

TRI-COUNTY WATER AUTHORITY SPECIAL BOARD MEETING MINUTES

September 8, 2022

The Board of Directors of the Tri-County Water Authority met in the second-floor conference room, 944 Whitley Avenue, Corcoran, California, on Thursday, September 8, 2022, at the hour of 1:00 p.m. The meeting was conducted both in person and via teleconference.

Chair VanderHam presided and Staci Wilkins kept the minutes.

DIRECTORS PRESENT: Cory VanderHam
Carlo Wilcox
Michael Nordstrom

DIRECTORS ABSENT: Wade Magden

OTHERS PRESENT: Deanna Jackson, Executive Director
Staci Wilkins, Executive Assistant
Jason Howard, McCormick Barstow
Amer Hussain
Stacie Ann Silva
Erik Hansen
Ruthie Redmond
Don Wright
Alex Aretakis
Myron Schotanus
Jesus Rodriguez
Bruce Howarth
Kayode Kadara
Nate Cameron
Ron Cook (via phone)
Maryse Suppiger (via phone)

Chair VanderHam called the meeting to order at 1:02 p.m.

PUBLIC COMMENT - None

CONSENT CALENDAR (Items were approved out of order from the agenda)

1. Continued use of Zoom meetings in accordance with AB361

A motion was made by Director Wilcox and seconded by Director Nordstrom to continue the use of Zoom meetings. The Directors voted as follows:

Magden	Nordstrom	VanderHam	Wilcox
Absent	Aye	Aye	Aye

2. Minutes of the Special Board Meeting held on July 21, 2022
3. Warrants and Finances (07/15/2022 – 09/02/2022)
4. Treasurer’s Report

With a motion by Director Nordstrom and seconded by Director Wilcox, the Directors voted to approve Consent Calendar items 2 – 4 as presented. The Directors voted as follows:

Magden	Nordstrom	VanderHam	Wilcox
Absent	Aye	Aye	Aye

ACTION AGENDA

5. Review and consider adoption of Resolution 22-09 A Resolution of the Tri-County Water Authority approving an amendment to its Bylaws adding an At-Large seat to the Board.

Executive Director Jackson reflected on the underrepresentation on the Board of the Southeast Management Area over the years and Mr. Howard briefly reviewed the current Bylaws. With a majority vote of the Board members present, an Amendment could be made to add an At-Large Director seat. Mr. Howard also read a letter from Director Magden (attached, following the Minutes) who was unable to attend the meeting.

Upon motion of Director Nordstrom and seconded by Director Wilcox, the Board voted to adopt Resolution 22-09 to add the At-Large Director seat and to amend the Bylaws as presented. The Directors voted as follows:

Magden	Nordstrom	VanderHam	Wilcox
Absent	Aye	Aye	Aye

6. Review and consider action to appoint an At-Large representative to the Board of Tri-County Water Authority.

Following Action Item 5, the Board was notified that two individuals had expressed interest in taking the At-Large Director seat: Myron Schotanus and Molly Thurman. Since notification to landowners in the At-Large Area had been short, Chair VanderHam asked that we post the notice to announce the available seat and to hold a special meeting to fill the position. The notice will be posted and candidates have until 5:00 p.m. on September 22 to submit their name for consideration. The special meeting will be held on October 4 at 1:00 p.m.. Candidates interested in filling the position can notify Executive Director Jackson. No other further action was taken.

PUBLIC HEARING

7. Mr. Howard, legal counsel for the Authority, gave a brief explanation of the rules governed by Water Code and the Authority’s policy in place to assess Civil Penalties on groundwater extracted.

8. The Public Hearing opened at 1:23 p.m. The Public Hearing was open for landowners or their representatives to comment on or present materials against penalties to be assessed. There was no landowner comment. The Public Hearing closed at 1:25 p.m.
9. Review and consider action(s) regarding civil penalties under Water Code Section 10732 potentially applicable in the second quarter of 2022 and comments/materials submitted during Public Hearing regarding the same.

Mr. Howard provided direction for action that the Directors could take regarding Civil Penalties. The Directors reviewed documentation provided by Executive Director Jackson and asked for clarification on what steps had been followed by staff.

On the motion of Director Wilcox and seconded by Director Nordstrom, the Board voted to approve all Civil Penalties assessed to mitigate for extraction reduction. The Board voted as follows:

Magden	Nordstrom	VanderHam	Wilcox
Absent	Aye	Aye	Aye

10. Consider action to approve Geosyntec Task Orders 1 – 8.

Amer Hussain from Geosyntec provided a brief review of what action has been accomplished to-date for the Task Orders and what is happening within each Subbasin. Geosyntec is asking for the remaining half of the funds for all Task Orders and noted that Task Order 8 requires an additional \$15k due to the added work for the Tulare Lake Subbasin GSP.

On the motion of Director Nordstrom and seconded by Director Wilcox, the Board voted to approve the Task Orders as presented. The Directors voted as follows:

Magden	Nordstrom	VanderHam	Wilcox
Absent	Aye	Aye	Aye

11. Discussion and possible action on California Strategies agreement.

Executive Director Jackson noted that California Strategies has been working for the GSA about 2 years with a monthly cost of \$8,400. Chair VanderHam asked if Cal Strategies could provide a summary of the work accomplished by the November meeting for review. It was noted that Cal Strategies was very helpful in assisting with the Allensworth grant but that was through a different division of the organization with a separate fee. No other action was taken.

CLOSED SESSION

12. CLOSED SESSION – The Board entered into Closed Session at 2:03 p.m.
 - a. Conference with Legal Counsel regarding potential litigation Anticipated Litigation [Govt. Code Section 54956.9 (d)(4)] (2 potential case)

Director Nordstrom left the meeting at 2:23 p.m.

13. RETURN TO OPEN SESSION – The Board returned to Open Session at 2:24 p.m.. There was nothing to report out.

ADJOURNMENT

14. There being no further business to come before the Board on the occasion of the September 8, 2022, meeting, Chair VanderHam adjourned the meeting at 2:25 p.m. until the Special Board Meeting to be held on Tuesday, October 4, 2022, at 1:00 p.m. in the Tri-County Boardroom or as otherwise directed by the Board.

Attest:



Carlo Wilcox, Director



Deanna Jackson, Executive Director