

TRI-COUNTY WATER AUTHORITY

REGULAR BOARD MEETING

MINUTES

November 3, 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, November 3, 2022, at the hour of 1:00 p.m. The meeting was conducted both in person and via Zoom.

Director Wilcox presided and Staci Wilkins kept the minutes.

DIRECTORS PRESENT: Carlo Wilcox
Michael Nordstrom
Myron Schotanus

DIRECTORS ABSENT: Wade Magden
Cory VanderHam

OTHERS PRESENT: Deanna Jackson, Executive Director
Staci Wilkins, Executive Assistant
Jason Howard, McCormick Barstow
Amer Hussain, Geosyntec
Nicole Bonna, Manulife
Don Wright, Water Wrights
Kathy Wood McLaughlin, TKM Consulting
Gabe Gaeta, Six-33 Solutions
Erik Hansen, Hansen Ranches
Mike McKenzie, DWR
Rusty Areias, California Strategies
David Armanasco, California Strategies
Clayton Smith, Field Rep – David Valadao
Stacie Ann Silva, Altum Aqua Logic

Director Wilcox called the meeting to order at 1:09 p.m.

PUBLIC COMMENT - None

CONSENT CALENDAR

1. Continued use of Zoom meetings in accordance with AB361
2. Minutes of the Special Board Meetings held on September 8, 2022 and October 4, 2022
3. Warrants and Finances (09/03/2022 – 10/26/2022)
4. Treasurer's Report

On the motion of Director Schotanus and seconded by Director Nordstrom, the Board voted to approve the Consent Calendar as follows:

Magden	Nordstrom	Schotanus	VanderHam	Wilcox
Absent	Aye	Aye	Absent	Aye

ACTION CALENDAR

5. Consider adoption of Resolution 22-10 A Resolution in support of the Tulare Lake Subbasin Groundwater Recharge and Sustainability Projects, Round II.

The Round II project submission deadline is November 30, 2022. GSAs are compiling a list of possible projects to fund which will need to be scored internally before being submitted. A competitive grant that will also include high and medium risk subbasins. Possible items to be submitted for funding may include: Groundwater modeling update, 2025 GSP update, Well Registry, Metering Program (South Fork Kings), and Groundwater Recharge Project (Kings County Water District).

On the motion of Director Nordstrom and seconded by Director Schotanus, the Board voted to adopt Resolution 22-10. The Board voted as follows:

Magden	Nordstrom	Schotanus	VanderHam	Wilcox
Absent	Aye	Aye	Absent	Aye

6. Consider adoption of Resolution 22-11 A Resolution in support of the Tule Subbasin GSP Implementation Projects.

Grant funding opportunity similar to the Tulare Lake Subbasin above. Currently, the GSAs have approximately \$38 M in projects that will need to be scored internally to determine which will be submitted. TCWA will prepare proposals on Allensworth area conveyance project and a recharge project in the Angiola Well Field.

On the motion of Director Schotanus and seconded by Director Nordstrom, the Board voted to adopt Resolution 22-11. The Board voted as follows:

Magden	Nordstrom	Schotanus	VanderHam	Wilcox
Absent	Aye	Aye	Absent	Aye

7. Consider approval of MLRP Legal Agreement with Pixley Irrigation District GSA.

TCWA will receive a subaward for the grant that was awarded to the Pixley Irrigation GSA for multi-benefit land repurposing. The document has been reviewed, redlined by counsel, and returned to Pixley Irrigation GSA for their final approval. Executive Director Jackson asked the Board to approve the contract for substance and to sign the completed document once received.

On the motion of Director Nordstrom and seconded by Director Schotanus, the Board voted to approve the contract with Pixley Irrigation GSA and authorized Executive Director Jackson to sign. The Board voted as follows:

Magden	Nordstrom	Schotanus	VanderHam	Wilcox
Absent	Aye	Aye	Absent	Aye

8. Consider approval of Tri-County Water Authority Budget for 2023.

Executive Director Jackson reviewed the document and pointed out reasons for carryover and changes to line items.

On the motion of Director Schotanus and seconded by Director Nordstrom, the Board voted to approve the 2023 Budget. The Board voted as follows:

Magden	Nordstrom	Schotanus	VanderHam	Wilcox
Absent	Aye	Aye	Absent	Aye

9. Consider approval of TKM Consulting contract.

Executive Director Jackson explained that Kathy Wood McLaughlin will be providing services on behalf of TCWA on the MLRP grant and permitting process for Allensworth conveyance project.

On a motion by Director Nordstrom and seconded by Director Schotanus, the Board voted to approve the TKM Consulting contract. The Board voted as follows:

Magden	Nordstrom	Schotanus	VanderHam	Wilcox
Absent	Aye	Aye	Absent	Aye

10. Consider approval of contract for BasinSafe contract with 4 Creeks.

Executive Director Jackson explained that costs for 2022 exceeded what was originally approved in the budget due to customizations and on-call support that had been provided. Now that the majority of customizations are complete, costs should remain within budget for 2023. For the contract renewal, the only increase was for on-call support.

On a motion by Director Nordstrom and seconded by Director Schotanus, the Board voted to approve the 4 Creeks contract for BasinSafe. The Board voted as follows:

Magden	Nordstrom	Schotanus	VanderHam	Wilcox
Absent	Aye	Aye	Absent	Aye

11. Consider action on California Strategies.

Rusty Areias and David Armanasco provided a summary of the work that they have done on behalf of TCWA. They answered questions from Directors and meeting participants on current topics.

No action was taken at this time. Director Wilcox recommended further consideration and review of the agreement once the full Board was able to convene.

12. Consider approval of Affidavit of Non-Irrigation

Executive Director Jackson noted that she had been contacted by a landowner who wanted to reclassify their land as fallowed even though there were still trees planted. It was their intention

to not irrigate and to remove the trees at a later date. The landowner’s concern was having water credits debited from their BasinSafe account even though they were not applying groundwater.

On the motion of Director Schotanus and seconded by Director Nordstrom, the Board voted to approve the use of the Affidavit of Non-Irrigation. The Board voted as follows:

Magden	Nordstrom	Schotanus	VanderHam	Wilcox
Absent	Aye	Aye	Absent	Aye

13. Consider action to approve response letter to DWR for comments received on TCWA’s revisions in the Tule Subbasin.

Executive Director Jackson and Amer Hussain reviewed the response letter that was drafted in response to comments received from Delano Earlimart Irrigation District GSA. The letter addressed concerns raised about data gaps, the correlation between water levels dropping with subsidence occurring, and the impacts on beneficial users outside of the GSA.

On the motion of Director Schotanus and seconded by Director Nordstrom, the Board directed staff to upload the document to the SGMA portal following one correction noted by Director Wilcox. The Board voted as follows:

Magden	Nordstrom	Schotanus	VanderHam	Wilcox
Absent	Aye	Aye	Absent	Aye

COMMUNICATIONS/DISCUSSION ITEMS

14. Director’s Reports/Comments/Suggestion
None.

15. Communications
None.

16. Reports of General Interest

- a) California Strategies Update – David Armanasco

No further items following the items referred to during their discussion in Agenda item 12.

- b) Advisory Committee Update– Amer Hussain

The Committee is currently working through the draft of the Mitigation Plan and Technical Memo Update. Determining who will be eligible, procedures for filing a claim, conducting outreach and determining funding options are some of the items being discussed. The plan needs to be finalized and posted to the website by January 1, 2023. Their next meeting will be on December 7.

- c) Tulare Lake / Tule Subbasins Update – Amer Hussain, Deanna Jackson

Both subbasins are working on their grant applications which are due November 30. In the Tule, their focus is also making sure the Mitigation Plan is in place by January 1, 2023. In Tulare Lake, the GSA Managers met with the State Board following DWR’s Inadequate determination of the GSP. State Board will wait for further DWR review of the plan until they issue further notices.

d) Legal Counsel Update – Jason Howard

Mr. Howard noted that AB2449 will go into effect January 1, 2023, for a 2-year period that modifies the requirements of the Brown Act. Hybrid versions of meetings will still be allowed (e.g. Zoom) but Directors will only be allowed to be remote under specific conditions, such as a contagious disease or caring for a family member. Additionally, at least a quorum of the Directors will need to participate from a single location open to the public.

e) Other Updates, as appropriate

None.

CLOSED SESSION

17. **CLOSED SESSION** – The Board entered into Closed Session 2:49 p.m.
a. Conference with Legal Counsel regarding potential litigation
Anticipated Litigation [Govt. Code Section 54956.9(d)(4)] (2 potential cases)

18. **RETURN TO OPEN SESSION**

The Board returned to Open Session at 3:15 p.m. There was no reportable action taken.

ADJOURNMENT

19. There being no further business to come before the Board on the occasion of the November 3, 2022, meeting, Director Wilcox adjourned the meeting at 3:16 p.m. until the next Regular Meeting to be held on January 5, 2023, 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