

TRI-COUNTY WATER AUTHORITY

REGULAR BOARD MEETING

MINUTES

January 4, 2024

The Board of Directors of Tri-County Water Authority met in the second-floor conference room, 944 Whitley Avenue, Corcoran, California, on Thursday, January 4, 2024, 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
Wade Magden
Michael Nordstrom

DIRECTORS ABSENT: Craig Andrew

OTHERS PRESENT: Deanna Jackson, Executive Director
Staci Wilkins, Board Secretary
Jason Howard, McCormick Barstow
Myron Schotanus, R&M Cattle Co.
Amer Hussain, Geosyntec
Steve Jackson, Next Gen Water
David Armanasco, California Strategies
Sebastian Silveira, Gladstone Farms
Susan Long, Tule Trust
Dan Vink, Six-33 Solutions
Alex Aretakis, Prosperity Farms
Don Wright, WaterWrights
Dusty Ference, Kings County Farm Bureau
John Gaugel, Wonderful Company
Mike Cuttone, Cuttone & Mastro
Gabe Gaeta, Six-33 Solutions

Chair VanderHam called the meeting to order at 1:03 p.m.

PUBLIC COMMENT - None

CONSENT CALENDAR

1. Minutes of the Regular Board Meeting held on November 2, 2023, and the Special Board Meeting held on December 7, 2023.
2. Warrants and Finances (10/24/2023 – 12/27/2023)

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

Andrew	Magden	Nordstrom	VanderHam
Absent	Aye	Aye	Aye

ACTION AGENDA

- Review and consider action to **appoint an at-large representative for the Southeast Management Area to the Board of Tri-County Water Authority.**

Executive Director Jackson noted that the at-large representative for the Southeast Management Area of the Tule Subbasin serves a 2-year term and that Myron Schotanus’ term expired on December 31, 2023. The Board heard from both individuals interested in the position, Myron Schotanus and Alex Aretakis. On the motion of Director Nordstrom and seconded by Director Magden, the Board voted to reappoint Myron Schotanus to a 2-year term through December 31, 2025. The Board voted as follows:

Andrew	Magden	Nordstrom	VanderHam
Absent	Aye	Aye	Aye

- Consider action to **elect Officers for calendar year 2024 per Bylaws Section 3.06(a).**

On the motion of Director Nordstrom and seconded by Director Magden, the Board approved the following individuals to serve as Officers for 2024: Chair – Cory VanderHam; Vice Chair – Craig Andrew; and Secretary/Treasurer – Staci Wilkins. The Board voted as follows:

Andrew	Magden	Nordstrom	Schotanus	VanderHam
Absent	Aye	Aye	Aye	Aye

- Consider action to **appoint a Director representative and alternate representative to the Tule Technical Advisory Committee.**

On the motion of Director Magden and seconded by Director Nordstrom, the Board reappointed Director Schotanus as the Director representative and Director Andrew as the alternate representative to the Tule Technical Advisory Committee. The Board voted as follows:

Andrew	Magden	Nordstrom	Schotanus	VanderHam
Absent	Aye	Aye	Aye	Aye

- Consider action to **approve the Tri-County Water Authority Financial Statements and Independent Auditor’s Report for the Year Ended December 31, 2022.**

Mr. Cuttone presented the Auditor’s Report and answered questions relating to the audit. On the motion of Director Schotanus and seconded by Director Nordstrom, the Board voted to approve the 2022 Audit Report as presented. The Board voted as follows:

Andrew	Magden	Nordstrom	Schotanus	VanderHam
Absent	Aye	Aye	Aye	Aye

7. Review and consider action to **approve the engagement letter with Cuttone & Mastro to perform the audit for year ended December 31, 2023.**

On the motion of Director Schotanus and seconded by Director Magden, the Board voted to approve the engagement letter with Cuttone & Mastro to perform the audit for year ended December 31, 2023. The Board voted as follows:

Andrew	Magden	Nordstrom	Schotanus	VanderHam
Absent	Aye	Aye	Aye	Aye

8. Consider action to **approve the 2024 Geosyntec Task Orders.**

Mr. Hussain reviewed the tasks needing completion in 2024 and answered questions. On the motion of Director Nordstrom and seconded by Director Magden, the Board voted to approve the 2024 Geosyntec Task Orders as presented. The Board voted as follows:

Andrew	Magden	Nordstrom	Schotanus	VanderHam
Absent	Aye	Aye	Aye	Aye

9. Review and consider action to **authorize staff to set a Public Hearing date to review the GSP revisions to the Tule Subbasin GSP.**

Executive Director Jackson noted that the Tule Subbasin was working hard to complete revisions to the GSPs with plenty of time for State Board Members to review prior to the Probationary Public Hearing anticipated in September. TCWA’s prior Public Hearing notice date had expired and a new date was needed so that notices could be sent out. On the motion of Director Nordstrom and seconded by Director Schotanus, the Board voted to set a Public Hearing for the TCWA special meeting on April 4, 2024, to review GSP revisions for the Tule Subbasin. The Board voted as follows:

Andrew	Magden	Nordstrom	Schotanus	VanderHam
Absent	Aye	Aye	Aye	Aye

10. Review and consider **authorizing staff to send updated 90-day Notices of GSP Amendments to the County and Cities pursuant to Water Code Section 10728.4 for Tule Subbasin.**

Notices for the April 4, 2024, Public Hearing at TCWA’s Board meeting need to be sent to Tulare County and the Allensworth Community Services District. On the motion of Director Schotanus and seconded by Director Magden, the Board directed staff to send the required notices for a Public Hearing on the Tule GSP revision on April 4, 2024. The Board voted as follows:

Andrew	Magden	Nordstrom	Schotanus	VanderHam
Absent	Aye	Aye	Aye	Aye

11. Review and consider approval of **response to comment letter issued by Lower Tule and Pixley ID.**

Executive Director Jackson briefly reviewed the need for TCWA to issue a response letter to the State Water Resources Control Board relating to a comment letter submitted by Lower Tule and Pixley ID during the comment period for the Tulare Lake Subbasin. On the motion of Director

Nordstrom and seconded by Director Schotanus, the Board approved the letter as presented with one change to the last paragraph on page 1. The Board voted as follows:

Andrew	Magden	Nordstrom	Schotanus	VanderHam
Absent	Aye	Aye	Aye	Aye

COMMUNICATIONS/DISCUSSION ITEMS

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

13. Communications
None.

14. Reports of General Interest

a) California Strategies Update – David Armanasco

The legislature is just returning to work after their winter break so there is no update on legislative bills yet. They continue to work with Executive Director Jackson to set up meetings with members of the SWRCB.

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

The Probationary Hearing with the State Board remains on April 16. TCWA continues to hope to receive exclusion from probation with the “Good Actor” clause in the law but are unsure. Since Tulare Lake Subbasin is the first to go through this process, the State is figuring things out as they go.

A meeting was held on January 3 and some of the information reviewed by State staff is confusing and sometimes opposite of what has been discussed previously.

The plan is to have a draft of the revised GSP completed by the end of January when GSA Board reviews will begin. Any modifications or changes will be worked out with final submission to the State Board by mid-March.

c) Tule Subbasin Update – Amer Hussain/Deanna Jackson

The Tule Subbasin is working on finalizing subsidence SMCs, selecting additional RMS wells, implementing a Well Registration Program, and a Well Mitigation Policy. Both Mr. Hussain and Executive Director Jackson noted that there is disagreement amongst the GSAs on subsidence, depending on the type and location, and how different land uses and infrastructure are affected. There is focused attention on the western side of the subbasin and the cause of subsidence.

Following the most recent State Board meeting, it is anticipated that the Tule Subbasin Probationary Hearing will likely be held in September. The goal is to get the revised GSPs to Sacramento as early as April and through July to allow State Board ample time to review.

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

Mr. Hussain noted that they will be making contact with Angiola Water District (the owner of the land for the Allensworth project) for a new point-of-contact person.

e) Update on new management area – Deanna Jackson

Tulare County has placed the updated MOU on their agenda for January 9. Once accepted by the Board of Supervisors, TCWA will be able to incorporate the parcels into their BasinSafe program, issue user IDs and passwords for login, and allocate water credits.

f) Legal Counsel Update – Jason Howard

None.

g) Other Updates, as appropriate

None.

CLOSED SESSION

15. **CLOSED SESSION** – The Board entered into Closed Session at 2:19 p.m.

a. Conference with Legal Counsel regarding potential litigation

Anticipated Litigation [Govt. Code Section 54956.9(d)(4)] (3 potential cases)

16. **RETURN TO OPEN SESSION**

The Board returned to Open Session at 2:40 p.m. There was no reportable action taken.

ADJOURNMENT

17. There being no further business to come before the Board on the occasion of the January 4, 2024, meeting, Chair VanderHam adjourned the meeting at 2:40 p.m. until the Special Meeting to be held on February 1, 2024, 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