

# **North Tulare County Regional Water Alliance Working Working Group Meeting Notes**

Cutler-Orosi School District Conference Office

12623 Avenue 416 Orosi, CA 93647

Saturday, May 21, 2016

8:30- 1:00 PM

## **Welcome and Updates:**

**Approval of meeting notes from:** April 30, 2016 meeting notes approved.

## **Public Input:**

Mr. Quevedo voiced his concern about making sure we think very carefully on deciding board representation and who from each community sits on the board because these people will have a lot of responsibility and their choices will have huge impacts.

## **Orange Cove Presentation by Gary D. Horn, Yamabe & Horn Engineering, INC**

Orange Cove uses 100% surface water from Friant Kern. They have no wells because of a shallow aquifer and groundwater contamination.

Their treatment plant has a capacity of 3 million gallons per day. Daily usage is typically 2.7 million but with drought is around 1.5 million. Annual usage 690 million; in 2015 it was 430 million due to drought conservation.

Friant Kern Canal is shut down every 3 years—out of water for 30 days but sometimes for more—up to three months—store water in storage basins but this is not sufficient for the population demands. Thus, Orange Cove needs an alternate supply. They came to this regional Working Group to discuss a partnership. This Working Group since it has good wells and the capacity would sell water to Orange Cove during those times of need.

Orange Cove plans to submit an application for funding for two feasibility studies for potential projects. The first one would be a pipeline to connect to this region—and JPA Agency could sell water to Orange Cove as a secondary supply—water could also come in from Orange Cove if ever needed in a short term.

The second one would be to create a pipeline directly from Kings River with a branch to serve Orange Cove and then continue to the NTC region. This would create separate supply of raw water and not need to depend on canal and would hopefully have higher quality intake water.

Lots of technical questions, financial questions and legal questions need to be looked at and answered. Regional approaches and solutions are being supported as viable solutions and Orange Cove and NTC are in the same SGMA GSA. This helps the collaboration.

The response by the Working Group is that they are working one step at the time. The project ideas sound good but to give a response right now is a little overwhelming. They know that Alta has been

looking at this long term pipeline from the Kings over time, having an additional surface water source would have advantages. Alta thinks moving forward with feasibility studies is a good idea just to see the numbers. It would not mean that the NTC project would be slowed down or affected—at this point the tasks are to do a study. The Working Group decided that Orange Cove should move forward on seeking funding for their feasibility study.

## **Leadership: Governance**

### JPA formation:

County Counsel were present to offer their assistance on how to move JPA project forward and get it in place. They will add the legal aspect and do the drafting and the circulation. We discussed needing to have the JPA formed and in place by October. The county legal counsel already started working on this project.

The county has reached out to the lawyers for all of the four systems/agencies and they will all work together. Sultana and E. Orosi have the same legal counsel. All of the lawyers will come up with a closer to final draft and there are lots of little details lawyers care about—for example, the fact that one of the entities has to agree to be the treasurer.

There are 5 legal entities that are signatories to the JPA: the 4 water systems and the county. The other three communities do not have legal status as an agency but county is committed to getting them represented. Members from those communities can still be on the board but need to meet certain criteria and meet regional interests. Each legal entity needs a majority of board approval to get the authority to sign the JPA and form part of it.

The first draft prepared by the counsel will be ready for the meeting on the 16<sup>th</sup>.

The time the group spent drafting the JPA was not wasted---it is like a wish list that the counsel can then fit into the legal confines and requirements of a JPA. The working group completed the substantive portion of the JPA—the rest is legal boiler plate and it is the lawyers' job to massage so it becomes an actual "JPA" and ensuring that everything contained is crystal clear.

This process has not been in vein. Part of this was getting the group educated on the project, funding, and funding requirements and open to working together. At this point in the process the group is ready and they have decided to form as a JPA agency and take this idea for a governance of a regional project to their communities.

After signing the JPA County Counsel will reach out to state announcing new legal entity needing a tax ID number etc.

There was a question about having Yette and Seville be represented on the board. Monson is already represented by Sultana. However, since the county is the agency representing those water systems, it is the county that needs to sign into the JPA and be a board member. However the county has an application that people fill out to be on a board. County staff will vet the applicants and then they may have interviews by the supervisor from that district; the board usually adopts the supervisor's recommendation. The process requires to give 15 days' notice to appoint someone to a public board legally.

Once the JPA is set up, then the board can adopt the by-laws; also the JPA will select who their legal counsel is—must be a CA lawyer who passed the bar—could be from one of the home systems, could be new person, could be county counsel.

How long would the county stay on the board? Forming a legal entity for Seville/Yettem will take time. Seville is unique and have some legal issues that need to be worked out before they can form an official legal entity. Once all communities are able to self-govern, then the county does not necessarily need to sit on the board.

A future discussion is setting a budget for running the JPA. May be an initial contribution is needed. Can borrow money for up 18 months for the initial costs. JPA just needs power to decide on contribution later. Steve Worthy is president of Dinuba rotary club--may be a resource to seek out startup funds.

The entity may be eligible for tax dollars (will not get for two years and would need to check with tax collector) and development fees.

Group decided on board representation

#### Board Composition

Cutler: 2

Orosi: 2

East Orosi: 1

At large from Seville/Yettem: 1

Sultana/Monson: 1

County: 1

At large from whole region: 1

Total: 9

#### Support from State - SWB:

Available services under Prop 1 TA—free help and services and saves you as systems to have to pay for things under your own funding. Intended use plan is currently out for public comment and is revised every year.

Once this JPA is formed, the project options are still open and will require final planning with an analysis of alternatives with specs and costs etc.

## Communications

### Community Outreach Efforts: Scheduling

#### Final stakeholder meeting and polling:

CWC will do phone outreach and also English and Spanish radio/newspapers as well as flyers. Dinuba Sentinel, Valley Voice, Sol del Valle, Weekly advertiser (also sentinel). Radio Campesina, all calls for schools districts, central valley public radio.

Ryan put together a draft for the info pamphlet as a good guide to help people learn about the need to form the JPA entity that would secure a future water source.

This working group will be co-presenters at the community meeting and present the vision of a sustainable regional water solution and get buy in on the JPA moving forward.

Who gets to vote? Residents? Land lords? Bill payers? What about the voice of businesses? 1 vote per connection. County will send, pay for and tabulate and will just need the lists from the systems for the mailing.

### **Action Items, Assignments & Working Group Meetings:**

6/16: Work session to finalize JPA and to prepare and plan for All Stakeholder's meeting - 6-8pm same location Wildcat room 400.

6/28: All stakeholder's meeting at 6 PM —

7/9/16

8/13/16

#### **Website:**

<http://www.rcac.org/environmental/regionalization/ntc-water-alliance/>

### **List of Participants in this session:**

1. Alex Marroquín, Orosi PUD
2. Anthony Rubalcaba, Orosi PUD
3. Chad Widman, Orosi
4. Charlie Davidian, Yettem
5. David Gonzales, East Orosi
6. Fernie Rubalcaba, Cutler PUD
7. Javier Hernandez, Cutler PUD
8. Jesus Quevedo, Cutler
9. Joni Sandoval, Orosi PUD
10. Katie Icho, East Orosi CSD
11. Lucy Rodriguez, Orosi PUD
12. Maria Magaña, Seville
13. Michael Prado Sr., Sultana CSD
14. Robert Rodriguez, Cutler PUD
15. Rubén Becerra, Seville
16. Servando Quintanilla, Monson/Cutler
17. Servando Quintanilla Jr., Monson/Cutler

**From Agencies:**

Denise England , Tulare County

County Legal Counsel: Marit Erickson, Katleen Bales-Lange, Clinton Sims

Paul Boyer, Self Help Enterprises

Chris Kapheim, AID

Lorri Silva, SWB

Gary Horn, Orange Cove

Dennis Keller, OPUD

Moses Diaz, OPUD

**Facilitators:**

Blanca Surgeon, RCAC

Sarah Buck, RCAC

David Okita, Community Water Center

Ryan Jensen, Community Water Center

**Attachments: none**