

**TEJON-CASTAC WATER DISTRICT (TCWD)
TEJON-CASTAC GROUNDWATER SUSTAINABILITY AGENCY (GSA)
5665 Santa Elena Drive, Arvin, CA 93203**

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Special Meeting of the Board of Directors of Tejon-Castac Water District

March 16, 2023 – 9:00 a.m.; In-Person Only at the 5665 Santa Elena Drive, Arvin, CA 93203

This meeting is held in accordance with the Brown Act Pursuant to Section 54956 of the California Government Code.

Meeting material can be found at <https://tejoncastacwd.com>

AGENDA

- 1) Roll Call**
- 2) Approval of Meeting Minutes of the Regular Board Meeting of February 14, 2023.**
- 3) Discussion and Possible Action Regarding Board of Directors Vacancy – Resolution 2023-02**
- 4) Discussion and Possible Action on Director Expense Reimbursement Policy**
- 5) Discuss Possible Changes to District’s Rules and Regulations**
- 6) Public Input**

Members of the public may address the Board on matters within the TCWD’s jurisdiction, which is not on this agenda, at this time (As required by Gov. Code § 54954.3(a)). However, any such non-agenda matter that requires action will be referred to District staff or a report and action at a subsequent Board meeting.)

7) Adjournment to Closed Session

Conference with Legal Counsel—Existing Litigation (Govt. Code Section 54956.9(a)):

*DWR v. All Persons Interested, etc. , “Complaint for Validation” Re: SWP Contract Extension Amendment (Sacramento County Sup. Ct., Case No 34-2018-00246183, 3rd Appellant Dist., Case No. C096316, and related cases and appeals)
Rosedale-Rio Bravo Water Storage District v. Kern County Water Agency, et al., Kern County Superior Court, Case No. BCV-21-100418*

Conference with Legal Counsel—Potential Litigation (Govt. Code Section 54956.9(b)):

(one item)

8) Adjourn

AMERICANS WITH DISABILITIES ACT

(Government Code Section 54953.2)

A person with a qualifying disability under the Americans with Disabilities Act of 1990 may request the District to provide disability-related modification or accommodation in order to participate in any public meeting of the Tejon-Castac Water District. Such assistance includes appropriate alternative formats for the agendas and agenda packets. Requests should be made in person, by telephone, facsimile and/or written correspondence to the Districts office, at least 72 hours before a regular public District Meeting.

TEJON-CASTAC WATER DISTRICT (TCWD)
5665 Santa Elena Drive, Arvin, CA 93203
MINUTES
OF THE REGULAR BOARD OF DIRECTORS MEETING

Date of Meeting: Tuesday, February 14, 2023

Place of Meeting: Remote

DIRECTORS PRESENT: Mark Fanucchi, Dennis Atkinson, Mark Valpredo, and Jeff Mettler

DIRECTORS ABSENT: George Cappello

OTHERS PRESENT: Robert Velasquez, Daniel Best, Kenny Watkins, Allen Lyda, Patricia Newquist, Rick Jhaj, Dolores Salgado, Legal Counsel Alan Doud.

Meeting commenced at 9:04 a.m.

On motion by Director Mettler, seconded by Director Fannucchi, Resolution 2023-01, Initially Authorizing Remote Teleconference Meetings under AB 361, was unanimously approved by roll call vote.

On motion by Director Fanucchi, and seconded by Director Valpredo, the meeting minutes of the regular Board meeting of October 11, 2022, and the Special Board Meeting of November 11, 2022, were unanimously approved by roll call vote.

Kenny Watkins presented the letter with the proposed renewal of PERC's operation contract. After a brief discussion and on motion by Director Valpredo, seconded by Director Mettler, the board unanimously approved the contract extension by roll call vote.

Kenny Watkins explained the request for a will serve letter concerning a new car wash. Rick Jhaj, and his consultants, gave a brief presentation regarding their proposed project for a new carwash. Board President Atkinson stated that any complication that could arise at the Districts facilities due to water discharge from the carwash would have to be solved at the owner's expense. After some deliberation, on motion by Director Valpredo, seconded by Director Mettler, the will serve letter was approved unanimously by roll call vote.

Angelica Martin explained item six in the agenda. It was advised by the board that Legal Counsel write-up a policy for travel related compensation to all District's Board Directors.

Kenny Watkins proceeded to present a facility report. He explained that laboratory testing costs had gone up significantly and was looking into other options. Daniel Best from PERC gave an operations report.

Ms. Martin provided a summary of SGMA related activities.

Robert Velasquez provided the financial report.

It was advised that Director Cappello had expressed his intent to resign from the District's Board.

There were no public comments.

At 9:40 a.m. the board went into closed session.

There was nothing to report out of closed session.

The meeting was adjourned at 10:08 a.m.

Angelica Martin, Secretary, Tejon-Castac Water District

Approved by: Tejon-Castac Water District Board of Directors Dated: March 16, 2023

**BEFORE THE BOARD OF DIRECTORS OF THE
TEJON-CASTAC WATER DISTRICT AND TEJON-CASTAC GSA**

**IN THE MATTER OF:
Notice of Vacancy in Elective Office**

RESOLUTION NO. 2023-02

**RESOLUTION APPOINTING _____
TO FILL A VACANCY IN THE OFFICE OF DIRECTOR**

WHEREAS, a vacancy was created in the Office of Director of the District by the resignation of Director George Cappello, effective February 14, 2023; and,

WHEREAS, the power and privilege of filling said vacancy by appointment now rests with the remaining members of the Board of Directors by virtue the provisions found in Water Code section 34707.5 and Government Code section 1780(c); and,

WHEREAS, as required by Government Code section 1780, the District timely notified the elections official of the County of Kern of the vacancy; and,

WHEREAS, as required by Government Code section 1780, on February 16, 2023, a date not less than fifteen (15) days preceding the date of this Resolution, a Notice of Vacancy was duly posted at the District's office and at three (3) conspicuous places within the District; and

WHEREAS, _____ is a citizen of the State of California and the United States that is over 18 years of age; and,

WHEREAS, _____ meets the requirements of Water Code section 34700; and,

WHEREAS, _____ is ready, willing and able to fill said vacancy on the Board of Directors.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE TEJON-CASTACT WATER DISTRICT does hereby resolve as follows:

1. _____ is hereby appointed to the office of Director of this District effective immediately; and,

2. Staff is hereby authorized and directed to take the necessary and appropriate steps to notify the County of Kern of this appointment.

All the foregoing being on motion of _____, 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 16th day of March, 2023.

WITNESS my hand and seal of said Board of Directors this 16th day of March, 2023.

Dennis Atkinson
President of the Board of Directors

[SEAL]

**TEJON-CASTAC WATER DISTRICT/
GROUNDWATER SUSTAINABILITY AGENCY
REIMBURSEMENT POLICY**

Government Code section 53232.2 provides that the Tejon-Castac Water District/Groundwater Sustainability Agency (“District”) may reimburse members of its Board of Directors (“Board”) for “actual and necessary expenses incurred in the performance of official duties”, provide that the District’s Board adopts “a written policy, in a public meeting, specifying the types of occurrences that qualify a member” of the Board to received such reimbursement for “expenses related to travel, meals, lodging, and other actual and necessary expenses.” Government Code section 20201.5, and the District’s enabling statute, the California Water District Law (Water Code §§ 34000 *et seq.*), and in particular section 34741(b), also authorize reimbursement for such expenses. This Reimbursement Policy (the “Policy”) serves as the written policy required under Section 53232.2

I. AUTHORIZED REIMBURSABLE EVENTS

Expenses incurred in connection with the following qualify for reimbursement under this Policy:

1. Attending District Board and committee meetings.
2. Communicating with representatives of regional, state and national government on District policy positions.
3. Attending organized education seminars, conferences or activities directly related to the business of the District.
4. Participating in regional, state and national organizations whose activities affect the District’s interests, as long as the District is a member of the organization, or the Board of Directors has approved the attendance in advance..
5. Attending District sponsored events outside the boundaries of the District.
6. Meeting with consultants, professionals or other governmental entities or agencies, as necessary for the performance of the Board Member’s duties.

II. UNAUTHORIZED EXPENSES

Expenses that do not qualify for reimbursement under this Policy include, but are not limited to:

1. Personal expenses not related to the conduct of the District’s business.

2. Political or charitable contributions or events.
3. Family expenses, including expenses incurred for or by a partner or child when accompanying the Board Member on District-related business.
4. Entertainment expenses, including theater, movies (including in-room), sporting events (including gym, massage and/or golf-related expenses), or other cultural events. However, where the District is acting in a host capacity, those host-related expenses, including entertainment expenses and meals, may be reimbursed subject to the Board's prior authorization of such expenses.
5. Non-mileage personal automobile expenses, including traffic citations.
6. Personal losses incurred while on District business.

III. REIMBURSEMENT RATES

1. The District's reimbursements rates shall be based on Internal Revenue Service Rates established in IRS publication 463, or any successor publication.
3. A Board Member shall use government and group rates offered by a provider of transportation or lodging services when available.
4. If lodging is in connection with a conference or other organized educational activity, the District shall reimburse the costs of said lodging at the event, at up to the maximum group rate published by the conference or activity sponsor, even if said lodging costs exceeds the Internal Revenue Service Rates. If sponsor provided lodging is not available at the time of booking, the District shall reimburse the costs of comparable accommodations which are consistent with the requirements of section 1 and 2 above.
5. In the event that the Board Member's expenses exceed the reimbursements rates provided for herein, the Board Member must pay from their own personal funds the difference between the actual expense and the reimbursement rate.

IV. DOCUMENTATION OF EXPENSES; EXPENSE REPORTS

1. Board Members shall submit for reimbursement to the District within thirty (30) days of incurring the expense. The submittal is to be signed, under penalty of perjury, and state that all expenses listed were necessary, reasonable and incurred in connection with District business and in conformity with this Policy.
2. In order to qualify for reimbursement, submittals must be accompanied by documentary evidence, such as a receipt, canceled check, credit card statement or bill, for each expense. The documentary evidence should show the amount, date, place, and essential character of the expense.

3. The District will review all forms and documentary evidence for sufficiency and compliance with this Policy.
4. All documents related to reimbursable expenditures are subject to disclosure under the California Public Records Act, unless otherwise expressly exempt from disclosure thereunder.

v. **POLICY VIOLATIONS**

Pursuant to California Government Code Section 53232.4, penalties for misuse of public resources or falsifying expense reports in violation of expense reporting policies may include, but are not limited to, the following:

1. The loss of reimbursement privileges.
2. Restitution to the District.
3. Civil penalties for misuse of public resources pursuant to Section 8314 of the Government Code.
4. Prosecution for misuse of public resources, pursuant to Section 424 of the Penal Code.