



ETGSA

MINUTES OF THE BOARD OF DIRECTORS MEETING HELD MARCH 7, 2024

At approximately 2:00 p.m. on March 7, 2024, at the City of Porterville, Council Chambers, Vice Chairman Steve Kisling 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
	Geoff Galloway	

Members Absent: Dennis Townsend

Others Present:	Aubrey Mauritson	Rogelio Caudillo
	Don Castle	Andrew Hart
	David Payne	Tien Tran
	Don Tucker	Ashley Walker

PUBLIC COMMENT

Vice Chairman Kisling announced the public comment period. No public comment was provided.

ANNOUNCEMENTS

General Manager Caudillo announced that he had previously circulated a revised draft of the Joint Powers Agreement, and that we are awaiting member agency approval.

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 February 1, 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 Galloway seconded, and the board unanimously approved the motion.

ADMINISTRATION

Consider – Set Date for Public Hearing to Enforce Tier 1 Penalty Delinquencies (Water Code Section 10732(b)(2).) (Proposed Date: April 4, 2024).

General Counsel Mauritson provided a report.

Discussion ensued.

Director Corkins moved to set a date for the Public Hearing to enforce Tier 1 Penalty Delinquencies for April 4, 2024. Director Weyrauch seconded, and the board unanimously approved the motion.

Presentation of Tule Subbasin Annual Report Items

Don Tucker, 4Creeks, reported on the Tule Subbasin Annual Report.

Presentation of ETGSA Land Subsidence Monitoring Plan Annual Report Items

Don Tucker, 4Creeks, reported on the ETGSA Land Subsidence Monitoring Plan Annual Report.

Discussion ensued.

Public comment was received from Tien Tran.

Discussion continued.

Public comment was received from Andrew Hart.

Discussion continued.

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 in the Board Packet as Agenda Item #5a 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 in the Board Packet as Agenda Item #6a.

Discussion ensued.

Receive Report from Porterville Irrigation District on Component 8 – Southeast Service Area Lateral, of the Sustainable Groundwater Management Act Implementation Grant Agreement No. 4600014649

This item was tabled.

REPORTS FROM COMMITTEES

Receive Report from Stakeholder Committee

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

Receive Report from Land Subsidence Monitoring Committee

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

Receive Report from the Finance Committee

General Manager Caudillo provided a report, a copy of which is attached in the Board Packet as Agenda Item #7c.

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 in the Board Packet as Agenda Item #8a is a copy of the report.

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: Two

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

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

[Government Code Section 54947]

Title: All Employees

The Board of Directors, while in closed session pursuant to Government Code Section 54956.9(d)(2), met with General Counsel Aubrey Mauritson regarding the public employee evaluations for the above-listed positions.

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Section 54956.9)

Setton Pistachio of Terra Bella, Inc. v. Eastern Tule Groundwater Sustainability Agency

Tulare County Superior Court Case No. VCU302028

The Board of Directors, while in closed session pursuant to Government Code Section 54956.9(d)(1), met with General Counsel Mauritson regarding existing litigation named above.

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Section 54956.9)

Friant Water Authority v. Eastern Tule Groundwater Sustainability Agency

Tulare County Superior Court Case No. VCU306343

The Board of Directors, while in closed session pursuant to Government Code Section 54956.9(d)(1), met with General Counsel Mauritson regarding existing litigation named above.

CLOSED SESSION ITEMS

Report Action Taken in Closed Session Required by Government Code 54957.1

Vice Chairman Kisling reported the board unanimously approved the engagement of Nossaman LLP for legal services.

NEXT MEETING DATE

Next Regular Meeting – Thursday, April 4, 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 April 4, 2024, at 2:00 p.m.

ADJOURNMENT

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

Respectfully submitted,

Rogelio Caudillo, General Manager