



EASTERN TULE
GROUNDWATER
SUSTAINABILITY
AGENCY
JOINT POWERS
AUTHORITY

**MINUTES OF THE
BOARD OF DIRECTORS
MEETING HELD JANUARY 6, 2022**

At approximately 2:00 p.m. on January 6, 2022, 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 social distancing directives, there was no physical location for the meeting.

Members Present:	Eric Borba	John Corkins
	Steve Kisling	Eric Limas
	Matthew Leider	Dennis Townsend
	Geoffrey Galloway	Curt Holmes
	Michael Knight	

Members Absent:	Dyson Schneider	Monte Reyes
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Others Present:	Aubrey Mauritsen	Rogelio Caudillo
	Nick Keller	Andrew Hart
	David De Groot	Taylor Blakslee
	Peter Harmen	Alexis Menses
	Alan Becker	Don Tucker
	Don Castle	Sean Geivet
	Steve Dalke	

ROLL CALL

General Manager Caudillo called the roll as follows:

Director Holmes
Director Leider
Director Corkins
Alt. Director Knight
Director Kisling
Chairman Borba

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: Four

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

Directors Dennis Townsend, Geoffrey Galloway and Alt. Director Eric Limas joined the meeting during Closed Session.

PUBLIC COMMENT

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

ANNOUNCEMENTS

General Manager Caudillo announced that applications are being accepted for seats on the Stakeholder Committee.

CONSENT CALENDAR

General Manager Caudillo referred the Board to Agenda Items 6a – 6d on the Consent Calendar portion of the Agenda. A copy of the Minutes of the December 2, 2021 Board Meeting is attached as Agenda Item #6a. A copy of Resolution 2021-6 re: Public Teleconference Meetings is attached as Agenda Item #6b. A copy of the financial statements is attached as Agenda Item #6c. A copy of the Independent Auditor’s Report & Audited Financial Statements for the year ended June 30, 2021 is attached as Agenda Item #6d.

Director Corkins moved to approve Items 6a through 6d. Director Leider seconded, and the motion was unanimously carried by way of the following roll call vote:

In Favor:

Director Townsend
Director Holmes
Director Leider
Director Galloway
Director Corkins

Alt. Director Knight
Alt. Director Limas
Director Kisling
Chairman Borba

Opposed: None.

ADMINISTRATION

Consider Appointment of Agency and Committee Chairs/Vice Chairs (Chair, Vice Chair, and Secretary)

General Manager Caudillo provided a report, noting that the current officers are Chairman Borba, Vice Chairman Kisling, and Secretary Caudillo. In addition, General Manager Caudillo reported on the need to appoint Committee Chairs and Vice Chairs. Attached hereto and incorporated by reference as Agenda Items #7.a and 7.b are copies of the current slate of Agency and Committee Officers.

Director Corkins moved to (1) reappoint the existing slate of Agency officers, and (2) reappoint the existing slate of Committee Chairs and Vice Chairs. The motion was seconded by Director Holmes, and unanimously approved by way of the following roll call vote:

In Favor:

Director Townsend
Director Holmes
Director Leider
Director Galloway
Director Corkins
Alt. Director Knight
Alt. Director Limas
Director Kisling
Chairman Borba

Opposed: None.

Discussion and Consider Approval of ETGSA Fifth Amended Rules & Regulations

General Counsel Mauritsen provided a report on the Fifth Amended Rules & Regulations. Attached hereto and incorporated by reference as Agenda Item #7c is a copy of the Fifth Amended Rules & Regulations.

Discussion ensued.

Director Corkins moved to approve the Fifth Amended Rules & Regulations. The motion was seconded by Director Leider, and unanimously approved by way of the following roll call vote:

In Favor:

Director Townsend
Director Holmes
Director Leider
Director Galloway
Director Corkins
Alt. Director Knight
Alt. Director Limas
Director Kisling
Chairman Borba

Opposed: None

Consider Approval of Landowner Request, Account ETGSA 1199

This matter was tabled.

Consider Approval of Landowner Appeals Re: Water Prioritization

General Manager Caudillo provided a report on landowner appeals regarding water prioritization. Attached hereto and incorporated by reference as Agenda Item #7e is a copy of the staff report.

Discussion ensued.

Director Corkins moved to approve all landowner appeals identified in the report. The motion was seconded by Director Kisling, and unanimously approved by way of the following roll call vote:

In Favor:

Director Townsend
Director Holmes
Director Leider
Director Galloway
Director Corkins
Alt. Director Knight
Alt. Director Limas
Director Kisling
Chairman Borba

Opposed: None

Consider Approval of the Public Purpose Acquired Property Agreement

This matter was tabled.

Discussion and Consider Approval of Scope of Work for 4Creeks Support Services on Land Subsidence Monitoring and Management

General Manager Caudillo provided a report on the scope of work for 4Creeks support services on land subsidence monitoring and management. Attached hereto and incorporated by reference as Agenda Item #7g is a copy of the proposed scope of work.

Discussion ensued.

Director Kisling moved to approve the scope of work for 4Creeks support services on land subsidence monitoring and management. The motion was seconded by Director Leider, and unanimously approved by way of the following roll call vote:

In Favor:

Director Townsend
Director Holmes
Director Leider
Director Galloway
Director Corkins
Alt. Director Knight
Alt. Director Limas
Director Kisling
Chairman Borba

Opposed: None

Discussion and Consider Approval of Scope of Work for Thomas Harder & Co. Technical Support for the Land Subsidence Monitoring and Management

General Manager Caudillo provided a report on the scope of work for Thomas Harder & Co. technical support for the land subsidence monitoring and management. Attached hereto and incorporated by reference as Agenda Item #7h is a copy of the proposed scope of work.

Discussion ensued.

Director Kisling moved to approve the proposed scope of work. The motion was seconded by Director Holmes, and unanimously approved by way of the following roll call vote:

In Favor:

Director Townsend
Director Holmes
Director Leider
Director Galloway
Director Corkins
Alt. Director Knight

Alt. Director Limas
Director Kisling
Chairman Borba

Opposed: None

Report from 4Creeks on ETGSA Accounting and Invoicing

Consulting Engineer De Groot provided a report on accounting and invoicing. He advised that there are 1,579 active basin safe accounts, with 126,000 gross acres and 74,943 irrigated acres enrolled. Seventy-two accounts have opted out, comprised of 93 parcels totaling 1034 acres. Over \$1 million in groundwater extraction fees have been paid. For the last quarter collected, Tier 1 penalty fees total over \$1 million.

Discussion ensued regarding invoicing and account updates.

STAKEHOLDER OUTREACH AND COMMUNITY ENGAGEMENT

Report on Ongoing ETGSA Outreach Efforts

General Manager Caudillo provided a report on ongoing outreach efforts and upcoming events. A copy of his report is attached as Agenda Item #8a and incorporated by reference.

REPORT FROM COMMITTEES

Receive Reports from Executive Committee Members

General Manager Caudillo advised that there was no Executive Committee Meeting last month.

Receive Reports from Stakeholder Committee Members

General Manager Caudillo advised that there was no Stakeholder Committee Meeting last month.

Receive Reports from Finance Committee Members

General Manager Caudillo provided a report, and advised that the Committee met immediately prior to the Board meeting at 1:00 p.m. The Committee reviewed and approved reconciliation from the County for the month of November, recommended approval to pay bills, reviewed collection of Tier 1 fees, and authorized payment to FWA. In addition, the Committee reviewed IAA, the two previously approved scopes of work, and Tier 1 penalty invoicing and late charges associated with it.

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.

Consider Approval of ETGSA Resolution: Tule Subbasin Grant

General Manager Caudillo provided a report on ETGSA Resolution: Tule Subbasin Grant. Attached hereto and incorporated by reference as Agenda Item #10b is a copy of the Resolution.

Discussion ensued.

Director Corkins moved to approve the Resolution: Tule Subbasin Grant. The motion was seconded by Director Leider, and unanimously approved by way of the following roll call vote:

In Favor:

Director Townsend
Director Holmes
Director Leider
Director Corkins
Alt. Director Knight
Alt. Director Limas
Director Kisling
Chairman Borba

Opposed: None

NEXT MEETING DATE

Next Regular Meeting – Thursday, February 3, 2022 at 2:00 p.m.

The next regular meeting of the Board of Directors of the ETGSA Joint Powers Authority shall be held on February 3, 2022 at 2:00 p.m.

ADJOURNMENT

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

Respectfully submitted,

Rogelio Caudillo, General Manager