

TRI-COUNTY WATER AUTHORITY

REGULAR BOARD MEETING

MINUTES

March 2, 2023

The Board of Directors of the Tri-County Water Authority met in the second-floor conference room, 944 Whitley Avenue, Corcoran, California, on Thursday, March 2, 2023, at the hour of 1:00 p.m. The meeting was conducted both in person and via Zoom.

Chair VanderHam presided and Secretary Wilkins kept the minutes.

DIRECTORS PRESENT: Cory VanderHam
Carlo Wilcox
Myron Schotanus
Erik Hansen

DIRECTORS ABSENT: Wade Magden

OTHERS PRESENT: Deanna Jackson, Executive Director
Staci Wilkins, Board Secretary
Jason Howard, McCormick Barstow
Amer Hussain, Geosyntec
Nicole Bonna, Manulife
Susan Long, Tule Land Trust
Charles Watson, California Strategies
Doug Jackson
David Armanasco, California Strategies
Adriana Barba, Wonderful
Geoff VandenHeuvel, Milk Producers Council
Rusty Areias, California Strategies
Kathy Wood McLaughlin
Malladi Reddy

Chair VanderHam called the meeting to order at 1:04 p.m.

Erik Hansen was introduced as the alternate Director, representing Angiola Water District for Michael Nordstrom who was unable to be present at the meeting.

PUBLIC COMMENT - None

CONSENT CALENDAR

The Consent Calendar items were voted on individually per the request of Chair VanderHam.

- 1. Minutes of the Regular Board Meeting held on January 5, 2023.

On the motion of Director Wilcox and seconded by Director Schotanus, the Minutes were approved as presented. The Directors voted as follows:

Magden	Hansen	Schotanus	VanderHam	Wilcox
Absent	Aye	Aye	Aye	Aye

- 2. Warrants and Finances (12/21/2022 – 02/16/2023)

On the motion of Director Schotanus and seconded by Director Wilcox, the Directors voted to approve the Warrants and Finances as presented. The Directors voted as follows:

Magden	Hansen	Schotanus	VanderHam	Wilcox
Absent	Aye	Aye	Aye	Aye

PUBLIC HEARING

- 3. 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 1:07 p.m.. The material submitted by a landowner who was not in attendance was presented by Executive Director Jackson and entered into the record. The Hearing was closed at 1:09 p.m..

- 4. A Public Hearing was held to discuss the assessment of Civil Penalties for the fourth quarter of 2022, pursuant to Water Code Section 10732.

The Public Hearing was opened at 1:09 p.m.. There were no comments received by landowners or their designees. The Hearing was closed at 1:10 p.m.

ACTION CALENDAR

- 5. Review and consider action on delinquent accounts as outlined in the TCWA Policy and Procedures for Collecting Delinquent Fees, Assessments, or Charges.

On the motion of Director Hansen and seconded by Director Schotanus, the Board voted to approve the outstanding charges as presented. The Board voted as follows:

Magden	Hansen	Schotanus	VanderHam	Wilcox
Absent	Aye	Aye	Aye	Aye

6. Review and consider action(s) regarding civil penalties under Water Code Section 10732 potentially applicable in the fourth quarter of 2022 and comments/materials submitted during Public Hearing regarding the same.

On the motion of Director Wilcox and seconded by Director Schotanus, the Board voted to ratify the charges as presented. The Board voted as follows:

Magden	Hansen	Schotanus	VanderHam	Wilcox
Absent	Aye	Aye	Aye	Aye

7. Review and consider action to approve draft 2023 Temporary Emergency Recharge and Wetlands Habitat Benefit Program.

Due to the extremely wet conditions, Executive Director Jackson indicated that by putting this temporary policy in place, landowners are encouraged to bring in surface water to their property. Credits will then be applied to BasinSafe for later use.

On the motion of Director Wilcox and seconded by Director Schotanus, the Board voted to adopt the temporary program for 2023 after striking item 5(a). The Board voted as follows:

Magden	Hansen	Schotanus	VanderHam	Wilcox
Absent	Aye	Aye	Aye	Aye

8. Review and consider action to approve the fee and scope of work for Thomas Harder & Co. for the Tule Subbasin 2023 model update.

Executive Director Jackson indicated this update would bring it current through 2022 and would be included in the 2025 GSP update. Total cost of \$364,800 will be shared by all GSAs. TCWA's portion is 13%.

On the motion of Director Schotanus and seconded by Director Hansen, the Board voted to approve the Thomas Harder & Co. scope of work and fee. The Board voted as follows:

Magden	Hansen	Schotanus	VanderHam	Wilcox
Absent	Aye	Aye	Aye	Aye

9. Receive legislative update from California Strategies and review Agreement for continuation of services.

Charles Watson provided a short summary of a select number of bills that have been introduced that relate to water in this legislative session. It is still early in the process and they will continue to monitor and report updates as they occur. Executive Director Jackson noted that this would be an important time to continue to engage in the services of California Strategies. With the high number of legislative bills relating to water being reviewed, it may be important for the Board to send letters in support or opposition to make the GSA's opinion heard.

The Board advised representatives from Cal Strategies to remain actively involved in the bills as they move through legislative review and to work closely with Executive Director Jackson in

reporting updates. The Board would like to continue to review the services performed by California Strategies and the cost on a regular basis.

COMMUNICATIONS/DISCUSSION ITEMS

10. Director's Reports/Comments/Suggestion

None.

11. Communications

None.

12. Reports of General Interest

a) Advisory Committee Update– Amer Hussain

Amer noted that the group had recently spent their time working on the 2023 Temporary Recharge Program approved by the Board at today's meeting. Their focus will now shift to working on the Multi-Benefit Agricultural Land Repurposing Program.

b) Tulare Lake Subbasin Update – Amer Hussain, Deanna Jackson

DWR determination on the July, 2022 GSP revisions were just released today. The subbasin was found to be Inadequate but more time is needed to read the report to get more specific information and to determine the next steps moving forward. It is known that there will be additional submissions allowed before a Probationary Hearing with the State Water Resources Control Board (SWRCB).

c) Tule Subbasin Update – Amer Hussain, Deanna Jackson

Same information as item 12(c) above. An important note is that the possible probationary status will not affect current or future grant funds.

d) Multi-Benefit Land Repurposing Grant Update – Deanna Jackson/Amer Hussain

Amer reviewed a timeline that was prepared to show the work that is going to be done to get a land following pilot program approved by the Board of Directors by March, 2024. It is a tight schedule and will require a lot of input from stakeholders.

e) Water Blueprint Update – Deanna Jackson/Geoff VandenHeuvel

The Hallmark Group has been hired to work with the Water Blueprint, with primary work being completed by Chuck Gardner. There have been many meetings held, especially in Southern California, and the Water Blueprint looks to build a strong coalition of stakeholders.

f) Legal Counsel Update – Jason Howard

Mr. Howard noted that the Governor's emergency order that allowed Directors to participate remotely has been lifted. Directors will need to plan on being present for meetings. Alternatives for Directors participating remotely are still available, but special planning will need to be done and the GSA should be notified as soon as possible in order to make that happen.

g) Other Updates, as appropriate

None.

CLOSED SESSION

13. **CLOSED SESSION** – The Board entered into Closed Session 2:54 p.m.
- a. Conference with agency designated representative, Chair VanderHam, on labor negotiations regarding the following positions [Govt. Code 54957.6]:
 - i. Executive Assistant
 - ii. Executive Director
 - b. Conference with Legal Counsel regarding potential litigation
Anticipated Litigation [Govt. Code Section 54956.9(d)(4)] (2 potential cases)

14. **RETURN TO OPEN SESSION**

The Board returned to Open Session at 3:42 p.m. The Board authorized a merit increase to the Executive Assistant and Executive Director effective March 1, 2023.

ADJOURNMENT

15. There being no further business to come before the Board on the occasion of the March 2, 2023, meeting, Chair VanderHam adjourned the meeting at 3:44 p.m. until the next Regular Meeting to be held on May 4, 2023, 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