



ETGSA

MINUTES OF THE BOARD OF DIRECTORS MEETING HELD FEBRUARY 1, 2024

At approximately 2:00 p.m. on February 1, 2024, at the City of Porterville, Council Chambers, Chairman Dennis Townsend 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

Members Absent: Geoffrey Galloway

Others Present: Aubrey Mauritsen Rogelio Caudillo
 Bill Bennett Mike Knight
 Sean Geivet Don Tucker
 Jason Phillips David De Groot
 Andrew Hart Darien Key
 Anthony Moore Don Davis

PUBLIC COMMENT

Chairman Townsend announced the public comment period. Mr. Townsend thanked Eric Borba and Steve Kisling for their service to ETGSA.

Public comment was received from Jason Phillips.

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

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

CLOSED SESSION ITEMS

Report Action Taken in Closed Session Required by Government Code 54957.1

General Counsel Mauritsen announced that there was no reportable action from closed session.

PUBLIC COMMENT

Chairman Townsend announced the public comment period. No public comment was provided.

ANNOUNCEMENTS

General Manager Caudillo announced that all board members should complete and submit their Form 700s, which are due by April 1, 2024.

** Director Leider left the meeting at this time.*

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 January 11, 2024, 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 - #3b. Director Weyrauch seconded, and the board unanimously approved the motion.

ADMINISTRATION

Consider Appointment of Alternate for ETGSA Finance Committee

General Manager Caudillo reported on the alternate for the Finance Committee. He advised that the Finance Committee discussed the matter, and decided to wait on potentially amending the JPA.

**Director Leider returned to the meeting at this time.*

Consider Approval of 4Creeks Scope of Work for Land Subsidence Management Area Landowner Coordination and Data Collection

General Manager Caudillo provided a report on 4Creeks Scope of Work for Land Subsidence Management Area Landowner Coordination and Data Collection. Attached to the Board packet as Agenda Item #7b.

Director Corkins moved to approve 4Creeks Scope of Work for Land Subsidence Management Area Landowner Coordination and Data Collection. Director Leider seconded and the board unanimously approved the motion.

Public comment was received from Don Davis.

The board unanimously approved the motion.

Consider Approval of Resolution 2024-1 to Approve Execution of a Section 215 Contract with the Bureau of Reclamation

General Counsel Mauritson provided a report on Resolution 2024-1. Attached to the Board packet as Agenda Item #7c is a copy of Resolution 2024-1.

Discussion ensued.

Director Borba moved to approve Resolution 2024-1 for execution of a Section 215 Contract with the Bureau of Reclamation. Director Corkins seconded, and the board unanimously approved the motion.

Review and Discuss Amended Joint Power Agreement

General Counsel Mauritson provided a report. Attached to the Board packet as Agenda Item #7d is a copy of the proposed redlines and potential revisions to the portions of the Joint Powers Agreement related to board composition.

Discussion ensued regarding a 9th seat.

Public comment was received from Deering Keating.

Discussion ensued.

Director Corkins moved to amend the Joint Power Agreement with addition of recommendation #1 to add an appointed member from the Stakeholder Committee to the board of directors, and to send to member agencies for approval. Director Leider seconded, and the board unanimously approved the motion.

Consider Approval of Self-Help Enterprises Non-Disclosure Agreement with ETGSA

General Manager Caudillo provided a report. Attached to the Board packet as Agenda Item #7e is a copy of Self-Help Enterprises Non-Disclosure Agreement.

Director Corkins moved to approve Self-Help Enterprises Non-Disclosure Agreement with ETGSA. Director Kisling seconded, and the board unanimously approved the motion.

Report from 4Creeks on ETGSA Accounting and Invoicing

Don Tucker of 4Creeks provided a verbal report on ETGSA accounts and invoicing.

GOVERNMENTAL AND LEGISLATIVE MATTERS

Report on State Advocacy Efforts

Lobbyist Ashley Walker provided a report. Attached to the Board packet as Agenda Item #8a is a copy of the report.

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 #9a and incorporated by reference.

REPORTS FROM COMMITTEES

Receive Report from Joint Stakeholder-Executive Committee

Report DRAFT Tenth Amended Rules & Regulations Committee Discussion

General Manager Caudillo provided a report. Attached to the Board packet as Agenda Item #10a.i. is a copy of the staff report. Clarification was made from the report that the Stakeholder Committee moved to not recommend the FWA proposals that were presented.

Discussion ensued.

It was discussed whether any items should be taken back to the committees.

The board did not send any items to committee for further review.

Receive Report from the Finance Committee

General Manager Caudillo provided a report, a copy of which is attached to the Board packet as Agenda Item #10b.

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 to the Board packet as Agenda Item #11a is a copy of the report.

NEXT MEETING DATE

Next Regular Meeting – Thursday, March 7, 2024, at 2:00 p.m.

The next regular meeting of the Board of Directors of the ETGSA Joint Powers Authority shall be held on March 7, 2024, 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