

10/01/19
City Council Meeting

Handouts received after
agenda posted



Study Session on the California Sustainable Groundwater Management Act SGMA

City Council, City of Lemoore
October 1st, 2019

Julianne Phillips
Director, Water and Natural Resources
County of Kings

“Alphabet Soup”

- “SGMA”
Sustainable Groundwater Management Act of 2014
- “GSA”
Groundwater Sustainability Agency
- “GSP”
Groundwater Sustainability Plan

SGMA Overview

SGMA requires high- and medium-priority subbasins in the State be managed sustainably.

- The legislation allows local agencies to form GSAs.
- GSAs are tasked with developing GSPs that include projects and management actions to avoid six undesirable results.
- High priority GSPs are due January 31, 2020.



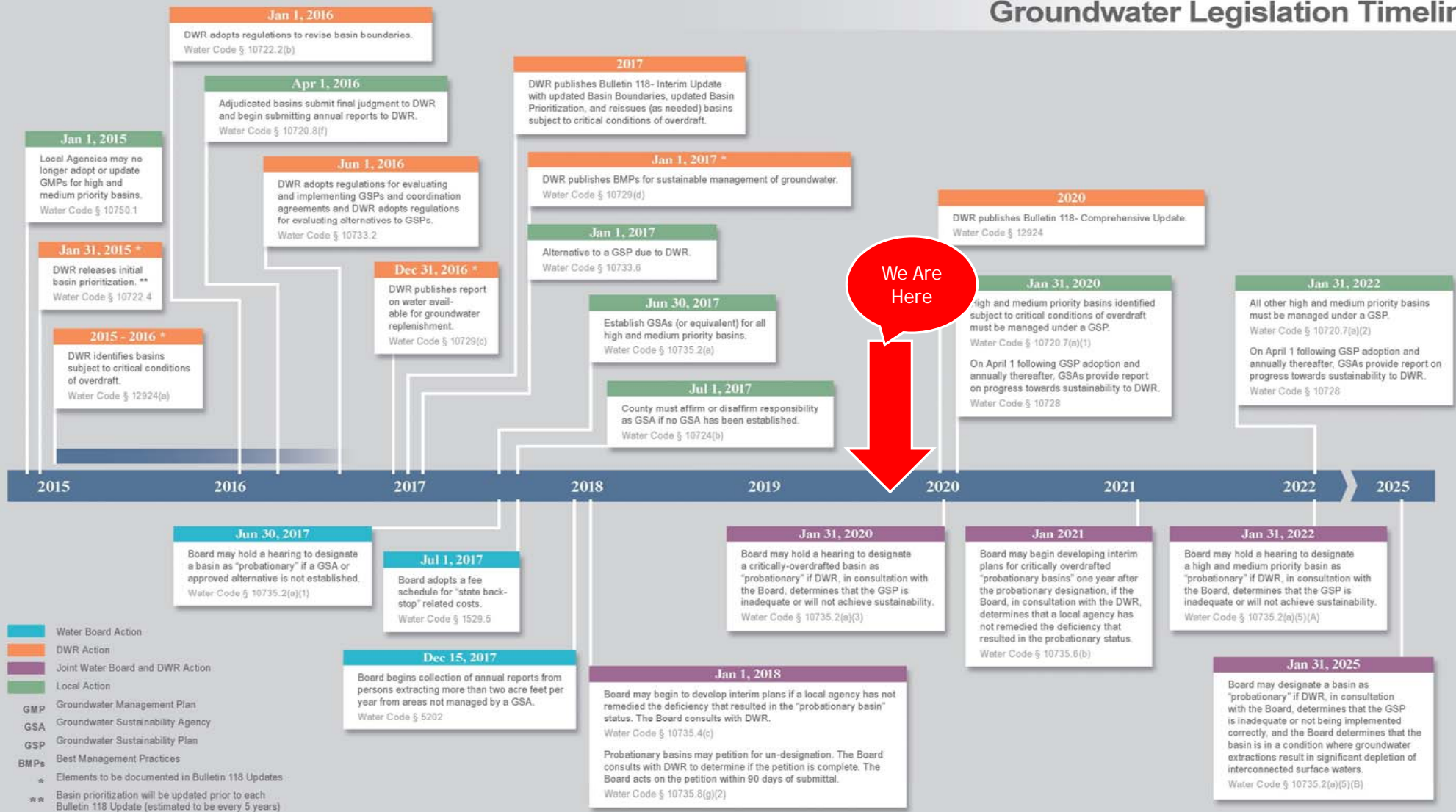
What is Sustainability?

Sustainable Groundwater Management is
“the management and use of
groundwater in a manner that can be
maintained during the planning and
implementation horizon without
causing undesirable results.”



Six Deadly Sins of SGMA

Groundwater Legislation Timeline



Subbasins 101

What is a “Subbasin?”

- DWR defined subbasins based on hydrogeological boundaries.
- DWR publishes the basin boundaries in its Bulletin 118
 - Interim update 2016
 - Next update 2020
 - Opportunities for modification
 - Scientific or Jurisdictional



Subbasin Prioritization

Bulletin 118 also classifies subbasins as either high, medium, or low priority

These determinations are made based on a number of factors including:

- Population in the basin
- Rate of current and projected growth of the population in the basin
- Any other information determined to be relevant by the Department



Subbasin Prioritization (Continued)

- Number of public supply wells that draw from the basin
- Total number of wells that draw from the basin
- Irrigated acreage in the basin
- Degree to which users in the basin rely on groundwater as their primary source of water
- Any documented impacts on groundwater within the basin including **overdraft**, **subsidence**, saline intrusion, and other water quality degradation

Lemoore is in which Subbasin?

- Lemoore is located in the Tulare Lake Subbasin.
- Expedited timeline for SGMA Compliance

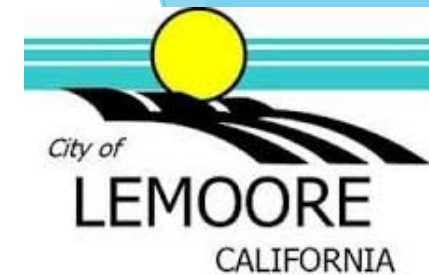


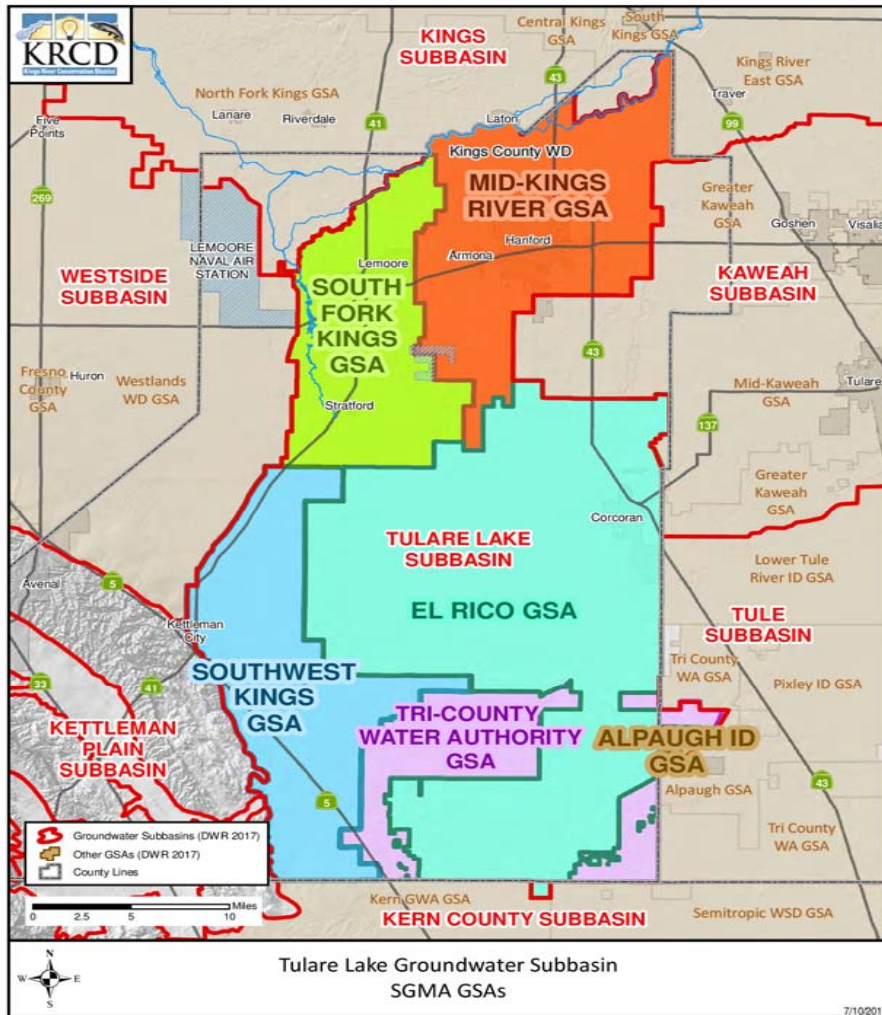
TABLE 1 – Groundwater Basins Subject to Critical Conditions of Overdraft – January 2016

Basin Number ^a	Basin/Subbasin Name ^a
3-1	Soquel Valley
3-2	Pajaro Valley
3-4.01	180/400-Foot Aquifer
3-4.06	Paso Robles Area
3-8	Los Osos Valley
3-13	Cuyama Valley
4-4.02	Oxnard
4-6	Pleasant Valley
5-22.01	Eastern San Joaquin
5-22.04	Merced
5-22.05	Chowchilla
5-22.06	Madera
5-22.07	Delta-Mendota
5-22.08	Kings
5-22.09	Westside
5-22.11	Kaweah
5-22.12	Tulare Lake
5-22.13	Tule
5-22.14	Kern County
6-54	Indian Wells Valley
7-24	Borrego Valley



^a As identified and delineated in Bulletin 118: *California's Groundwater*, Update 2003.

Tulare Lake Subbasin



- Five GSAs in the Subbasin
 - Mid Kings River GSA
 - South West Kings GSA
 - El Rico GSA
 - Tri-County GSA
 - *South Fork Kings GSA*
- All five GSAs are working on one GSP for the subbasin.

South Fork Kings GSA



South Fork Kings GSA Board:

- **City of Lemoore**
Councilmember David Brown
- **County of Kings**
Supervisor Joe Neves
- **Empire West Side ID**
Director Ceil Howe
- **Stratford ID**
Director Charles Meyer
- **Stratford PUD**
Director Scott Mercer

Tulare Lake Subbasin GSP

- SGMA requires that all groundwater subbasins be managed under a GSP.
- The GSAs in the Tulare Lake Subbasin have been developing the GSP which is due to the State by January 31, 2020.

Included in the Tulare Lake Subbasin GSP

- Sustainable Yield/Water Budget
- Minimum Thresholds
- Projects and Management Actions
- Monitoring Network

South Fork Kings GSA

Projects and Management Actions

Table 6-2. Summary of Projects and Management Actions Chosen for South Fork Kings GSA

Project	Implemented by	Annualized Benefit (AF/YR)	Priority	Estimated CAPEX (\$)
GW Measurement and Reporting	SFK/Landowners	1,500	High	\$ 500,000
SW Delivery Improvement	SFK/Landowners	5,000	High	\$ 5,000,000
On-Farm Improvements	SFK/Landowners	2,500	Med	\$ 1,000,000
Conservation Reuse	SFK/Lemoore	1,000	Med	\$ 1,000,000
Cropping/Fallowing Program	SFK	13,000	High	\$ 5,000,000
Demand Reduction Sub-Total		23,000		\$ 12,500,000
Aquifer Storage and Recovery	SFK/Landowners	13,000	High	\$ 15,000,000
Surface Storage	SFK/Landowners	2,000	Low	\$ 6,000,000
Mid-Kings Recharge Basin	SFK	7,000	Med	\$ 28,000,000
Supply Enhancement Sub-Total		22,000		\$ 49,000,000
TOTAL		45,000		\$ 61,500,000

What's Next?

- Notice on September 3rd, 2019
- Draft GSP on September 6th, 2019
- Public meeting and closure of comment period December 2nd, 2019
- Final Draft circulated (anticipated December 2019)
- GSA board adoption and submission in January 2020
- First Annual Report due to DWR in April 2020

Public Outreach Meetings

Wednesday October 9th, 2019

Lakeside Community Church
16942 10th Avenue
Hanford, CA

Tuesday October 15th, 2019

Lemoore Civic Auditorium
435 C Street
Lemoore, CA

Questions?



City of Lemoore

CEQA Class 3 (New Construction or Conversion of Small Structures) Exemption Supporting Information

Guidelines for the Implementation of California Environmental Quality Act (CEQA) Section 15303:

Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable on any legal parcel. Examples of this exemption include, but are not limited to:

- (a) One single-family residence, or a second dwelling unit in a residential zone. In urbanized areas, up to three single-family residences may be constructed or converted under this exemption.
- (b) A duplex or similar multi-family residential structure, totaling no more than four dwelling units. In urbanized areas, this exemption applies to apartments, duplexes and similar structures designed for not more than six dwelling units.
- (c) A store, motel, office, restaurant or similar structure not involving the use of significant amounts of hazardous substances, and not exceeding 2500 square feet in floor area. In urbanized areas, the exemption also applies to up to four such commercial buildings not exceeding 10,000 square feet in floor area on sites zoned for such use if not involving the use of significant amounts of hazardous substances where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive.
- (d) Water main, sewage, electrical, gas, and other utility extensions, including street improvements, of reasonable length to serve such construction.
- (e) Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences.
- (f) An accessory steam sterilization unit for the treatment of medical waste at a facility occupied by a medical waste generator, provided that the unit is installed and operated in accordance with the Medical Waste Management Act (Section 117600, et seq., of the Health and Safety Code) and accepts no offsite waste.

Project Description:

The project site is located at 308 E Street, in the city of Lemoore (APN 020-050-003). The 42,486-sq.ft. site contains a 4,523-sq.ft. refurbished train depot and a paved parking lot. The site is zoned Downtown Mixed Use, Core (DMX-1) in the Lemoore Zoning Ordinance, which allows cannabis dispensaries upon approval of a project development agreement in accordance with the Lemoore Municipal Code. The proposed use is for use of the train depot building as a cannabis dispensary in accordance with State law and City ordinances. There will be only minor modifications made to the existing building.

Supporting Information:

The proposed use meets exemption (c) as described in CEQA Guidelines Section 15303(c). The site located within an urbanized area (UA Hanford, CA; UA Code 36703) as defined by the U.S. Census Bureau. The train depot building has previously been used as an office and to host special gatherings. The building is less than 10,000 sq.ft. in size. The proposed retail cannabis dispensary use does not involve the use of significant amounts of hazardous substances. (Hazardous substances typically include acids; caustic substances; disinfectants; glues; heavy metals including mercury, lead, cadmium and aluminum; paint; pesticides; petroleum products; and solvents.) The building is connected to all necessary utility services (water, sewer, electricity, and communications). The site is in the middle of downtown Lemoore with no environmentally sensitive land uses nearby.

SB 2 Planning Grants Application

G. Legislative Information

District	#	Legislator Name
Federal Congressional District	21	TJ Cox
State Assembly District	32	Rudy Salas
State Senate District	14	Melissa Hurtado

Applicants can find their respective State Senate representatives at <https://www.senate.ca.gov/>, and their respective State Assembly representatives at <https://www.assembly.ca.gov/>.



Addition of Cannabis Fees to Master User Fee Schedule

OCTOBER 1, 2019
MICHELLE SPEER,
ASSISTANT CITY MANAGER / ADMINISTRATIVE SERVICES DIRECTOR



Fee Construction

- ▶ California State Law authorizes local governments to charge fees for public services based on the estimated reasonable cost of providing the service
- ▶ City Council has the authority to increase fees annually
- ▶ In June 2017 City Council adopted Resolution 2017-20, adopting revised Master User Fees (excluded cannabis fees)
- ▶ Resolution 2019-37 seeks to add cannabis fees to the Master User Fee Schedule

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Proposed Cannabis Fees

Fee Type	Proposed Fees	Frequency
Cannabis Application Fee	\$400	initial business application (or change in ownership)
Cannabis Employee Permit Fee	\$175	initial application
Cannabis Employee Permit Fee - Renewal	\$100	annual
Cannabis Regulatory Permit Fee	\$12860	annual, per license

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Basis of Fee

- ▶ Application Fee: \$400
 - ▶ Staff time for review and processing of application
 - ▶ Approximately 6-8 hours for processing required per application
 - ▶ Average of \$57.50 / hour
- ▶ Employee Permit Fee: \$175
 - ▶ Staff time for review and processing of application
 - ▶ Approximately 2.5-3.5 hours for processing required per application
 - ▶ Average of \$57.50 / hour
 - ▶ Renewal Employee Application Fee: \$100 (annual fee)

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Basis of Fee

- ▶ Regulatory Permit Fees
 - ▶ Based on the annual salary and benefits for the following positions:
 - ▶ City Manager, 10%
 - ▶ Police Commander, 10%
 - ▶ Community Development Director, 5%
 - ▶ Fire Inspector/Admin. Asst.: 20%
 - ▶ Executive Assistant to PD: 30%
 - ▶ Community Services Officer: 15%
 - ▶ Records Supervisor/Technicians: 20%
 - ▶ City Attorney, based on a projected \$9000 fee

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Basis of Fee

- ▶ Regulatory Permit Fee (All License Types): \$12,860 per year
 - ▶ Staff time for review and processing application, Project Development Agreements, and continued compliance review
 - ▶ Assumes 10 applications per year
 - ▶ Fees include salary and benefit rates for the positions
 - ▶ Total Annual Cost to process 10 licenses is estimated at \$128,640 or \$12,860 per license

**When it becomes necessary for the City to employ additional staff for regulation of cannabis businesses within the City, the annual fee will be adjusted.

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Alternative Proposal 1

E. Relocation of Skate Park and Splash Pad. Developer shall reimburse its proportional share (minimum 50%, maximum 100%) to the City for relocation of the Skate Park (estimated at \$500,000.00) and the Splash Pad (estimated at \$200,000.00) to a City-owned property (hereinafter the "Project"). The City will bid and manage the P~~rojects~~ through completion. The cost of the Project (and Developer's corresponding proportional share) shall~~will~~ be capped at Seven Hundred Thousand Dollars. (\$700,000).

Commented [N01]: Bruce asked for language to add that monies not due if for some reason the skatepark doesn't open. I believe we cover this in the existing language

Developer agrees to pay 50% of its proportional share within five (5) business days from the date of issuance of the Notice to Proceed with construction of the Project. The remaining 50% of Developer's proportional share shall be paid to the City within five (5) business days from the date of recordation of the Notice of Completion for the Project.

Alternative Proposal 12

E. Relocation of Skate Park and Splash Pad. Developer shall reimburse its proportional share (minimum 50%, maximum 100%) to the City for relocation of the Skate Park (estimated at \$500,000.00) and the Splash Pad (estimated at \$200,000.00) to a City-owned property (hereinafter the "Project"). The City will bid and manage the P~~rojects~~ through completion. The cost of the Project (and Developer's corresponding proportional share) shall~~will~~ be capped at Seven Hundred Thousand Dollars. (\$700,000).

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Developer agrees to pay 50% of its proportional share within five (5) business days from the date of issuance of the Notice to Proceed with construction of the Project. The remaining 50% of Developer's proportional share shall be paid to the City within five (5) business days from the date of recordation of the Notice of Completion for the Project.

If Developer is required to reimburse the City more than the minimum 50% proportional share of the relocation of the Skate Park and Splash Pad, the City agrees it shall not issue a second Regulatory Permit for a period of three (3) years from the date of execution of this Agreement.

Alternative Proposal 23

E. Relocation of Skate Park and Splash Pad. Developer shall reimburse its proportional share (~~maximum~~minimum 50%, ~~maximum~~ 100%) to the City for relocation of the Skate Park (estimated at \$500,000.00) and the Splash Pad (estimated at \$200,000.00) to a City-owned property (hereinafter the "Project"). The City will bid and manage the P~~rojects~~ through completion. The cost of the Project (and Developer's corresponding proportional share) will be capped at Seven Hundred Thousand Dollars. (\$700,000)

Commented [N02]: Bruce asked for language to add that monies not due if for some reason the skatepark doesn't open. I believe we cover this in the existing language

Developer agrees to pay 50% of its proportional share within five (5) business days from the date of issuance of the Notice to Proceed with construction of the projects. The remaining 50% of Developer's proportional share shall be paid to the City within five (5) business days from the date of recordation of the Notice of Completion for the Project.

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