

TRI-COUNTY WATER AUTHORITY

REGULAR BOARD MEETING and PUBLIC HEARING

MINUTES

November 4, 2021

The Board of Directors of the Tri-County Water Authority met in the second-floor conference room, 944 Whitley Avenue, Corcoran, California, on Thursday, November 4, 2021, at the hour of 1:00 p.m. The meeting was conducted both in person and via Zoom.

Chair VanderHam presided and Executive Director Jackson kept the minutes.

DIRECTORS PRESENT: Cory VanderHam
Mark Grewal
Carlo Wilcox

DIRECTORS ABSENT: Wade Magden

OTHERS PRESENT: Deanna Jackson, Executive Director
Staci Wilkins, Executive Assistant
Jason Howard, McCormick Barstow
Bryant Platt, DWR
Don Wright
Kathy Wood McLaughlin
John Gaugel
Mike Cuttone, Cuttone and Mastro
Kayode Kadara
Nathan Cameron
Luke VanderHam

Chairman VanderHam called the meeting to order at 1:01 p.m.

PUBLIC COMMENT - None

CLOSED SESSION

1. CLOSED SESSION – The Board entered into Closed Session at 1:03 pm
2. RETURN TO OPEN SESSION – Report of action taken in Closed Session and/or action on matter discussed in Closed Session.

The Board entered back into open session at 1:23 pm. No reportable action was taken.

CONSENT CALENDAR

3. Minutes of the Regular Board Meeting held on September 2, 2021

On the motion of Director Grewal and seconded by Director Wilcox, the Minutes were approved as presented. (3-0)

Warrants and Finances and Treasurer's Report (08/28/2021 – 10/26/2021)

On the motion of Director Grewal and seconded by Director Wilcox, the Warrants and Finances and Treasurer's Report were approved as presented. (3-0)

PUBLIC HEARING

4. A Public Hearing was held to discuss delinquent groundwater fees in accordance with TCWA Policy and Section 10730.6 of the California Water Code.

The Public Hearing was opened at 1:25 pm. Each delinquent account with a balance of \$500 or more and considered past due as of June 2021 was presented and public comment was allowed. The hearing was closed at 1:35 pm.

ACTION CALENDAR

5. Review and consider action on past due accounts.

For landowners Alpaugh Pistachio, Pace, Reddy and Tomasini, the fees for 2018 SGMA Assessment, 2020 Pumping Fees, and 2021 Groundwater Extraction Fees were discussed with representatives present for the parties.

On the recommendation of General Counsel Howard, motioned by Director Wilcox and seconded by Director Grewal, the Board voted in the event that the fees contemplated today during the Public Hearing are paid before the end of November that interest and penalties will be waived and just principal will be applied subject to the confirmation of the agency's accountant as to the exact amount. Beyond that, in the event that any of those monies are not paid, this Board reserves the right to take subsequent action or further action allowable under Water Code Section 10730.6 (3-0)

6. Consider for adoption Resolution 21-13 **A RESOLUTION OF THE BOARD OF DIRECTORS OF TRI-COUNTY WATER AUTHORITY APPROVING THE REMOVAL OF CERTAIN DELINQUENT ACCOUNT RECEIVABLES.**

Executive Director Jackson indicated that this account had 2020 pumping fees erroneously applied. With research, it has been determined that this land is fallowed and the fees will be removed. The remaining amount for the account is due to the 2018 SGMA Assessment which is proving to be impossible to collect since it was probably a parcel that was passed down through generations and there is no mail contact with the current owner. Since the amount owed is less than \$75, she recommends passing the Resolution to give authority to the accountant to remove the amount from Accounts Receivable.

On the motion of Director Grewal and seconded by Director Wilcox, the Board voted to adopt Resolution 21-13, waiving the fee and closing the account. (3-0)

7. Consider for approval the Tri-County Water Authority **FINANCIAL STATEMENTS AND INDEPENDENT AUDITOR'S REPORT FOR THE YEAR ENDED DECEMBER 31, 2020.**

Mike Cuttone, CPA from Cuttone and Mastro, presented the findings from the independent audit that was conducted. No significant findings were found and a clean report was issued.

On the motion of Director Grewal and seconded by Director Wilcox, the Board voted to approve the Audit Report for the period ending December 31, 2020. (3-0)

8. Review and consider for approval the **TRI-COUNTY WATER AUTHORITY 2022 BUDGET**.

Executive Director Jackson presented the proposed budget and answered all questions. She noted that 2021 4th quarter groundwater extraction fees will not be received until 2022 due to the new accounting process through BasinSafe.

On the motion of Director Wilcox and seconded by Director Grewal, the Board voted to approve the 2022 Budget as presented. (3-0)

9. Review and consider appointment of a representative and alternate representative to the Tule Subbasin Technical Advisory Committee.

Executive Director Jackson explained that the representative previously had been Steve Jackson. The Subbasin prefers to have GSA representatives at their TAC meeting to act on budgets for the Subbasin instead of GSA managers to avoid issues, such as lack of quorum of managers.

A vote was not taken. Director Grewal was designated as the representative and Director Wilcox was designated as the alternate representative.

10. Review and consider approval of guidelines of AB361 to continue to conduct Board meetings via Zoom.

General Counsel Howard confirmed that under guidelines issued by the Legislature in response to the Governor's Executive Order expiring on September 30 allowing for remote meetings, the Board has the option to continue to offer remote meetings if a State of Emergency is still in effect and the local jurisdiction has encouraged social distancing. If one of those conditions does not exist, the Board must vote every 30 days to confirm that it's in the best interest of keeping participants healthy by offering remote meetings as an option.

On the motion of Director Wilcox and seconded by Director Grewal, the Board voted to approve the provisions of AB361 and continue offering meetings both in person and remotely. (3-0)

COMMUNICATIONS/DISCUSSION ITEMS

11. Director's Reports/Comments/Suggestion

Director Wilcox noted that he had met with representative from 4 Creeks to learn more about the services they provide to the GSA and Subbasin. He indicated the visit was informational.

12. Reports of General Interest

a) California Strategies Update – David Armanasco
No report given

b) Advisory Committee Update– Deanna Jackson

Executive Director Jackson noted that the next meeting will be on Wednesday, November 17, 2021 at 10 am.

c and d) Tulare Lake / Tule Subbasin Update – Deanna Jackson

Executive Director Jackson announced that each Critically Overdrafted (COD) Subbasin was awarded \$7.6 million in grant funding for Round 1. There are many requirements in order to receive the funding but it's not considered competitive. The projects must meet the requirements established and there is an internal scoring system to score your own projects. All GSAs within each subbasin will participate and promote their projects if applicable. Scoring will be taking place soon so that proposals can be submitted by the end of January, 2022.

The Annual Reporting data is due to the Subbasin for the water year ending October 31, 2021, and subsidence monitoring data has been collected. Surface water deliveries and export data is still needing to be submitted.

We are still anticipating DWR comments to the GSP, hopefully by the first or second week of December.

e) Legal Counsel Report – Jason Howard

No report given.

f) Other Updates, as appropriate

Kathy Wood McLaughlin noted that her work with Atwell Island Water District will allow her to coordinate with Tri-County Water Authority on project funding for that area. Encouraged by NRCS to pursue funding (\$50,000) for a feasibility study for a project to bring water down the Poso Canal. Additional funding might also come through the Water Smart Environmental that looks for projects that benefit the environment and the Poso Canal would have those features. Instead of pumping groundwater for the wetlands and contributing to subsidence, creating the conveyance option to supply the wetlands is a positive step to take.

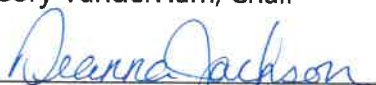
It was announced that the next meeting (January) will be delayed by one week to January 13, 2022.

ADJOURNMENT

13. There being no further business to come before the Board on the occasion of the November 4, 2021, meeting, Chair VanderHam adjourned the meeting at 2:19 p.m. until the next Special Meeting to be held on January 13, 2022, at 1:00 p.m., in the Tri-County Boardroom or as otherwise directed by the Board.

Attest:


Cory VanderHam, Chair


Deanna Jackson, Executive Director