

# TRI-COUNTY WATER AUTHORITY

## REGULAR BOARD MEETING

### MINUTES

September 7, 2023

The Board of Directors of Tri-County Water Authority met in the second-floor conference room, 944 Whitley Avenue, Corcoran, California, on Thursday, September 7, 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  
Wade Magden  
Erik Hansen (alternate for Michael Nordstrom)

**DIRECTORS ABSENT:**

**OTHERS PRESENT:** Deanna Jackson, Executive Director  
Staci Wilkins, Board Secretary  
Jason Howard, McCormick Barstow  
David Cameron, HansonBridgett  
Amer Hussain, Geosyntec  
Steve Jackson  
Brett Stroud, Young Wooldridge  
Stacie Ann Silva, Altum Aqua Logic  
Rusty Areias, California Strategies  
David Finney, Geosyntec  
Dezaraye Bagalayos  
Kathy Wood McLaughlin  
Sebastian Silveira, Gladstone Farms

Chair VanderHam called the meeting to order at 1:05 p.m.

**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 May 4, 2023.

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

Magden	Hansen	Schotanus	VanderHam	Wilcox
Aye	Absent	Aye	Aye	Absent

2. Warrants and Finances (07/07/2023 – 08/28/2023)

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

Magden	Hansen	Schotanus	VanderHam	Wilcox
Aye	Absent	Aye	Aye	Absent

**PUBLIC HEARING**

3. A Public Hearing was held to discuss the assessment of Civil Penalties for the second quarter of 2023, pursuant to Water Code Section 10732.

The Public Hearing opened at 1:07 p.m. There were no comments received by landowners or their designees. The Hearing closed at 1:08 p.m.

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 opened at 1:08 p.m. There were no comments received by landowners or their designees. The Hearing closed at 1:09 p.m.

\* Directors Wilcox and Hansen arrived at 1:09 p.m.

**ACTION AGENDA**

5. Review and consider action(s) regarding **civil penalties under Water Code Section 10732 potentially applicable in the second quarter of 2023 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 affirm penalty statements mailed to landowners. The Board voted as follows:

Magden	Hansen	Schotanus	VanderHam	Wilcox
Aye	Aye	Aye	Aye	Aye

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

On the list of accounts presented to the Directors, two outstanding for 2018 Assessment Fees in the amounts of \$1,612.32 and \$520.00 are categorized as uncollectible by the office of M. Green & Co. They requested the Board vote to remove them from the Accounts Receivable Aging Summary. Executive Director Jackson noted that these are parcels passed down through generations with no current owner contact information available. Staff has attempted to collect

on these accounts. On the motion of Director Schotanus and seconded by Director Hansen, the Board voted to remove the amounts noted from Accounts Receivable. The Board voted as follows:

Magden	Hansen	Schotanus	VanderHam	Wilcox
Aye	Aye	Aye	Aye	Aye

The Board acted separately on the outstanding balances of two accounts in the amounts of \$36,533.27 and \$89,718.60. On the motion of Director Schotanus and seconded by Director Wilcox, the Board voted to affirm the amounts presented and to discuss further in Closed Session. The Board voted as follows:

Magden	Hansen	Schotanus	VanderHam	Wilcox
Aye	Aye	Aye	Aye	Aye

- Review and consider action to **approve the letter of engagement for special counsel with David Cameron of HansonBridgett.**

Executive Director Jackson reviewed the need for special counsel to guide the GSA through the Inadequate Determination process by DWR. David Cameron was introduced who then reviewed his qualifications.

On the motion of Director Schotanus and seconded by Director Wilcox, the Board voted to approve the letter of engagement with David Cameron. The Board voted as follows:

Magden	Hansen	Schotanus	VanderHam	Wilcox
Aye	Aye	Aye	Aye	Aye

- Review and consider action to **hold the contract for Tulare Lake Subbasin’s Annual Report preparation with Geosyntec and issue invoices to other GSAs for reimbursement.**

Similar to other expenses incurred for the Tulare Lake Subbasin, one GSA will hold the contract for the expenses of the 2024 Annual Report and then bill the other GSAs for reimbursement based on percentages in place and agreed upon by the Subbasin. On the motion of Director Wilcox and seconded by Director Hansen, the Board voted to hold the Geosyntec contract for the 2024 Annual Report and bill the remaining GSAs for reimbursement. The Board voted as follows:

Magden	Hansen	Schotanus	VanderHam	Wilcox
Aye	Aye	Aye	Aye	Aye

- Review and consider action to approve **contract with TKM Consulting for services provided relating to White River.**

Executive Director Jackson explained that there is additional work being done on White River conveyance by TKM Consulting that is not covered by either SGMA Round I or MLRP grant funding. On the motion of Director Hansen and seconded by Director Schotanus, the Board voted to approve the TKM Consulting contract for White River conveyance services. The Board voted as follows:

Magden	Hansen	Schotanus	VanderHam	Wilcox
Aye	Aye	Aye	Aye	Aye

10. Review and consider action approve a **Voluntary Land Fallowing Program**.

Executive Director Jackson noted that there are some landowners in the GSA that are seasonal growers. This program will allow a landowner to designate either an entire growing season or winter growing season when their land will be fallowed, resulting in no charges for ET reported during that time.

On the motion of Director Wilcox and seconded by Director Hansen, the Directors voted to approve the Voluntary Land Fallowing Program as presented. The Board voted as follows:

Magden	Hansen	Schotanus	VanderHam	Wilcox
Aye	Aye	Aye	Aye	Aye

**COMMUNICATIONS/DISCUSSION ITEMS**

11. Director’s Reports/Comments/Suggestion

None.

12. Communications

a) Water Blueprint – Executive Director Jackson reviewed the 2023 accomplishments for the Water Blueprint. The group has been active in securing funding for projects, meeting with elected officials and policy makers, and developing additional water supplies. The Hallmark Group has been instrumental in providing guidance to help develop and implement steps to achieve their goals and objectives.

13. Reports of General Interest

a) California Strategies Update –Rusty Areias

The legislature has returned from their recess and most bills relating to water are either dead or converted to 2-year bills. California Strategies will be available for any help needed to secure CAL-OES or FEMA funding for projects. They continue to work with Executive Director Jackson to set up meetings with members of the SWRCB.

b) Advisory Committee Update– Amer Hussain/Deanna Jackson

i. Allensworth update: Topography and boundary surveys are done, and the geotechnical analysis has been completed. The soil has been found to be sandier than expected, which is good for recharge, but that means there will have to be a lot more dirt brought in. The unknown is where will it come from.

c) Tulare Lake Subbasin Update – Amer Hussain

The hearing date has been delayed until the beginning of 2024. SWRCB is not prepared to send out the 90-day notices and State Board staff continues to hold meetings with the subbasins. Mr. Hussain reviewed the proposed “new” methodology being discussed among the GSAs as it relates to MTs, MOs, and water levels. The Well Mitigation Program and a map showing subsidence levels were also reviewed.

d) Tule Subbasin Update – Amer Hussain

Similar information as item above, with a hearing date in early 2024. Meetings with SWRCB staff are ongoing. Mr. Hussain stated that there will be a revised methodology used to determine MTs and a map was reviewed of the Representative Monitoring Sites within the subbasin and how the MTs have been adjusted due to subsidence.

e) Multi-Benefit Land Repurposing Grant Update – Deanna Jackson

No new information to report.

f) Water Blueprint Update – Deanna Jackson

Covered during the communication in agenda item 12a.

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 2:59 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 3:32 p.m. There was no reportable action taken.

\* Director VanderHam left the meeting at 3:32 p.m.

**ADJOURNMENT**

16. There being no further business to come before the Board on the occasion of the September 7, 2023, meeting, Vice Chair Wilcox adjourned the meeting at 3:34 p.m. until the Special Meeting to be held on October 5, 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