



*EASTERN TULE  
GROUNDWATER  
SUSTAINABILITY  
AGENCY  
JOINT POWERS  
AUTHORITY*

**MINUTES OF THE  
BOARD OF DIRECTORS  
MEETING HELD FEBRUARY 2, 2023**

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At approximately 2:00 p.m. on February 2, 2023, Chairman Eric Borba called to order the meeting of the Board of Directors of the Eastern Tule Groundwater Sustainability Agency Joint Powers Authority (“ETGSA”). Consistent with social distancing directives, there was no physical location for the meeting.

Members Present:      Eric Borba                                  John Corkins  
                                 Steve Kisling                                 Matthew Leider  
                                 Don Weyhrauch                               Dyson Schneider  
                                 Dennis Townsend                              Geoffrey Galloway  
                                 Vanessa Yap

Members Absent:      Curt Holmes

Others Present:        Aubrey Mauritson                               Rogelio Caudillo  
                                 Nick Keller                                         Andrew Hart  
                                 Bill Bennett                                         David De Groot  
                                 Dan Howes     Joel Kimmelshue  
                                 Mike Knight     Dalee Chang  
                                 Patrick O’Connell                                    Tien Tran

**ROLL CALL**

General Manager Caudillo called the roll as follows:

Director Townsend  
Alt. Director Yap  
Director Leider  
Director Galloway  
Director Corkins  
Director Weyhrauch  
Director Schneider  
Director Kisling  
Chairman Borba

**PUBLIC COMMENT**

Chairman Borba announced the public comment period. The Board received comment from Patrick O’Connell.

## ANNOUNCEMENTS

Chairman Borba announced that ETGSA board meeting locations will return to the City of Porterville, Council Chambers, next month. Joel Kimmelshue from Land IQ provided an update on the ongoing study with Booth Ranches. Mr. Kimmelshue also announced that a web tool is now available specifically for citrus.

## CONSENT CALENDAR

General Manager Caudillo referred the Board to Agenda Items 4a – 4d on the Consent Calendar portion of the agenda. General Manager Caudillo reported the Independent Auditor’s Report was not ready for approval, and as a result it was removed from the consent calendar. A copy of the Minutes of the January 5, 2023, Board Meeting is attached as Agenda Item #4a. A copy of Resolution 2021-6 Re: Public Teleconference Meetings is attached as Agenda Item #4b. A copy of the financial statements is attached as Agenda Item #4c.

Director Corkins moved to approve Items 4a through 4c. Director Weyhrauch seconded, and the motion was unanimously carried by way of the following roll call vote:

### In Favor:

Director Townsend  
Alt. Director Yap  
Director Leider  
Director Galloway  
Director Corkins  
Director Weyhrauch  
Director Schneider  
Director Kisling  
Chairman Borba

Opposed: None.

## ADMINISTRATION

### Review and Consider Approval of Proposal for ITRC-METRIC ETc/Land IQ ETc Comparison

General Manager Caudillo reported on the Proposal for ITRC-METRIC ETc/Land IQ ETc Comparison. Attached hereto and incorporated by reference as Agenda Item #5a is a copy of the Proposal. Dan Howes provided a report on the Proposal.

Discussion ensued. Director Kisling reported the Finance Committee recommends for the two years option.

Director Corkins moved and Director Leider seconded to approve the Proposal and enter in the agreement for two years as presented in the agenda packet. The motion was unanimously carried, by way of the following roll call vote:

In Favor:

Director Townsend  
Alt. Director Yap  
Director Leider  
Director Galloway  
Director Corkins  
Director Weyhrauch  
Director Schneider  
Director Kisling  
Chairman Borba

Opposed: None.

Review and Consider Approval of Draft ETGSA Scope of Work & Budget for MLRP Grant

This matter was tabled.

Consider approval of ETGSA Resolution: LandFlex Grant

General Manager Caudillo referred the board to Agenda Item #5c, a copy of Resolution 2023-01, approving the ETGSA's application for the LandFlex Grant.

Director Corkins moved and Director Townsend seconded to approve Resolution 2023-01.

Discussion ensued.

Public comment was received from Tien Tran.

Discussion continued.

The board approved the motion by way of the following vote:

In Favor:

Director Townsend  
Alt. Director Yap  
Director Leider  
Director Galloway  
Director Corkins  
Director Weyhrauch  
Director Schneider  
Director Kisling  
Chairman Borba

Opposed: None.

### Report from 4Creeks on ETGSA Accounting and Invoicing

Consulting Engineer De Groot provided a report on accounting and invoicing. Mr. De Groot advised that all groundwater extraction fees for Water Year 2023 have been sent out and that the collection process is underway. Mr. De Groot also noted that invoices for the 4<sup>th</sup> quarter of Water Year 2022 have been sent, but that more data is needed in order to complete invoices for the 1<sup>st</sup> Quarter of Water Year 2023.

Mr. De Groot also advised that the water market board is still available. He noted that, currently, there are 186,000 BasinSafe accounts, with 134,000 acres enrolled. A total of 153 accounts have opted out, and 8 parcels, comprising approximately 2,000 acres, are fallowed parcels.

### STAKEHOLDER OUTREACH AND COMMUNITY ENGAGEMENT

#### Report on Ongoing ETGSA Outreach Efforts

General Manager Caudillo provided a report on ongoing outreach efforts and upcoming events. A copy of his report is attached as Agenda Item #6a and incorporated by reference.

### REPORTS FROM COMMITTEES

#### Receive Report from Stakeholder Committee

General Manager Caudillo provided a report, a copy of which is attached as Agenda Item #7a.

#### Receive Report from the Finance Committee

General Manager Caudillo provided a report, a copy of which is attached as Agenda Item #7b. He noted the Finance Committee met immediately before the board meeting today.

### TULE SUBBASIN AND REGIONAL REPORTS AND ITEMS

#### Report on Tule Subbasin Coordination and TH&Co Task Items

General Manager Caudillo provided a report on Tule Subbasin Coordination and TH&Co Task Items. Attached hereto and incorporated by reference as Agenda Item #8a is a copy of the report.

### CLOSED SESSION

#### CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

[Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(d)(2)]

Number of Potential Cases: Four

The Board of Directors, while in closed session pursuant to Government Code Section 54956.9(d)(2), met with General Counsel Aubrey Mauritson regarding four potential items of anticipated litigation.

CLOSED SESSION ITEMS

Report Action Taken in Closed Session Required by Government Code 54957.1

Chairman Borba announced that there was no reportable action from closed session.

NEXT MEETING DATE

Next Regular Meeting – Thursday, March 2, 2023, at 2:00 p.m.

The next regular meeting of the Board of Directors of the ETGSA Joint Powers Authority shall be held on March 2, 2023, at 2:00 p.m.

ADJOURNMENT

There being no further business before the Board, Chairman Borba adjourned the meeting.

Respectfully submitted,

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Rogelio Caudillo, General Manager