



ETGSA

MINUTES OF THE BOARD OF DIRECTORS MEETING HELD APRIL 4, 2024

At approximately 2:00 p.m. on April 4, 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	Ron Castro
	Don Weyrauch	Dennis Townsend
	Geoff Galloway	John M. Domondon

Members Absent:	Matthew Leider	Dyson Schneider
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Others Present:	Aubrey Mauritson	Rogelio Caudillo
	Don Tucker	Ashely Walker
	Andrew Hart	Michael Knight
	David De Groot	William Bennett
	Sean Geivet	

PUBLIC COMMENT

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

ANNOUNCEMENTS

General Manager Caudillo advised that there was no update on the Section 215 contract. Mr. Caudillo also provided a reminder that two workshops will be held with the State Board – one virtual workshop this Friday at 11:00 a.m., and another, in-person workshop to be held on Monday at 5:30 at Porterville Veterans memorial building.

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 March 7, 2024, Board Meeting is attached as Agenda Item #3a. A copy of the financial statements is attached as Agenda Item #3b.

Mr. Caudillo announced that there was no quorum for the finance committee. He noted that staff recommended to approve the bills.

Director Kisling noted that the reference to Chairman Borba at the end of the minutes needs to be corrected to reflect that Director Townsend serves as Chair.

Director Corkins moved to approve Items #3a - #3b, as corrected. Director Corkins 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: May 2,2024).

General Counsel Mauritson provided a report.

Discussion ensued.

Director Borba moved to set a date for the Public Hearing to enforce Tier 1 Penalty Delinquencies for May 2, 2024. A copy of the report is attached in the Board Packet as Agenda Item #4a. Director Galloway seconded, and the board unanimously approved the motion.

Update and Report on ETGSA Annual Report Items

Don Tucker, 4Creeks, provided an update on the ETGSA Land Subsidence Monitoring Plan Annual Report.

**Alternate Director John Michael Domondon arrived at this time.*

Discussion ensued.

Report from 4Creeks on ETGSA Accounting and Invoicing

Don Tucker of 4Creeks provided a 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 matter was tabled.

REPORTS FROM COMMITTEES

Receive Report from Stakeholder-Executive Committee

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

Consider Approval of Tenth Amended ETGSA Rules and Regulations

General Counsel Mauritson provided a report. A copy of the Tenth Amended ETGSA Rules and Regulations are attached in the Board Packet as Agenda Item #7a(i) .

Public comment was received from Andrew Hart.

Discussion continued.

Director Borba moved to not approve the draft Rules and Regulations, and to send the draft back to the committees with exemption language for metering. Director Corkins seconded.

Discussion continued.

The Board unanimously approved the motion.

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 #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 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 Mauritson regarding two potential items of anticipated litigation.

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

Chairman Townsend reported that the Board had unanimously approved the execution of a settlement agreement in *Setton Pistachio of Terra Bella, Inc. v. Eastern Tule Groundwater Sustainability Agency*, Tulare County Superior Court Case No. 302028.

NEXT MEETING DATE

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

ADJOURNMENT

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

Respectfully submitted,

Rogelio Caudillo, General Manager