

# TRI-COUNTY WATER AUTHORITY

## SPECIAL BOARD MEETING

### MINUTES

July 17, 2023

The Board of Directors of Tri-County Water Authority met in the second-floor conference room, 944 Whitley Avenue, Corcoran, California, on Monday, July 17, 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  
Michael Nordstrom

**DIRECTORS ABSENT:** Wade Magden

**OTHERS PRESENT:** Deanna Jackson, Executive Director  
Staci Wilkins, Board Secretary  
Jason Howard, McCormick Barstow  
Amer Hussain, Geosyntec  
Geoff VandenHeuvel, California Milk Producers  
Susan Long, Tule Land Trust  
Charles Watson, California Strategies  
Rusty Areias, California Strategies  
David Armanasco, California Strategies  
Gabriel Gaeta, Six-33 Solutions  
David Finney, Geosyntec  
Kayode Kadara, Allensworth Community  
Kathy Wood McLaughlin  
Don Wright  
Jesus Rodriguez  
Nicole Bonna, Manulife

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

It was announced that agenda item #7 was going to be removed from the action items for this meeting and added to a future agenda.

**PUBLIC COMMENT** - None

**CONSENT CALENDAR**

- 1. Minutes of the Regular Board Meeting held on May 4, 2023.
- 2. Warrants and Finances (04/18/2023 – 07/06/2023)

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

Magden	Nordstrom	Schotanus	VanderHam	Wilcox
Absent	Aye	Aye	Aye	Aye

**ACTION AGENDA**

- 3. Consider for adoption Resolution 23-02 **A RESOLUTION OF THE TRI-COUNTY WATER AUTHORITY APPROVING THE LEVYING OF 2024 ASSESSMENTS.**

On the motion of Director Nordstrom and seconded by Director Wilcox, the Board voted to adopt Resolution 23-02. The Board voted as follows:

Magden	Nordstrom	Schotanus	VanderHam	Wilcox
Absent	Aye	Aye	Aye	Aye

- 4. Consider for adoption Resolution 23-03 **A RESOLUTION OF THE TRI-COUNTY WATER AUTHORITY CERTIFYING TO THE COUNTY OF TULARE THE VALIDITY OF THE LEGAL PROCESS USED TO PLACE DIRECT CHARGES (SPECIAL ASSESSMENTS) ON THE SECURED TAX ROLL.**

On the motion of Director Schotanus and seconded by Director Nordstrom, the Board voted to adopt Resolution 23-03. The Board voted as follows:

Magden	Nordstrom	Schotanus	VanderHam	Wilcox
Absent	Aye	Aye	Aye	Aye

- 5. Consider for adoption Resolution 23-04 **A RESOLUTION OF THE TRI-COUNTY WATER AUTHORITY AUTHORIZING THE COUNTY OF KINGS TO PLACE THE SPECIAL ASSESSMENT ON THE 2023-2024 TAX ROLL AND CERTIFYING TO THE COUNTY OF KINGS THE VALIDITY OF THE LEGAL PROCESS USED TO PLACE DIRECT CHARGES (SPECIAL ASSESSMENTS) ON THE SECURED TAX ROLL.**

On the motion of Director Wilcox and seconded by Director Schotanus, the Board voted to adopt Resolution 23-04. The Board voted as follows:

Magden	Nordstrom	Schotanus	VanderHam	Wilcox
Absent	Aye	Aye	Aye	Aye

- 6. Consider for adoption Resolution 23-05 **A RESOLUTION OF THE TRI-COUNTY WATER AUTHORITY APPROVING THE LEVYING OF 2024 PUMP FEE.**

On the motion of Director Schotanus and seconded by Director Wilcox, the Directors voted to adopt Resolution 23-05. The Board voted as follows:

Magden	Nordstrom	Schotanus	VanderHam	Wilcox
Absent	Aye	Aye	Aye	Aye

- Review and consider approval authorizing staff to submit a **90-day Notice of GSP Amendment to the County and Cities pursuant to Water Code Section 10728.4.**

This item was removed from the agenda at the start of the meeting. It will be added to a future agenda for consideration.

- Review and consider action(s) regarding the **assessment of 2023 first quarter groundwater extraction fees in consideration of flood water impact within TCWA boundary.**

First quarter groundwater extraction fee invoices were due to be issued in May. However, due to the flood conditions for 2023, invoices were delayed until the July meeting when Executive Director Jackson could report on what effect the additional water had on the Land IQ data entered into BasinSafe. It was determined that the effects of the flood negated any consumption that would have occurred during the first quarter.

On the motion of Director Schotanus and seconded by Director Wilcox, the Directors voted to not issue any invoices for 2023 first quarter groundwater extraction. The Board voted as follows:

Magden	Nordstrom	Schotanus	VanderHam	Wilcox
Absent	Aye	Aye	Aye	Aye

- Review and consider **landowner credits in accordance with the TCWA Emergency Recharge Policy and set a final submission deadline.**

Geosyntec presented their recommendation for Emergency Recharge credits for the three applications that were submitted. Additionally, Amer Hussain stated that it was also their recommendation that TCWA create a formal recharge policy for the next water year, something which the Board agreed with.

On the motion of Director Wilcox and seconded by Director Nordstrom, the Directors voted to accept the recommendations for Emergency Recharge credits to be applied to the three landowner's BasinSafe accounts and to set a final application submission date for credits as September 30, 2023. The Board voted as follows:

Magden	Nordstrom	Schotanus	VanderHam	Wilcox
Absent	Aye	Aye	Aye	Aye

- Review policy and consider action to authorize staff to **set a date to conduct a Public Hearing on civil penalties for 2023 second quarter groundwater extraction under the Sustainable Groundwater Management Act (Water Code section 10732(a))**

Second quarter extraction fee invoices will be generated in August. Executive Director Jackson recommended that the required Public Hearing date be set to correspond with the next Board meeting on September 7, 2023.

On the motion of Director Wilcox and seconded by Director Schotanus, a Public Hearing will be held on Thursday, September 7, 2023, at 1:00 pm to review civil penalties for 2023 second quarter invoicing and staff is directed to send out notifications of the hearing to affected landowners. The Board voted as follows:

Magden	Nordstrom	Schotanus	VanderHam	Wilcox
Absent	Aye	Aye	Aye	Aye

11. Review policy and authorize staff to **set a date to conduct a Public Hearing in accordance with the Policy and Procedures for Collecting Delinquent Fees, Assessments, or Charges and to notify landowners with delinquent accounts of that Public Hearing.**

Executive Director Jackson noted that there are a small number of past-due accounts in Accounts Receivable that need to be reviewed by the Board for possible action. A Public Hearing needs to be scheduled to review the accounts prior to any action taken to collect outstanding amounts.

On the motion of Director Nordstrom and seconded by Director Schotanus, staff was directed to notify the affected landowners of a Public Hearing to be held on September 7, 2023, at 1:00 pm. The Board voted as follows:

Magden	Nordstrom	Schotanus	VanderHam	Wilcox
Absent	Aye	Aye	Aye	Aye

12. Review and consider action to **transfer additional funds to California CLASS.**

The Directors reviewed the return on funds invested in California CLASS in May, 2023. Due to the higher rate on the CLASS account versus the Local Agency Investment Fund (LAIF), there was discussion as to whether to move additional funds from LAIF to CLASS.

On the motion of Director Schotanus and seconded by Director Nordstrom, the Board authorized \$1.4 million to be moved from the LAIF account to the CLASS account immediately. The Board voted as follows:

Magden	Nordstrom	Schotanus	VanderHam	Wilcox
Absent	Aye	Aye	Aye	Aye

13. Review and consider approval of **Wellness Program Proposal for employees of Tri-County Water Authority.**

TCWA and Angiola Water District both received a \$200 grant through AWCA JPIA's Wellness Grant program. It was recommended by staff that the money be used toward the purchase of a treadmill for the office with any shortfall coming from the "Office Supplies" line item in the budget as a way to reduce stress and increase productivity.

On the motion of Director Wilcox and seconded by Director Schotanus, the Board voted to approve the purchase of a treadmill to be used by staff, with any additional funds needed coming from "Office Supplies". The Board voted as follows:

Magden	Nordstrom	Schotanus	VanderHam	Wilcox
Absent	Aye	Aye	Aye	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/Rusty Areias/Charles Watson  
The legislature is currently on summer recess and Cal Strategies has been working on setting up appointments for Executive Director Jackson to meet with SWRCB members. A handout was provided on the different bills being considered by the legislature this year with their current status. Many of the bills introduced this year are no longer under consideration. Bills remaining as of this date are AB560, AB676, and SB389.
  - b) Advisory Committee Update– Amer Hussain/Deanna Jackson
    - i. Allensworth update  
Amer Hussain and Executive Director Jackson reviewed the presentation recently given during a community meeting in Allensworth on the work being done with SGMA Round 1 grant funding, Multi-benefit Land Repurposing Grant funding, and other additional funding available to the community. The presentation was well-received and the community is looking forward to the improvements to be made.
  - c) Tulare Lake Subbasin Update  
SWRCB heard a recommendation in June for scheduling Probationary Hearings beginning in December, 2023, but no action has been taken yet to move forward on. It is anticipated that Tulare Lake Subbasin will be the first subbasin scheduled.
  - d) Tule Subbasin Update  
Same information as item above, with a possible hearing date in January, 2024, but no action has been taken yet. Executive Director Jackson noted that the subbasin GSA managers have been meeting and will be working on a more coordinated effort to meet the requirements of DWR.
  - e) Multi-Benefit Land Repurposing Grant Update – Susan Long  
Susan Long from the Tule Basin Land & Water Conservation Trust reported on the applications currently being accepted for the Ag Advisory Committee. They are looking for landowners within each GSA to participate in quarterly meetings to help shape plans within the subbasin for multi-benefit lands. Applications are due by August 31, 2023.

f) Water Blueprint Update – Deanna Jackson

A Bureau of Reclamation grant for \$1 million was recently received to integrate water projects and to try to keep water in the Valley and not going out to the ocean. A scoring process is in place.

g) Legal Counsel Update – Jason Howard

None.

h) Other Updates, as appropriate

None.

**CLOSED SESSION**

14. **CLOSED SESSION** – The Board entered into Closed Session at 2:51 p.m.

- a. Conference with Legal Counsel regarding potential litigation  
Anticipated Litigation [Govt. Code Section 54956.9(d)(4)] (3 potential cases)

15. **RETURN TO OPEN SESSION**

The Board returned to Open Session at 3:46 p.m. There was no reportable action taken.

**ADJOURNMENT**

16. There being no further business to come before the Board on the occasion of the July 17, 2023, meeting, Chair VanderHam adjourned the meeting at 3:46 p.m. until the next Regular Meeting to be held on September 7, 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