

Agenda Vandalia Water District

June 3, 2024, 10:15 a.m.
Tea Pot Dome Water District Office
105 W. Teapot Dome Ave.
Porterville, Ca. 93257

Type of meeting:

Board of Directors

Attendees:

Agenda topics

Closed Session

- Possible adjournment to closed session to confer with counsel on pending or threatened litigation in accordance with Government Code Section 54956.9(B) (one case)

** If Necessary

Open Session (11:00)

- Agenda Approval – **Action Item**
- Minutes of May 15, 2024 – **Action Item**

- Public Comment

Pursuant to Government Code Section 54954.3, members of the public may directly address the members of the Board of Directors on any item of interest to the public within the Board of Director's subject matter jurisdiction before or during the Board of Director's consideration of the item. Public comment times may be limited to three minutes each at the discretion of the Chair.

Administration/Financial Statement/Bills

- Treasurer's Report & Bills to approve– **Action Item**
- Resolution 2024-6-1 – Setting the 2025 Assessment rates – **Action Item**

Water Operations

- Water delivery reports
- SGMA – East Tule GSA
 - Amended JPA – **Action Item**
 - Resolution 2024-6-2 – Resolution considering Vandalia Water District intention to withdraw from ETGSA and become a Groundwater Sustainability Agency – **Action Item**

Company Operations & Maintenance

- Operations & Maintenance report

Other

- Tule River Association

Meetings Hearings and Notices

A person with a qualifying disability under the Americans with Disabilities Act of 1990 may request the District to provide a disability-related modification or accommodation in order to participate in any public meeting of the District. Such assistance includes appropriate alternative formats for the agendas and agenda packets used for any public meetings of the District. Requests for such assistance and for agendas and agenda packets shall be made in person, by telephone, facsimile, or written correspondence at the office of Vandalia Water District, at least 48 hours before a public Authority meeting.

**MINUTES OF THE MEETING OF THE
BOARD OF DIRECTORS OF THE
VANDALIA WATER DISTRICT**

The Board of Directors of Vandalia Water District met at 10:15 a.m. on the 15th day of May 2024 at the Tea Pot Dome Water District office in Porterville, CA. The meeting was called to order, and it was determined that the following Directors were in attendance:

<u>BOARD MEMBER ATTENDANCE</u>		<u>TERM EXPIRES</u>
STEVE MEIER	Present	November 2024
RICHARD JOB	Present	November 2026
JIM ZIMMERMAN	Present	November 2024
DYSON SCHNEIDER	Present	November 2024
MIKE BENNETT	Present	November 2026

Also present were Lower Tule River Irrigation District representatives ERIC LIMAS, MIKE BATTLES, KIRK MASTERS, MARK GREENALL, and JOHN MICHAEL DOMONDON. Present via videoconference were General Counsel ALEX PELTZER and Special Counsel JENNIFER SPALLETA.

1. CLOSED SESSION

The Board joined a closed session with Tea Pot Dome Water District at approximately 10:15 a.m. Upon reconvening into an open session, it was reported that no reportable action was taken during the closed session.

2. BOARD ADMINISTRATION

President MEIER called the meeting to order.

On a motion by Director JOB, second by Director BENNETT, and unanimously approved, the agenda was approved.

On a motion by Director BENNETT, second by Director JOB and unanimously approved, the minutes of the April 10, 2024, board meeting were approved as presented.

3. ADMINISTRATION/FINANCIAL STATEMENT/BILLS

Lower Tule River Irrigation District representative GREENALL reviewed the treasurer's report and bills paid for April. On motion by Director SCHNEIDER, second by Director ZIMMERMAN, and unanimously approved, the bills paid were approved, and the treasurer's report was ordered and placed in file.

4. WATER OPERATIONS

DOMONDON reviewed the current water conditions, water operations, water supply, and Success Reservoir monthly water deliveries for April. No action was taken.

DOMONDON, Manager LIMAS, and Director SCHNEIDER reviewed activities in the East Tule GSA related to the Sustainable Groundwater Management Act. Also presented was the East Tule GSA Amended JPA. No action was taken.

5. OPERATIONS AND MAINTENANCE

Lower Tule River ID representative BATTLES reviewed operations and maintenance activities, including water-related duties and general maintenance. The crystal ditch cleanup was also discussed. No action was taken.

6. OTHER

Manager LIMAS reviewed the SREP progress and activities. No action was taken.

There being no further business to be brought to the Board's attention, the meeting was adjourned.

Respectfully submitted,

Eric Limas

VANDALIA WATER DISTRICT

Resolution 2024-6-1

WHEREAS, the Board of Directors finds that an assessment should be levied to lands within the District boundaries and should be levied for the purpose of funding the operations and maintenance of the District under Water Code Section 35670.

WHEREAS, the Board of Directors approved an engineer's report and authorized an election of landowners, pursuant to Proposition 218, that was held July 12, 2023, for a change in the assessment process and the amount and nature of the assessment charged to landowners, and

WHEREAS, a public hearing was held at 10:30 am on July 12, 2023 and after a count of the ballots, the election of the landowners passed, and

WHEREAS, the new assessment structure, approved in the election, includes charges for: up to 50% of the annual District Operating Budget, capped at \$245/acre, with annual CPI adjustments based on the All US Cities Average CPI, and,

WHEREAS, the Board of Directors finds that unpaid water and other services should be collected as part of the assessment levied as provided under Water Code Section 36726(c).

WHEREAS, the Board of Directors finds that a notice of delinquency and impending sale should be published in a local newspaper under Section 36951.

WHEREAS, the Board of Directors finds that on the day fixed for the sale in the published notice, the collector shall sell to the district the whole amount of each parcel of property separately, assessed upon which the assessments remain unpaid for the amount of such assessment and penalty thereon under Section 36954.

NOW, THEREFORE, BE IT RESOLVED that there be and there is hereby levied on all lands within the VANDALIA WATER DISTRICT for the 2025 assessment year an assessment rate of \$_____ per acre with a minimum assessment of \$20.00 on each separately assessed parcel of land, and said levy is hereby declared to be and is made the annual assessment upon all lands within the said District, and that the Directors of the District be, and they are hereby, directed to perform each and every act necessary and proper as required by Law, for the collection of said assessment.

BE IT FURTHER RESOLVED, that water and other services unpaid as of July 1, 2024, will be added to assessments.

BE IT FURTHER RESOLVED, that first installment will be delinquent if unpaid after December 20, 2024, and the second installment will be delinquent if unpaid after April 21, 2025.

BE IT FURTHER RESOLVED, that a notice of delinquency and impending sale will be published in the Porterville Recorder as soon as possible after the assessment delinquency date.

BE IT FURTHER RESOLVED, that Certificates of Sale shall be processed on June 23, 2025; and the interest rate for redemption shall be 9% per year from the date of sale, but not less than three-fourths of 1% for any portion of a month under Water Code Section 37150 (a).

Steve Meier, President
Vandalia Water District

Eric Limas, Secretary

Vandalia Water District

ATTEST:

Eric Limas, Secretary

I, Eric Limas, Secretary to the Board of Directors of the Vandalia Water District, hereby certify that the foregoing Resolution was introduced at a regular meeting of the Board of Directors of said District, held on the 3rd day of June, 2024, and was adopted at that meeting by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

Eric Limas, Secretary
to the Board of Directors of
Vandalia Water District

VANDALIA WATER DISTRICT

RESOLUTION NO. 2024-06-2

RESOLUTION OF THE VANDALIA WATER DISTRICT DECLARING ITS INTENTION TO WITHDRAW FROM THE EASTERN TULE GROUNDWATER SUSTAINABILITY AGENCY AND TO INITIATE THE PROCESS TO BECOME A GROUNDWATER SUSTAINABILITY AGENCY UNDER THE SUSTAINABLE GROUNDWATER MANAGEMENT ACT FOR THE PORTIONS OF THE TULE SUBBASIN WITHIN THE BOUNDARIES OF THE DISTRICT

WHEREAS, on September 16, 2014, Governor Jerry Brown signed into law Senate Bill 1168 and 1319 and Assembly Bill 1739, known collectively as the Sustainable Groundwater Management Act (SGMA). SGMA went into effect January 1, 2015; and

WHEREAS, SGMA requires all high and medium priority groundwater basins, as designated by the California Department of Water Resources (DWR) Bulletin 118, to be managed by Groundwater Sustainability Agencies (GSAs). The Tule Subbasin has been designated by DWR as a high priority basin; and

WHEREAS, Water Code section 10723(a) authorizes a local agency with water supply, water management or local land use responsibilities, or a combination of local agencies, overlying a groundwater basin to elect to become a GSA under SDMA; and

WHEREAS, the Vandalia Water District, formed pursuant to Division 10 of the Water Code of the State of California, is therefore eligible to serve as a GSA within the Tule Subbasin; and

WHEREAS, Vandalia Water District, together with other public agencies within the Tule Subbasin, formed the Eastern Tule Groundwater Sustainability Agency ("ETGSA") for the purpose of serving as GSA for the areas with the jurisdiction of the member agencies; and

WHEREAS, the ETGSA has adopted a Groundwater Sustainability Plan ("GSP") with provisions that apply to the lands within the Vandalia Water District; and

WHEREAS, Vandalia Water District now wishes to withdraw from ETGSA and exercise the powers and authorities of a GSA granted by SGMA through the Water Code directly instead of as a member of ETGSA by withdrawing from ETGSA and constituting its own GSA;

The Joint Powers Agreement by which the ETGSA was formed provides that any Member agency may withdraw from the ETGSA by providing written notice of intent to withdraw; any such notice provided will result in withdrawal being effective 180 days after written notice is provided to the other Member agencies.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE VANDALIA WATER DISTRICT does hereby resolve, declare and order as follows:

1. The General Manager of the Vandalia Water District is hereby authorized and directed to provide written notice of the intent to withdraw pursuant to the provision of the ETGSA Joint Powers Agreement.
2. The General Manager and legal counsel of the Vandalia Water District is hereby authorized and directed commence the process provided for under SGMA for Vandalia Water District to be recognized as the exclusive Groundwater Sustainability Agency for the lands within the jurisdiction of the Vandalia Water District, with such recognition to be effective upon the effective date of the withdrawal of Vandalia Water District from the ETGSA JPA.
3. The General Manager of the Vandalia Water District is further authorized and directed to prepare for the conversion of the existing provisions of the ETGSA GSP that pertain to Vandalia Water District lands into a standalone Groundwater Sustainability Plan or a management area of a joint Groundwater Sustainability Plan with one or more cooperating GSAs, with the intent that the converted GSP may go into effect immediately upon or as soon as practical after the withdrawal of Vandalia Water District from the ETGSA.

All the foregoing being on motion of Director _____, seconded by Director _____, and authorized by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

I HEREBY CERTIFY that the foregoing resolution is the resolution of said District as duly passed and adopted by said Board of Directors on the ____ of _____, 2024

WITNESS my hand and seal of said Board of Directors this ____ of _____, 2024

Steve Meier, President