

Meeting Minutes

Regular Board of Directors Meeting Of the East Turlock Subbasin Groundwater Sustainability Agency

February 23, 2023, 9:00 a.m.

Held in person and made available to public on Zoom

1. CALL TO ORDER AND INTRODUCTION OF BOARD MEMBERS

Chairman Ward Burroughs called the meeting to order at 9:02 a.m.

Board Members Present to Vote: Roll Call- Chairman, Ward Burroughs (Eastside Water District), Matt Beaman (Merced Irrigation District–Alternate), Christy McKinnon (Stanislaus County–Alternate), Lloyd Pareira (Merced County), and Vice-Chair Dirk Ulrich (Ballico Cortez Water District).

Board Member Alternates Present: Lacey McBride (Merced County-Alternate), Treasurer, Tim Johnson (Eastside Water District-Alternate), and Dennis Yotsuya (Ballico Cortez Water District-Alternate).

Board Members Absent: Vito Chiesa (Stanislaus County), and Hicham El-Tal (Merced Irrigation District).

2. PUBLIC COMMENT PERIOD

None.

3. SWEARING IN OF NEW BOARD MEMBER

Legal Counsel Jessica Johnson swore in Alternate Lacey McBride representing Merced County, replacing Rodrigo Espinoza effective February 23, 2023.

4. CONSENT AGENDA

Each of the items on the consent agenda were acted on separately.

- a. Member Lloyd Pareira moved, seconded by Member Dirk Ulrich to approve the minutes of the January 26, 2023 East Turlock Subbasin Groundwater Sustainability Agency regular board meeting. **The motion passed unanimously.**
- b. Member Lloyd Pareira moved, seconded by Alternate Member Matt Beaman to authorize the General Manager or his Designee to sign well consistency determination documents. And whoever does not sign the documents will review the documents for quality control purposes. **The motion passed unanimously.**
- c. Member Dirk Ulrich moved, seconded by Member Lloyd Pareira to amend the Conflict of Interest Code, which was to remove Disclosure Category 2 for the Secretary, since the secretary does not make real property decisions, and authorize the board chairman to sign the Chief Executive Officer Declaration, stating that this agency, the ETS GSA, has fulfilled all its requirements in providing a comment period to amend the Conflict of Interest Code. **The motion passed unanimously.**

5. TREASURY REPORT AND PAYMENT OF BILLS

There were also questions and discussion about who reviews the invoices. The board asked that invoices be emailed to them before meetings for their review. Staff stated they would also

present an outline at the March board meeting of how invoices are reviewed at the staff level. Following the discussion, Alternate Member Matt Beaman moved, seconded by Member Dirk Ulrich to accept the Treasury Report and approve the payment of bills for February 2023, and to the ETS GSA's accountant's recommendation to: continue a separate Loan Fund account, a separate Prudent Reserve account, and move all ISA accounts into a single General Fund account. **The motion passed unanimously.** The secretary noted that the ISA accounts would continue to be tracked and reported monthly on a spreadsheet.

6. CHANGE REQUEST FOR FORMATION ENVIRONMENTAL GENERAL MANGER/COORDINATOR CONTRACT

Member Dirk Ulrich moved, seconded by Alternate Member Matt Beaman to approve a budget change request from Formation Environmental for General Manager/Coordinator and related services in accordance with the mid-year budget reconciliation presented during the January board meeting in the amount not to exceed fifty-nine thousand dollars (\$59,000.00). **The motion passed unanimously.**

7. CHANGE REQUEST FOR PROVOST & PRITCHARD GROUNDWATER MONITORING CONTRACT

Member Lloyd Pareira moved, seconded by Member Dirk Ulrich to approve a budget request from Provost and Pritchard to add additional groundwater monitoring services in the amount not to exceed thirteen thousand nine hundred dollars (\$13,900.00). **The motion passed unanimously.**

8. GROUNDWATER SUSTAINABILITY PLAN (GSP) IMPLEMENTATION PLANNING AND UPDATES

Mike Tietze, GSA Coordinator/General Manager presented the following:

- a. Gave a brief review of the proposed schedule for implementation of activities through July 2023. **This item is information only.**
- b. Reviewed the March 7 Workshop agenda and a draft presentation. **This item is information only.**
- c. The General Manager shared the workshop outreach schedule and different types of outreach they were doing, such as postcards, a newsletter, editorial, and email blasts. **This item is information only.**
- d. Grant Activities:
 - The SGMA Implementation Grant-82 applications were received requesting \$780 million. Preliminary award posting in June.
 - The Multi Benefit Land Repurposing (MLRP) Block Grant from the Department of Conservation has opened Round 2 of a funding opportunity. Applications are due March 29, 2023. A GSA must submit the grant proposal. Eastside Water District supports this grant. **This item is information only.**
- e. The next groundwater monitoring is scheduled for mid-March. **This item is information only.**
- f. Discussion of policies to promote surface water usage: There was a brief discussion about developing a committee to create preliminary policies and actions for recharge. **This item is information only.**
- g. Discussion of Mustang Creek, Dry Creek and Sand Creek discharge monitoring and management: Provost and Pritchard are performing a study on flows that needs to be determined before policies to promote surface water usage can begin. **This item is information only.**

9. LEGAL COUNSEL REPORT

- a. Water Accounting Framework: There will be information to discuss in closed session. **This item was information only.**
- b. Legislative: There were three water rights legislation bills that were announced that weaken water rights: AB460, AB1337, and SB389. **This item was information only.**

10. COMMENTS FROM THE BOARD

Board Members may provide a brief report on notable topics of interest. The Brown Act does not allow discussion or action by the Legislative Body.

There were no comments from the board.

Chairman Ward Burroughs closed the Regular Session at 11:39 a.m.

11. CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION

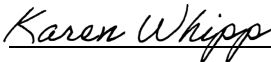
Chairman Ward Burroughs opened Closed Session at 11:40 a.m. Board members and staff had conference with legal counsel regarding significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9: (1 case). No reportable action was taken coming out of closed session. Chairman Ward Burroughs adjourned Closed Session at 11:52 a.m.

ADJOURNMENT

Chairman Ward Burroughs reconvened the Regular Session at 11:52 a.m.
Chairman Ward Burroughs adjourned the February 23, 2023 meeting at 11:53 a.m.

I hereby certify that this is a full and correct copy of the minutes of the Board of Directors of the East Turlock Subbasin Groundwater Sustainability Agency of Merced and Stanislaus Counties, California.

February 23, 2023



KAREN L. WHIPP

EAST TURLOCK SUBBASIN GROUNDWATER SUSTAINABILITY AGENCY
BOARD SECRETARY