



EASTERN TULE
GROUNDWATER
SUSTAINABILITY
AGENCY
JOINT POWERS
AUTHORITY

MINUTES OF THE OF THE BOARD OF DIRECTORS HELD SEPTEMBER 6, 2018

At approximately, 2:00 p.m. on September 6, 2018, at the City of Porterville Council Chambers, Chairman Eric Borba, called to order the meeting of the Board of Directors of the Eastern Tule Groundwater Sustainability Agency Joint Powers Authority (“ETGSA”).

Members Present: Dyson Schneider Eric Borba
 Lorren Wheaton Mike Ennis
 Steve Kisling Matt Leider
 John Corkins Curt Holmes
 Cam Hamilton

Members Absent:

PUBLIC COMMENT

Chairman Eric Borba announced public comment period. No comment was received.

MINUTES

Approval of August 2, 2018 Minutes

Director Corkins moved for approval of the August 2, 2018, regular meeting minutes. The motion was seconded by Director Leider and the board unanimously approved the motion.

ADMINISTRATION

Consider Approval of 4Creeks Technical Assistance Scope of Work and Estimated Budget for Continuation Services for FY19

Executive Director McAteer presented to the board a copy of the 4-Creeks Scope of Work and Estimated Budget for the continuation of services for FY19, attached hereto and incorporated by reference as Agenda Item #4a. He requested that the board consider authorizing and approving the 4Creeks technical assistance scope of work and estimated budget for continuation of services for FY19. Director Corkins moved and Director Leider seconded to approve the request. The board unanimously approved the motion.

Review Annual Audit Proposals and Consider Execution of Preferred Proposal

Executive Director McAteer provided a report on audit proposals. Attached hereto and incorporated by reference as Agenda Item #4b, Exhibits A-C, are copies of the audit proposals received.

Director Ennis moved and Director Corkins seconded to accept and execute the proposal of Cuttone & Mastro. The board unanimously approved the motion.

Consider Approval of Resolution to Affirm ETGSA's Fiscal Year Start and End Dates

Executive Director McAteer provided a report on a resolution to affirm ETGSA's fiscal year start and end dates. Attached hereto and incorporated by reference as Agenda Item #4c is a copy of the Resolution. Director Wheaton moved and Director Corkins seconded to approve the resolution to affirm ETGSA's fiscal year start and end dates as presented in the agenda packet. The board unanimously approved the motion.

Review Current Financial Procedures and Discuss Proposals for Mid-Month Payment of the Bills, Finance Committee and/or Contracting with Accounting Firm; May Consider Approval.

Executive Director McAteer provided a report on current financial procedures and the potential for contracting with a CPA firm. Attached hereto and incorporated by reference as Updated Agenda Item #4d is a copy of a proposal from a CPA for services.

Discussion amongst the board ensued. Director Corkins recommend to table discussion on a Finance Committee and CPA until after Agenda Item #5a.

Consider Approval of Revised FY19 Budget and Membership Contribution Schedule

Executive Director McAteer provided a report on the budget and membership contribution schedule. Attached hereto and incorporated by reference as Agenda Item #4e is a copy of the proposed revised budget and membership contribution schedule.

Director Holmes moved and Director Corkins seconded to approve the revised FY19 Budget and Membership Contribution Schedule. The board unanimously approved the motion.

Report on Transfer of Executive Director Employment Agreement to Member Agency

Executive Director McAteer reported Terra Bella Irrigation District had approved the Employment Reimbursement Agreement the ETGSA board had approved last month.

Consider Board Retreat to Review Executive Director Performance, Brown Act, Current Governance and Legal Structure

Executive Director McAteer provided a report on the retreat to review Executive Director performance, Brown Act, current governance, and legal structure.

Director Corkins moved to approve board retreat subject to dates the board members and alternates could attend. Director Kisling seconded and the board unanimously approved.

Resolve Update to Master Calendar for Regular Meetings for ETGSA to Return Executive and Stakeholder Committees to 15 E. Thurman Avenue, Suite D

Executive Director McAteer provided a report on a proposed update to the master calendar for regular meetings, attached hereto and incorporated by reference as Agenda Item #4.h, and recommended that board resolve to return the Executive and Stakeholder Committee Meetings to 15 E. Thurman Avenue, Suite D.

Director Corkins moved to approve the update to the master calendar for regular meetings and to return Executive and Stakeholder Committees to 15 E. Thurman Avenue, Suite D. Director Leider seconded and the board unanimously approved the motion.

AMENDMENTS TO THE JPA & BYLAWS

Consider Recommending that Executive Committee Review the JPA & Bylaws for Potential Revisions.

Executive Director McAteer recommended referring to the Executive Committee to discuss and recommend to the board potential revisions to the JPA and Bylaws, per the purpose detailed in Agenda Item #5.a (attached hereto and incorporated by reference).

Discussion amongst the board ensued. The board instead recommended an Ad Hoc committee be formed to discuss and recommend potential revisions to the JPA and Bylaws. Director Corkins moved that Director Kisling chair the Ad Hoc committee, with members to be Directors Schneider, Holmes and Corkins. Director Holmes seconded the motion and the board unanimously approved.

Financial items discussed under Agenda Item 4d will be tabled due to the formation of the Ad Hoc committee.

BILLS AND WARRANTS

Review Current Financial Standing (Recently Paid Bills, Unpaid Bills, P&L v. Budgeted, Balance Sheet, and Recent Deposits)

Executive Director McAteer provided a report on current financial standing. Attached hereto and incorporated by reference as Agenda Item #6a, Exhibits A-D, and Updated Agenda Items #6a Exhibit E and #6b is a copy of the financial reports.

Consider Authorization to Pay the Bills

Executive Director McAteer provided a report on the accounts payable. Attached hereto and incorporated by reference is Updated Agenda Items #6a Exhibit E and #6b, a copy of the accounts payable.

Director Corkins moved and Director Ennis seconded to approve payment of the bills. The board unanimously approved the motion.

TULE SUBBASIN AND REGIONAL REPORTS AND ITEMS

Report on the Tule Subbasin MOU Technical Advisory Committee Meeting of August 15, 2018

Executive Director McAteer reported on the latest Tule Subbasin TAC meeting on August 15, 2018, the Agenda of which is attached hereto and incorporated by reference as Agenda Item #7a. Matters discussed with the current draft of the Coordination Agreement, distribution of grant monies, and a presentation of Dr. Harder's groundwater flow model.

Presentation from David De Groot on Groundwater Flow Model and Sustainable Management Criteria

Consulting Engineer David De Groot provided a presentation on Dr. Harder's groundwater flow model presented at the August 15, 2018 Tule Subbasin meeting. Attached hereto and incorporated by reference as Agenda Item #7b is a copy of his presentation.

Consider Approval of Coordination Agreement Policy Points

Executive Director McAteer referred the board to Agenda Item #7c, a copy of several policy issues related to the Coordination Agreement.

Basin-Wide Minimum Monitoring by a Single Tule Subbasin Consultant

Executive Director McAteer recommended the board consider continuing to utilize a single subbasin consultant, Dr. Harder, for subbasin work. Discussion amongst the board ensued. Director Corkins moved to approve the recommendation to continue to use a single consultant. Director Kisling seconded and the board unanimously approved.

Monitoring Land Subsidence and Groundwater Quality

Executive Director McAteer recommended to include land subsidence and groundwater quality monitoring in the monitoring plan to be incorporated in the Coordination Agreement. Director Corkins moved to approve the recommendation. Director Leider seconded.

Discussion amongst the board ensued on reliability of land subsidence data. Consulting Engineer DeGroot commented on current technology and the potential for grant funds to fund more reliable monitoring.

The board unanimously approved Director Corkins' motion.

Draft Structure of Coordination Agreement

Executive Director McAteer referred the board to Agenda Item #7c Exhibit A, attached hereto and incorporated by reference, a copy of a proposed Table of Contents for the Tule Subbasin Coordination Agreement. Director Corkins moved and Director Leider seconded to approve the draft Table of Contents for use in preparing the Coordination Agreement. The board unanimously approved.

Review topics of Sustainable Management Criteria, Coordination Agreement Policies Still Subject to Deliberation, and Prioritization of Wells and Recommend their Review by Executive and Stakeholder Committees

Executive Director McAteer reported on Sustainable Management Criteria. Attached hereto and incorporated by reference as Updated Agenda Item #7d Exhibit A is a copy of a draft discussion paper on sustainable management criteria. Attached hereto and incorporated by reference as Agenda Item #7d Exhibits B-C are maps proposed by Dr. Harder in the draft Monitoring Plan.

Director Corkins moved to approve the draft paper for use as a discussion item to help assist with establishing sustainable management criteria. Director Leider seconded and the board unanimously approved.

Consider Approval to Post Coordination Agreement Discussion Papers to ETGSA Website, Following Consulting Engineer's Recommendations

Executive Director McAteer recommended posting draft discussion papers on the ETGSA website. The board tabled the discussion as the papers are still in draft form.

Consider Approval of Groundwater Flow Model and Sustainable Management Criteria Workshop on September 12, 2018 at 4pm at Transit Center (15 E. Thurman)

Executive Director McAteer recommended hosting a groundwater flow model and sustainable management criteria workshop, per the contents of Agenda Item #7f (attached hereto and incorporated by reference), on September 12, 2018. Director Holmes moved to approve and Director Corkins seconded. The board unanimously approved.

Report on Meeting with Kern Groundwater Authority of August 10, 2018

Executive Director McAteer reported representatives from the ETGSA held a meeting with KGA to discuss the potential for collaboration and coordination. Executive Director McAteer recommended that the next meeting be held amongst all Tule Subbasin GSAs and the KGA. The next proposed meeting is September 28, 2018, at Semitropic Water Storage District.

Report on Friant-Kern Canal

Executive Director McAteer reported on recent activities related to the FKC and subsidence issues. Attached hereto and incorporated by reference as Agenda Item #7h Exhibits A-D, which are selected pages from reports previously developed by Friant Water Authority's discussing the FKC's subsidence, the FWA's current alternatives under consideration, timeline for the correction project, and expected costs.

GSP DRAFTING

Consider Approval of Updated Policy Points and Process of Review

Executive Director McAteer referred the board to Agenda Item #8a is a copy of the revised policy points. Executive Director McAteer reviewed with the board the current process of review for such policy points. The committees are discussing the policy points, and then providing recommendations to the board.

Discussion amongst the board ensued.

Public comment was received from Bill Samarin.

Discussion amongst the board ensued. Instruction was given to legal counsel to research if and how economics should be evaluated in the GSP process.

Director Corkins moved to approve the revised policy points format for discussion amongst the committees. Director Leider seconded and the board unanimously approved.

Report on Eastern Tule White Area Growers, Inc. Policy Point Positions

Executive Director McAteer report on recent discussions amongst the ETWAG. Attached hereto and incorporated by reference is Agenda Item #8b is a copy of the Eastern Tule White Area Growers, Inc. policy positions paper.

Public comment was received from Mike Smith, a representative of the ETWAG.

Consider Recommendations on Policy Point A, Which Recommends a Sharing System for the Sustainable Yield that Would Not Sever the Water from the Land

Executive Director McAteer provided a summary of Policy Point A. Director Corkins moved and Director Leider seconded to recommend the Executive Director proceed in drafting a GSP which includes a sharing system for the sustainable yield that would not sever the water from the land. The board unanimously approved.

Authorize the Publishing of Updated Policy Points to the ETGSA Website

Executive Director McAteer recommended publishing the updated policy points on the ETGSA website. Director Corkins moved and Director Ennis seconded to approve the recommendation. The board unanimously approved.

Consider Approval of a Timeline for Draft GSP Creation

Executive Director McAteer reported on his creating of a GSP timeline. Attached hereto and incorporated by reference is Agenda Item #8e Exhibits A-B is a copy of the proposed timeline for Draft GSP development.

Consulting Engineer DeGroot provided comment on the timeline.

Discussion amongst the board ensued. General counsel noted she had not reviewed the proposed timeline.

Director Corkins moved to approve the timeline subject to legal review which shall be presented next month. Director Kisling seconded and the board unanimously approved.

*Director Hamilton left the meeting at this time.

COMMITTEE REPORTS

Receive and Discuss Executive Committee Monthly Report

Executive Director McAteer reported on the last Executive Committee meeting. Attached hereto and incorporated by reference as Agenda Item #9a is the Agenda of the. The committee discussed revisions to the JPA financing structure, a proposed budget, approval of a stakeholder engagement plan, the potential development of management areas, and an outreach plan.

Receive and Discuss Stakeholder Committee Monthly Reports

Executive Director McAteer reported on the last Stakeholder Committee meeting. Attached hereto and incorporated by reference as Agenda Item #9b is the Agenda of the meeting. The committee reviewed the master calendar, the draft timeline and the revised format of the policy points.

STAKEHOLDERS OUTREACH AND COMMITTEE ENGAGEMENT

Review Draft Communication and Engagement Plan and Consider Recommending Plan for Review by Executive and Stakeholder Committees and Interested Parties

Executive Director McAteer referred the board to Agenda Item #10a, a draft Communications and Engagement Plan, attached hereto and incorporated by reference. Executive Director McAteer recommended that the Board recommend the Draft Plan be reviewed by the Executive Committee, Stakeholder Committee, and other interested parties. Director Corkins moved and Director Leider seconded to approve the recommendation. The board unanimously approved.

Consider Approval of Executive Director's Discretionary Authority to Schedule Stakeholder Meetings, Host Workshops, Distribute Surveys, Create Informative

Materials Related to SGMA and GSP Development, and Carry Out Other Outreach-Related Activities (Including the Advertising of Events and Meetings Through Collaboration with Local Organizations Representing Interested Parties) and Expenditures

Executive Director McAteer recommended the board approve the Executive Director's discretionary authority to schedule meetings, host workshops, etc., without the need to seek board approval. Director Leider moved to approve the recommendation. Director Corkins seconded.

Discussion amongst the board ensued.

The board unanimously approved the motion.

Discuss Proposal for Professional Assistance in Revising and Administering Communication Outreach Plan; May Consider Approval of Proposal

Executive Director McAteer reported the Stakeholder Committee recommended seeking outside professional assistance for the Communications and Engagement Plan. Attached hereto and incorporated by reference as Additional Agenda Item #10c is a proposal from Provost and Pritchard.

The board did not take action on the proposal for outside services.

Consider Approval of Porterville Recorder Advertisement

Executive Director McAteer provided a report on the approval of the Porterville Recorder advertisement. Attached hereto and incorporated by reference as Agenda Item #10d is a copy of the proposal from the Porterville Recorder. Director Corkins moved to approve the proposal as presented in the agenda packet. Director Leider seconded and the board unanimously approved.

Consider Approval of Notice Letter to be Sent to All Unique ETGSA Landowners

Executive Director McAteer provided a report on a potential notice letter to be sent to all unique ETGSA landowners. Attached hereto as Agenda Item #10e and Agenda Item #10e Exhibit A is a copy of the proposed letter, and cost estimate.

Discussion amongst the board ensued on the need for the mailer to grab attention and the possibility of attaching the mailer with another meeting notification.

Public comment was received from Sean Geivet, Steve Drumright and Bill Samarin.

The board directed the mailer be sent to the Stakeholder Committee for revisions and feedback.

Consider Approval of Email to be Sent to all TBWQC Members within ETGSA Boundaries

Executive Director McAteer recommended sending an e-mail to all TBWQC members within ETGSA boundaries with information on the ETGSA. The proposed email and map displaying the parcels that would be contacted are attached hereto and incorporated by reference as Agenda Item #10f and Agenda Item #10f Exhibit A. Director Corkins moved and Director Ennis seconded to approve the recommendation.

Consulting Engineer David DeGroot commented that there has been a lot of confusion among landowners between ILRP and SGMA.

The board unanimously approved the motion.

Consider Execution of Letter of Support to Self-Help Enterprises

Executive Director McAteer recommended executing a letter of support, attached hereto and incorporated by reference as Agenda Item #10g, for Self-Help Enterprises regarding Prop 1 funding. Director Ennis moved and Director Corkins seconded to approve the recommendation. The board unanimously approved.

NEXT MEETING DATE

The next meeting of the Board of Directors of the ETGSA Joint Powers Authority shall be a regular meeting, set for October 4, 2018, 2:00 p.m.

ADJOURNMENT

Since there was no further business to come before the Committee, Chairman Borba adjourned the meeting.

Respectfully submitted,

Bryce McAteer, Executive Director