



EASTERN TULE  
GROUNDWATER  
SUSTAINABILITY  
AGENCY  
JOINT POWERS  
AUTHORITY

**MINUTES OF THE  
BOARD OF DIRECTORS  
MEETING HELD OCTOBER 1, 2020**

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At approximately 2:00 p.m. on October 1, 2020, Chairman Eric Borba called to order the meeting of the Board of Directors of the Eastern Tule Groundwater Sustainability Agency Joint Powers Authority (“ETGSA”). Consistent with Executive Order N-29-20 and social distancing directives, the meeting was conducted by teleconference only, with no physical location for the meeting.

Members Present:     Eric Borba                                     Dyson Schneider  
                                 Steve Kisling                                     John Corkins  
                                 Dennis Townsend                                     Geoffrey Galloway  
                                 Matthew Leider                                     Monte Reyes  
                                 Curt Holmes

Members Absent:     None.

Others Present:     Aubrey Mauritson                                     Rogelio Caudillo  
                                 Ryan Jensen                                     Jeff Moore  
                                 Randall Gray                                     Kelly Ivcanovich  
                                 Terri Van Duezen                                     T. Bollis

**ROLL CALL**

Director Corkins  
Director Galloway  
Director Schneider  
Director Leider  
Director Holmes  
Director Reyes  
Director Townsend  
Director Kisling  
Chairman Borba

**PUBLIC COMMENT**

Chairman Borba announced the public comment period. No public comment was presented.

## ANNOUNCEMENTS

General Manager Caudillo announced changes to the order in which agenda items would be addressed by the Board.

## PUBLIC HEARING

### Staff Report on Groundwater Extraction Fee and Water Rate Study

General Manager Caudillo provided a staff report on the groundwater extraction fee and water rate study. Attached hereto and incorporated by reference as Agenda Item 4a is a copy of the report and water rate study.

### Public Hearing on Groundwater Extraction Fee. Written Protests by Individuals Will Be Accepted Up Until the End of the Hearing. Protests Submitted After the Hearing Has Concluded Will Not Be Considered.

The public hearing on the proposed groundwater extraction fee commenced at 2:07 p.m.

Jeff Moore provided public comment, inquiring how the revenue generated by the fee would be put to use.

Randall Gray provided public comment, inquiring regarding application to residential homes and the purpose of the fee. - where is the money going; does this apply to residential home.

Unidentified member of the public inquired as to the criteria for identifying domestic users.

Kelly Ivcanovich provided public comment, inquiring regarding application to fallowed lands and the basis for the administrative and overhead category.

Terri Van Duezen – expressed concern about a proposed tax.

Randall Gray provided public comment regarding the proposed fee as it relates to precipitation.

Ryan Jensen provided public comment regarding net consumption, application of the fee to parcels smaller than one acre, and charges to the community management area.

T. Bollis of Sun Pacific inquired concerning the charges as they related to assessed and irrigated acres.

Kelly Ivcanovich provided public comment regarding the fact that the costs associated with the assessment will occur every year.

The Chairman closed the public hearing at: 2:36.

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

[Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(d)(2)]

Number of Potential Cases: One

Claimant: Friant Water Authority

The Board of Directors, while in closed session pursuant to Government Code Section 54956.9(d)(2), met with General Counsel Aubrey Mauritson regarding one potential item of anticipated litigation.

CLOSED SESSION ITEMS

Report Action Taken in Closed Session Required by Government Code 54957.1

Chairman Borba reported there was no reportable action from closed session.

MINUTES

Approval of Minutes of the September 3, 2020 Board Meeting

Director Corkins moved for the approval of the minutes of September 3, 2020 board meeting. The motion was seconded by Director Leider, and approved by way of the following roll call vote:

In Favor:

Director Corkins  
Director Galloway  
Director Schneider  
Director Leider  
Director Holmes  
Director Reyes  
Director Townsend  
Director Kisling  
Chairman Borba

Opposed: None

ADMINISTRATION

2021 Sustainable Yield and Tier 1 Penalty Allocations

Consulting Engineer De Groot reported the 2021 Sustainable Yield and Tier 1 Penalty Allocations. Attached hereto and incorporated by reference as Agenda Item No. 6a is a copy of the 2021 Sustainable Yield and Tier 1 Penalty Allocations.

Discussion ensued regarding the 2021 Allocations.

Public comment was received from Jared Plumlee.

Consider Approval of 1<sup>st</sup> Amended ETGSA Rules and Regulations

General Manager Caudillo and Legal Counsel Mauritson gave a report on the 1<sup>st</sup> Amended ETGSA Rules and Regulations. Attached hereto and incorporated by reference as Agenda Item #6b is a copy of the Amended ETGSA Rules and Regulations.

Director Corkins moved to accept the 1<sup>st</sup> Amended ETGSA Rules and Regulations, with the exception of Section 3.05(a). Director Townsend seconded, and the motion was unanimously carried by way of the following roll call vote:

In Favor:

Director Corkins  
Director Galloway  
Director Schneider  
Director Leider  
Director Holmes  
Director Reyes  
Director Townsend  
Director Kisling  
Chairman Borba

Opposed: None

Review and Discussion of ETGSA Rules and Regulations

No further discussion of the Rules and Regulations occurred, except for the need of committee feedback regarding Section 3.05.

Consider Approval of Resolution 2020-02 Setting Groundwater Extraction Fee

General Manager Caudillo gave a report on Resolution 2020-03 setting Groundwater Extraction Fee. Attached hereto and incorporated by reference as Agenda Item #6d is a copy of Resolution 2020-03.

Director Corkins moved to approve Resolution 2020-03 setting Groundwater Extraction Fee. The motion was seconded by Director Holmes, and approved by way of the following roll call vote:

In Favor:

Director Corkins  
Director Galloway  
Director Schneider  
Director Leider  
Director Holmes

Director Reyes  
Director Townsend  
Director Kisling  
Chairman Borba

Opposed: None

Consider Approval of Resolution 2020-03 Setting Penalty Rates for Tier 1 & Tier 2 Penalty Allocations

General Manager Caudillo gave a report on Resolution 2020-04 setting Penalty Rates for Tier 1 & Tier 2 Penalty Allocations. Attached hereto and incorporated by reference as Agenda Item #6e is a copy of Resolution 2020-04.

Director Corkins moved to approve Resolution 2020-04 setting Penalty Rates for Tier 1 & Tier 2 Penalty Allocations. The motion was seconded by Director Kisling, and approved by way of the following roll call vote:

In Favor:

Director Corkins  
Director Galloway  
Director Schneider  
Director Leider  
Director Holmes  
Director Reyes  
Director Townsend  
Director Kisling  
Chairman Borba

Opposed: None

Consider Approval of 4Creek's Scope of Work for Land Subsidence Additional GPS (Field) Monitoring

Consulting Engineer De Groot provided a report on 4Creek's Scope of Work for Land Subsidence Additional GPS (Field) Monitoring. Attached hereto and incorporated by reference as Agenda Item #6f is a copy of 4Creek's Scope of Work for Land Subsidence.

Discussion ensued regarding the frequency of the monitoring. Mr. De Groot recommended twice per year.

Director Corkins moved to approve 4Creek's Scope of Work for Land Subsidence Additional GPS (Field) Monitoring. The motion was seconded by Director Reyes, and approved by way of the following roll call vote:

In Favor:

Director Corkins  
Director Galloway  
Director Schneider  
Director Leider  
Director Holmes  
Director Reyes  
Director Townsend  
Director Kisling  
Chairman Borba

Opposed: None

Discussion of the “What If Calculator” and Update on the Progress to Implement Groundwater Accounting Software

De Groot provided a report on the “What If Calculator” and update on the progress of Implement Groundwater Accounting Software.

Public comment was received from T. Bollis.

STAKEHOLDER OUTREACH AND COMMUNITY ENGAGEMENT

Report on Ongoing ETGSA Outreach Efforts

General Manager Caudillo provided a report on the ongoing outreach efforts and upcoming events. A copy of his report is attached as Agenda Item #7a and incorporated by reference.

REPORT FROM COMMITTEES

Receive Reports from Executive Committee Members

General Manager Caudillo provided a report on the meetings of the Executive Committee. A copy of his report is attached as Agenda Item #8a and incorporated by reference.

Receive Reports from Stakeholder Committee Members

General Manager Caudillo provided a report. Attached hereto and incorporated by reference as Agenda Item #8b is a copy of the report on the meeting of the Stakeholder Committee.

## BILLS AND WARRANTS

### Receive Finance Committee Monthly Reports

General Manager Caudillo provided a report. Attached hereto and incorporated by reference as Agenda Item #9a is a copy of the report on the meeting of the Finance Committee.

### Review the Financial Statements; Consider Ratification of Bills Paid and Approval of Bills to be Paid

General Manager Caudillo provided a report on current financial standing and accounts payable. The finance committee recommends payment of the accounts. Attached hereto and incorporated by reference as Agenda Item #9b is a copy of the financial statements.

Director Holmes moved for the approval of financial statement, ratification of bills paid, and approval of bills to be paid. Director Kisling seconded, and the motion was approved by the following roll call vote:

In Favor:

Director Corkins  
Director Galloway  
Director Schneider  
Director Leider  
Director Holmes  
Director Reyes  
Director Kisling  
Chairman Borba

Opposed: None.

### Consider Approval of 2<sup>nd</sup> Quarterly Member Call for Funds

General Manager Caudillo provided a report. Attached hereto and incorporated by reference as Agenda Item #9c is a copy of the proposed Call for Funds. Director Holmes moved to approve the call for funds as described in the agenda packet. Director Kisling seconded. The motion was carried unanimously by way of the following roll call vote:

In Favor:

Director Corkins  
Director Galloway  
Director Schneider  
Director Leider  
Director Holmes  
Director Reyes  
Director Kisling

Chairman Borba

Opposed: None.

TULE SUBBASIN AND REGIONAL REPORTS AND ITEMS

Report on Tule Subbasin Coordination and TH&Co Task Items.

General Manager Caudillo provided a report. Attached hereto and incorporated by reference as Agenda Item #10a is a copy of the report. General Manager Caudillo also noted that the next meeting will be held on October 21, 2020.

REPORT FROM COMMITTEES

Receive Reports from Executive Committee Members

It was noted that the Executive Committee recommended utilization of Land IQ. The Board provided direction for further discussion of Land IQ. The matter will be revisited at the next Board meeting. The Board further instructed that there is no need for the Committees to address Section 3.05 of the Rules and Regulations until after such time of Land IQ presentation.

NEXT MEETING DATE

Next Regular Meeting- Thursday November 5, 2020 at 2:00 p.m.

The next regular meeting of the Board of Directors of the ETGSA Joint Powers Authority shall be held on November 5, 2020, 2:00 p.m.

ADJOURNMENT

There being no further business before the Board, Chairman Borba adjourned the meeting.

Respectfully submitted,

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Rogelio Caudillo, General Manager