater Authority, Glenn County, California

PROVOST&PRITCHARD CONSULTING GROUP

3387 Bodero Ln • Chico, CA 95973 • (866) 776-6200
www.provostandpritchard.com

July 19, 2023

Ms. Lisa Hunter
Glenn Groundwater Authority
720 North Colusa Street
Willows, CA 95988

Subject: Addendum #4 to Consultant Services Agreement (CSA) No. 18-344 - Consulting Services for Tax Year 2023-2024 Direct Charge Preparation, Glenn Groundwater Authority, Glenn County, California

Dear Ms. Hunter:

Thank you for the opportunity to submit this addendum to provide consulting services for the subject project. This addendum discusses our understanding of the project, recommends a scope of services together with associated fees, deliverables and approximate schedules, sets forth our assumptions and discusses other services that may be of interest as the project proceeds.

PROJECT UNDERSTANDING

We understand that the Glenn Groundwater Authority (GGA) would like assistance in preparing the Direct Charge documents for the 2023-2024 Tax Year for Glenn County.

SCOPE OF SERVICES

Our proposed scope of work for this addendum is described in one phase below.

PHASE T24: TAX YEAR 2023-24

- Complete parcel updates based on information provided by Glenn County Assessor and Department of Finance.
- Update calculations for parcels within GGA, based on guidance from GGA for current year charges.
- Assist in completing Direct Charge forms as required by the County.
- Submit final Direct Charge data file to County (Due Aug 10).

PROFESSIONAL FEES

Provost & Pritchard Consulting Group will perform the services for this Phase on a time and materials basis, in accordance with our Standard Fee Schedule in effect at the time services are rendered. For budgeting purposes, we estimate our fees to be \$2,500 to \$3,500 for the 2023-24 tax year effort, depending on the number of parcel updates required. These fees will be invoiced monthly as they are accrued. Reimbursable expenses will be invoiced in addition to professional fees and are included in the estimated range above. If it appears we will need to exceed the upper range above, we will notify you in writing before we do so and will

\\ppeng.com\pzd\data\docs\Marketing\Proposals\2023\Glenn GW Authority - Direct Charge Submittals 23-24 23-421\Working Drafts\2023-0719 GGA Addendum TY 2023-2024 Direct Charge.docx

Engineering • Structural • Geotechnical • Surveying • Planning • Environmental • GIS • Construction Services • Hydrogeology • Consulting
Clovis • Visalia • Bakersfield • Modesto • Los Banos • Chico • Sacramento • Sonora • San Luis Obispo • Boise, ID

provide a revised estimate. We will not continue work beyond the initial budget without additional authorization.

SCHEDULE

Once we receive an executed copy of this addendum, and are authorized to proceed, we can request information/data from Glenn County regarding parcel changes and splits. The final data file and required documentation will be submitted by August 10, as legally required. Agency review time is beyond our control.

ASSUMPTIONS

- This proposal does not include updates to the ownership information associated with the parcels within the Glenn Groundwater Authority. Updates to parcel information is limited to merges/splits/assignment of new APNs.
- GGA shall forward the Direct Charge packet instructions from Glenn County to Provost & Pritchard, once made available.
- GGA will help coordinate the completion and submittal of Direct Charge forms required by Glenn County, including Counsel review.
- GGA is responsible for scheduling Board meetings to coincide with the submittal and/or approval of the Direct Charge documents by August 10. The fee estimate does not include meeting attendance by Provost & Pritchard, but staff can be available to do so for the same time and materials rate at the GGA's request.

ADDITIONAL SERVICES

The following services are not included in this proposal, however these and others can be provided at additional cost, upon request.


- Updates of ownership information for the GGA jurisdiction, as provided by the Glenn County Assessor's office.

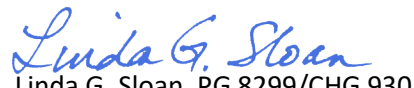
TERMS AND CONDITIONS

Glenn GW Authority Consulting Services, Job No. 2871-21-001, New Phase T24

This is an addendum to the previously authorized Provost & Pritchard Consulting Group CSA No. 18-344, with project number referenced above and is subject to the same terms and conditions as described in the CSA. The signature below hereby authorizes Phase T24 and the performance of the above-described tasks for a time and materials budget of \$2,500 to \$3,500. If this addendum is acceptable, please sign and return a copy to our office. This document will serve as our Notice to Proceed. This proposal is valid for 30 days from the date above.

Regards,
Provost & Pritchard Consulting Group


Mallory C. Serrao
Project Manager


Linda G. Sloan, PG 8299/CHG 930
Director of Operations

TERMS AND CONDITIONS ACCEPTED

By Glenn Groundwater Authority

Signature

Printed Name

Title

Date

9. GLENN GROUNDWATER AUTHORITY OPERATIONS FEE

- a. *Adopt the Glenn Groundwater Authority Operations Fee per acre for Fiscal Year 2023/2024.
- b. *Adopt Resolution 2023-003 Authorizing the County to Collect Property-Related Fees on the County Tax Roll and Indemnification of the Collecting Agency.
- c. *Authorize the Program Manger to complete or direct the completion of all tasks necessary for the completion of the submittal packet to the Glenn County Department of Finance.

On August 1, 2019, the Glenn Groundwater Authority Board adopted Resolution No. 2019-01 titled “*Resolution Certifying the Results of a Proposition 218 Majority Protest Proceeding and Setting the Authority’s Operations Fee*”. The maximum operations fee is set at \$1.93 per acre. The Board set the property-related fee at \$1.61 per acre for fiscal year 2019/2020 and \$1.50 per acre for the three subsequent fiscal years (2020/2021, 2021/2022, and 2022/2023).

Staff has prepared several options to consider in the figure below including the proposed fee from the 2019 fee report.

Property Fee Scenarios						
	Fee Study net assessable acreage					
	1.00/ac	1.25/ac	1.50/ac	1.60/ac	1.61/ac (FY 19/20)	1.93 (fee study max & proposed for 23/24)
	\$ 285,190.63	\$ 356,488.29	\$ 427,785.95	\$ 456,305.01	\$ 459,156.91	\$ 550,417.92
Projected Cash July 2023	1,456,776	1,456,776	1,456,776	1,456,776	1,456,776	1,456,776
Expected Revenues (without Property Fee)	5,000	5,000	5,000	5,000	5,000	5,000
Expected Expenses (23/24)	781,025	781,025	781,025	781,025	781,025	781,025
Property Fee Revenue	\$ 285,190.63	\$ 356,488.29	\$ 427,785.95	\$ 456,305.01	\$ 459,156.91	\$ 550,417.92
Expected Cash balance ending FY 23/24	965,942	1,037,239	1,108,537	1,137,056	1,139,908	1,231,169
Net (Revenue-Expenses) FY 23/24	(490,834)	(419,537)	(348,239)	(319,720)	(316,868)	(225,607)

At the July 17, 2023 meeting, the Board approved the 2023/2024 Budget anticipating \$575,372 in revenue related to the operations fee. This resulted in a deficit budget of \$200,653.

In order for the adopted GGA property-related fee to be placed on the Glenn County Tax Roll for fiscal year 2023/2024, the direct charge packet must be submitted to the Glenn County Department of Finance by August 10, 2023. The instructions were received from the Glenn County Department of Finance and the submittal packet requirements are very similar to past submittals which required the direct charge file and a Prop 218 Certification Form/Direct Charge Submission Form.

During Item 8, the Board considered contracting with Provost & Pritchard Consulting Group for Tax Year 2023-2024 direct charge preparation.

Attachments

- Resolution No. 2023-003 Resolution Requesting the County Collect Property-Related Fees on the 2023 Tax Roll and Indemnification of the Collecting Agency

**GLENN GROUNDWATER AUTHORITY
RESOLUTION NO. 2023-003**

RESOLUTION REQUESTING THE COUNTY COLLECT PROPERTY-RELATED FEES ON THE 2023 TAX ROLL AND INDEMNIFICATION OF THE COLLECTING AGENCY

WHEREAS, the Glenn Groundwater Authority (the “Authority”) requests the County of Glenn (the “County”) to collect on the County tax rolls certain fees which the Authority has adopted pursuant to section 10730 of the California Water Code; and

WHEREAS, the County has required as a condition of the collection of said charges that the Authority warrant the legality of said fees and defend and indemnify the County from any challenge to the legality thereof;

NOW THEREFORE BE IT RESOLVED by the Authority’s Board of Directors that:

1. The Authority requests the Auditor-Controller of the County collect the property-related fees listed in Exhibit 1, attached hereto and incorporated herein, on the County tax rolls.
2. The Authority warrants and certifies the fees imposed by the Authority, which are requested to be collected by the County on the 2023/24 Secured Property Tax bill, comply with all requirements of state law, including but not limited to the requirements of Proposition 218 including Articles XIIC and XIID of the California Constitution.
3. The Authority agrees to defend, indemnify, and hold harmless the County, the Board of Supervisors, the Director of Finance, its officers, agents and employees (the “Indemnified Parties”) from any and all claims, demands, liabilities, costs and expenses, damages, causes of action, and judgments, in any manner arising out whether the requirements of Proposition 218 and other state laws were met with respect to the imposition of fees by the Authority. The Authority agrees, in the event a judgment is entered in a court of law against any of the Indemnified Parties as a result of not meeting the requirements of any state law, including Proposition 218, for the collection of the Authority’s fees, the County may offset the amount of the judgment paid by an Indemnified Party from any monies collected by County on behalf of Authority, including property taxes, fees, or assessments.
4. The Authority authorizes its agent to attest to the direct charge levies after verification and approval. The Authority agrees to the cost of direct charges and to the statutory and procedural terms for collection on the tax

roll.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the **GLENN GROUNDWATER AUTHORITY** this 26th day of July, 2023.

AYES:

NOES:

ABSENT:

ABSTAIN:

CERTIFICATE OF RESOLUTION

We, the undersigned, hereby certify as follows:

1. That we are the Chair and Secretary of the GLENN GROUNDWATER AUTHORITY; and

2. That the foregoing resolution, consisting of 3 pages, including this page, is a true and correct copy of a resolution of the Board of Directors of the Glenn Groundwater Authority, passed at the meeting of the Board of Directors held on July 26, 2023 at 225 North Tehama Street, Willows, CA 95988.

IN WITNESS WHEREOF, we have signed this certificate this 26th day of July, 2023, at Willows, California.

NAME
Chair of the Board of Directors

NAME
Secretary

10. GSP IMPLEMENTATION FEE PROJECT

- a. Receive an update on the GGA Fee Project.

At the December 19, 2022 meeting, the GGA Board approved an agreement with Luhdorff & Scalmanini Consulting Engineers (LSCE) to provide Groundwater Sustainability Agency data review, fee analysis and rate setting services (fee project). Since that time, LSCE has been working with staff, legal counsel, and the Fee Study Ad Hoc Committee to prepare items for the Board and conduct public outreach.

At the July 17, 2023 meeting, the Board rescinded the proposition 218 notice for this year and will not hold a public protest hearing on August 7, 2023 in reference to the proposition 218 process.

A long-term funding webpage can be accessed at:

<https://www.countyofglenn.net/dept/planning-community-development-services/water-resources/glenn-groundwater-authority/gga-long>

Additional updates may be given and the GGA may provide direction to the consulting team, staff, and legal counsel.

11. *CONSIDER CANCELLING August 7, 2023 SPECIAL MEETING.

The August 7, 2023 special meeting was originally scheduled to accommodate the public hearing in relation to the proposition 218 fee project. The proposition 218 notice has been rescinded and it is no longer necessary to hold a public hearing. If no further business is essential on August 7, 2023, staff recommends cancelling this meeting. However, if business remains, the special meeting could be held on August 7, 2023 at 1:30 p.m. at 225 North Tehama Street, Willows, CA.

12. CLOSED SESSION

Gov't Code §54956.9 – Conference with Legal Counsel – Anticipated or significant exposure to litigation regarding tax refund claims and challenges to previously adopted property related fees.

13. CLOSED SESSION

Gov't Code §54956.9 – Conference with Legal Counsel – Existing Litigation
Aqualliance, California Water Impact Network, and California Sportfishing Alliance vs. Colusa Groundwater Authority, Glenn Groundwater Authority
Colusa County Superior Court - Case Number CV24584

14. CLOSED SESSION

Gov't Code § 54956.9 (d)(2) Conference with Legal Counsel – Significant exposure to litigation – one matter.

15. REPORT OUT FROM CLOSED SESSION

16. MEMBER REPORTS AND COMMENTS

Members of the GGA Board are encouraged to share information, reports, comments, and suggest future agenda items. Action cannot be taken on items brought up under this item.

17. NEXT MEETING

The next regular meeting is scheduled for August 14, 2023 at 1:30 p.m.

18. ADJOURN

The meeting will be adjourned.

*Indicates Action Item