



EASTERN TULE
GROUNDWATER
SUSTAINABILITY
AGENCY
JOINT POWERS
AUTHORITY

**MINUTES OF THE
BOARD OF DIRECTORS
MEETING HELD MAY 4, 2023**

At approximately 2:00 p.m. on May 4, 2023, 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”). The meeting was also conducted remotely for members of the public.

Members Present: Eric Borba John Corkins
 Steve Kisling Matthew Leider
 Don Weyrauch Dyson Schneider
 Dennis Townsend Geoffrey Galloway
 Vanessa Yap

Members Absent: Curt Holmes

Others Present: Aubrey Mauritson Rogelio Caudillo
 Sean Geivet Don Castle
 William Bennett David De Groot
 John M. Domondon Tien Tran
 Aaron Hart Dalee Chang

PUBLIC COMMENT

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

ANNOUNCEMENTS

Alternate Director Vanessa Yap announced that on March 14, 2023, Kern-Tulare Water District notified the ETGSA that it will be withdrawing from the GSA for the purpose of forming its own GSA.

General Manager Caudillo provided a reminder that ETGSA is currently searching to fill its Controller position.

CONSENT CALENDAR

General Manager Caudillo referred the Board to Agenda Items 3a – 3b on the Consent Calendar portion of the agenda. A copy of the Minutes of the April 6, 2023, Board Meeting is attached as Agenda Item #3a. A copy of the financial statements is attached as Agenda Item #3b.

Director Corkins moved to approve Items #3a and #3b. Director Leider seconded, and the motion was unanimously carried.

ADMINISTRATION

Consider Approval of ETGSA 9th Amended Rules and Regulations

General Counsel Mauritsen provided a report on the Ninth Amended Rules and Regulations. Attached hereto as Item #4a is a copy of the Ninth Amended Rules and Regulations.

Discussion ensued.

Director Corkins moved to approve the Ninth Amended Rules and Regulations. Director Weyrauch seconded, and the motion was unanimously carried.

Consider Approval of a New Logo for ETGSA

General Manager Caudillo reported on new proposals for a new logo. Attached hereto and incorporated by reference as Agenda Item #4b is a document containing the proposed logos.

Discussion ensued.

Director Galloway moved to approve the logo contained in the middle of the display. Director Corkins seconded.

Public comment was presented by Bill Bennett.

The motion passed with a majority vote of the directors present.

Set Date for Public Hearing to Enforce Tier 1 Penalty Delinquencies (*Water Code Section 10732(b)(2).*) (*Proposed Date: June 15, 2023 at 10:00 a.m.*)

General Counsel Mauritsen provided an overview of the process for enforcement.

Director Corkins moved to set a June 15, 2023 public hearing date for ETGSA's hearings on Tier 1 Penalty Delinquencies. Director Leider seconded, and the motion was unanimously carried.

Report from 4Creeks on ETGSA Accounting and Invoicing

Consulting Engineer De Groot provided a report on the ETGSA accounts and invoicing. Mr. De Groot advised that 1st Quarter Tier 1 invoices will go out at the end of this month. He also reported that statements for delinquent balances on Tier 1 accounts went out on April 19, 2023. Mr. De Groot noted that new ET data has been received and will likely be uploaded early next week, and that the water market board is now available. Currently, there are 1,716 accounts in Basinsafe.

Public comment was received from Aaron Hart.

Discussion ensued regarding Tier 2 penalties and transfer charges.

Mr. De Groot announced Land Flex applications have been extended to May 9, 2023.

GOVERNMENTAL AND LEGISLATIVE MATTERS

Consider Approval for Request for Letters of Support from State Assemblyman Devon Mathis: AB62 & AB66

General Manager Caudillo provided a report. Attached hereto and incorporated by reference as Agenda Item 5a is copy of informational materials regarding the bills noted.

Director Townsend moved to approve letters of support for each bill. Director Weyrauch seconded, and the motion was unanimously carried.

Discussion ensued.

Consider Approval for Request for Letters of Support from State Senator Shannon Grove: SB550 & SB651

General Manager Caudillo provided a report. Attached hereto and incorporated by reference as Agenda Item 5b is copy of informational materials regarding the bills noted.

No action was taken on this matter.

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 #6a and incorporated by reference.

Public comment was received from Tien Tran.

Discussion ensued regarding future workshops for Land Flex.

REPORTS FROM COMMITTEES

Receive Report from Stakeholder Committee

General Manager Caudillo provided a report, a copy of which is attached as Agenda Item #7a.

Receive Report from the Finance Committee

General Manager Caudillo provided a report, a copy of which is attached as Agenda Item #7b.

TULE SUBBASIN AND REGIONAL REPORTS AND ITEMS

Report on Tule Subbasin Coordination and TH&Co Task Items

General Manager Caudillo provided a report on Tule Subbasin Coordination and TH&Co Task Items. Attached hereto and incorporated by reference as Agenda Item #8a is a copy of the report.

Public comment was received from Tien Tran.

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: Five

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

CLOSED SESSION ITEMS

Report Action Taken in Closed Session Required by Government Code 54957.1

Chairman Borba announced that there was no reportable action from closed session.

NEXT MEETING DATE

Next Regular Meeting – Thursday, June 1, 2023, at 2:00 p.m.

The next regular meeting of the Board of Directors of the ETGSA Joint Powers Authority shall be held on June 1, 2023, 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