



EASTERN TULE
GROUNDWATER
SUSTAINABILITY
AGENCY
JOINT POWERS
AUTHORITY

**MINUTES OF THE
BOARD OF DIRECTORS
MEETING HELD NOVEMBER 5, 2020**

At approximately 2:00 p.m. on November 5, 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
 Curt Holmes Geoffrey Galloway
 Matthew Leider Monte Reyes

Members Absent: Dennis Townsend

Others Present: Aubrey Mauritsen Rogelio Caudillo
 David DeGroot Justine Massey
 Joel Kimmelshue Joseph Giagos
 Thomas Harder Don Castle

ROLL CALL

General Manager Caudillo called the roll as follows:

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

PUBLIC COMMENT

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

ANNOUNCEMENTS

Consulting Engineer De Groot announced that the Land Subsidence Management Plan Ad Hoc Committee has met to review the draft Plan and bring it to conclusion. The Ad Hoc Committee has met twice and anticipates bringing back to the board in December recommendations to be presented to the Stakeholder and Executive Committees.

MINUTES

Approval of Minutes of the October 1, 2020 Board Meeting

Director Corkins moved for the approval of the minutes of October 1, 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 Kisling
Chairman Borba

Opposed: None

ADMINISTRATION

Approval of 4Creek's Scope of Work for Administrative Services for ETGSA

General Manager Caudillo provided a report on 4Creek's Scope of Work for Administrative Services for ETGSA. Attached hereto and incorporated by reference as Agenda Item #5a is a copy of 4Creek's Scope of Work for Administrative Services. Consulting Engineer De Groot also provided a report.

Director Kisling reported the finance committee recommended approval.

Discussion ensued.

Director Leider moved to approve 4Creek's Scope of Work for Administrative Services for ETGSA. 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 Kisling
Chairman Borba

Opposed: None

Discussion of Groundwater Extraction Fee, Penalty Rates, and Invoicing

General Manager Caudillo reported on the groundwater extraction fee, penalty rates and invoicing. Attached hereto and incorporated by reference as Agenda Item #5b is a copy of groundwater extraction fee, penalty rates, and invoicing.

Discussion ensued.

Public comment from Justine Massey.

Discussion ensued.

Director Corkins moved and Director Leider seconded to approve staff's recommendation as presented in the agenda packet.

Discussion ensued.

Consulting Engineer De Groot clarified that the intent is for invoicing to go out February 2021.

Discussion ensued.

Director Corkins amended his motion as follows: move to approve imposing a groundwater extraction fee of \$4.92 for the Greater Tule Management Area for the water year 2021, except for riparian corridors (natural river channels and adjacent levee) as identified by ETGSA's consulting engineer, and for 2 acres or less, assuming two-acre feet of groundwater per year are being consumed, and direct staff to begin invoicing for sustainable yield and transitional pumping in February 2021.

Public comment from Justine Massey.

The motion was approved with the following roll call vote:

In Favor:

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

Opposed: Chairman Borba

Land IQ Presentation on ET Monitoring in ETGSA Greater Management Area

Joel Kimmelshue gave a presentation on ET Monitoring in ETGSA Greater Management Area. A copy of the presentation is attached as Agenda Item #5c and incorporated by reference.

Discussion ensued regarding monitoring citrus.

Public comment from Joseph Gallegos.

Review and Discussion of ETGSA's Rules and Regulations

Director Corkins moved to table this agenda item to next meeting. Director Leider seconded and the motion was approved with 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

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 #6a 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 #7a 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 #7b is a copy of the report on the meeting of the Stakeholder Committee.

Discussion ensued regarding the stakeholder's recommendation as presented in the agenda packet.

BILLS AND WARRANTS

Receive Finance Committee Monthly Reports

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

Consider Approval of Independent Auditor's Report & Audited Financial Statements for the Year Ended June 30, 2020

General Manager Caudillo provided a report. Attached hereto and incorporated by reference as Agenda Item #8b is a copy of the Independent Auditor's Report & Audited Financial Statements for the Year Ended June 30, 2020.

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 #8c is a copy of the financial statements.

Director Kisling moved to approve the Independent Auditor's Report & Audited Financial Statements for the Year Ended June 30, 2020 and the financial statement, ratification of bills paid, and approval of bills to be paid, as presented in the agenda packet. The motion was seconded by Director Schneider, 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 Kisling

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 #9a is a copy of the report. Consulting Engineer De Groot also reported on the subbasin budget.

Discussion of Aquilologic Comment Letter and Response Presentation by Thomas Harder

General Manager Caudillo provide a report on the Aquilologic Comment Letter and Response Presentation by Thomas Harder. Mr. Harder provided a presentation. Attached hereto as Agenda Item #9b, Exhibit A is a copy of his technical memorandum and PowerPoint presentation.

Discussion ensued.

Public comment from Don Castle.

Discussion continued.

Public comment from Don Castle.

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.

NEXT MEETING DATE

Next Regular Meeting- Thursday December 3, 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 December 3, 2020, 2:00 p.m.

ADJOURNMENT

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

Respectfully submitted,

Rogelio Caudillo, General Manager