#### REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE TUSCAN WATER DISTRICT Wednesday, May 15, 2024; 9:00 a.m.

#### North Valley Agricultural Services 4936 Bell Road, Chico, CA 95973

Any materials related to an item on this Agenda are available for public inspection online at https://www.tuscanwaterdistrict.org/

#### **TUSCAN WATER DISTRICT (TWD) REGULAR BOARD MEETING**

- 1. Call to Order
- 2. Roll Call
- 3. Pledge of Allegiance

#### **ACTION ITEMS**

- 4. Review and approve minutes for the April 17, 2024, TWD Board meeting.
- 5. Management Ad Hoc Committee
  - a. Consider two options for a permanent meeting location and take appropriate action.
  - b. Consider firms to assist with the enactment of a special assessment or other revenue measure to generate sufficient annual revenue for the ongoing operation of the District (LAFCO Condition 12) and take appropriate action.
- 6. Finance Ad Hoc Committee
  - a. Consider policy to allow landowners within the district to voluntarily contribute financially to the district's needs ahead of a successful assessment vote or other established long-term funding mechanism.
- 7. LAFCO Conditions of Approval:
  - a. Review staff report regarding LAFCO Condition 6(b) and take appropriate action.
  - b. Review staff report regarding LAFCO Condition 9 and take appropriate action.
- 8. Other Business:
  - a. Consider request to detach territory from the District and take appropriate action.
  - b. Accept letter from Ed McLaughlin resigning from the Tuscan Water District Board and take appropriate action.
- 9. Financial Issues:
  - a. Review invoices and take appropriate action.
  - b. Review Butte County Farm Bureau Annual Summer BBQ Sponsor request and take appropriate action.

#### **REPORT ITEMS**

- 10. Receive verbal update regarding meeting about impact of Vina GSA fee on non-irrigated lands.
- 11. Other reports from Board members.
- 12. Requests of Board members for future agenda topics.

#### PUBLIC COMMENT

13. Members of the public may address the Board at this time on any matter not already listed on the agenda. The Board reserves the right to limit each comment to three minutes per speaker. The Board cannot take any action at this meeting on requests made under this section of the agenda.

#### <u>ADJOURN</u>

#### <u>NOTES</u>

In compliance with the American with Disabilities Act, if you need disability-related modifications or accommodations, including auxiliary aids or services, to participate in this meeting, please email info@tuscanwaterdistrict.org by Noon on Tuesday prior to this meeting.

Written material related to an item on this agenda that is distributed less than 72 hours prior to this meeting to at least a majority of the members of the legislative body will be available for inspection during the meeting at North Valley Agricultural Services, 4936 Bell Road, Chico, CA 95973.

Written material distributed during a public meeting will be available for public inspection at the meeting, if prepared by the District or a member of its legislative body, or after the meeting if prepared by some other person.

#### MINUTES OF THE TUSCAN WATER DISTRICT REGULAR MEETING

#### Meeting of Wednesday, April 17, 2024; 9:00 a.m. North Valley Agricultural Services 4936 Bell Road, Chico, CA 95973

#### **TUSCAN WATER DISTRICT (TWD) REGULAR MEETING**

- 1. Call to Order Meeting called to order at 9:02 a.m. by Rich McGowan
- 2. Roll Call
  - a. Board members present: Rich McGowan, Steve Koehnen, Rayme Antonowich, James Paiva, Craig Knight, Todd Turley, Brian Mori, Ed McLaughlin, Andrew Mendonca
  - b. Public present: Steve Lucas, Joe Hughes, Joanne Parsley, Colleen Cecil, Emily Alma, Tovey Giezentanner

#### ACTION ITEMS

- 4. Minutes Approved 7-0. Koehnen motion. Turley second. McLaughlin and Paiva abstained.
- 5. Finance Ad Hoc Committee Report
  - a. Board engaged in a discussion regarding the Finance Ad Hoc Committee Report.
  - b. Motion to accept proposed near-term funding as described by ad hoc funding report approved, 9-0. Mendonca motion. Mori second.
  - c. Board discussed that invoices should go to TWD for approval, then forwarded to AGUBC for payment; and to include a Finance item in future Agendas.
  - d. Directed Finance Ad Hoc to meet again to discuss a policy to allow landowners within the district to voluntarily contribute financially to the district's needs ahead of a successful assessment vote or other established long-term funding mechanism.
- 6. Management Ad Hoc Committee Report
  - a. Board engaged in a discussion regarding the Management Ad Hoc Committee Report.
  - b. Motion to engage Joe Hughes approved, 9-0. Antonowich Motion. Knight second.
  - c. Motion to engage Tovey Giezentanner approved, 9-0.
  - d. Directed Management Ad Hoc to meet again to interview Prop 218 consultants.
  - e. Board discussed that Joe participating by Zoom for future meetings is fine.
- 7. LAFCO Conditions
  - a. Staff provided a report on Conditions 6b, 9, 12 and 13.
  - b. Board directed staff to prepare information on LAFCO Conditions 6b, 9, 12, and 13 for Board review/approval.
  - c. Staff directed to send the draft area/division map from 2021 to the Board.

#### **REPORT ITEMS**

- 8. Butte County SWEEP & Healthy Soils presentation.
  - a. Colleen Cecil, President, Butte County Farm Bureau, provided an update on the Butte County SWEEP and Butte County Healthy Soil grant programs.
  - b. Public Comment on Item 8a:
    - i. Emily Alma:
      - 1. Would either grant program support the Butte County Recharge Action Plan? Response – implementation will lead to water savings, which helps with groundwater sustainability.
      - 2. Would either grant program incentivize crop shifting? Response these programs don't deal specifically with crop shifting.
      - 3. Are new and small farmers eligible? Response: Yes.
- 9. Requests of the Board of Directors for future agenda topics. None suggested.
- 10. Communications received.
  - a. Information received from the Vina GSA regarding a possible website vendor. Staff will bring an item to the June or July Board meeting to potentially upgrade the website.
  - b. Information received from the CSU Farm regarding the potential for using Room 104 as a future permanent meeting location.

#### PUBLIC COMMENT

• Joe Hughes and Craig Knight provided comments and a quick update on probational hearings occurring in the San Joaquin Valley.

#### <u>ADJOURN – 10:55 a.m.</u>

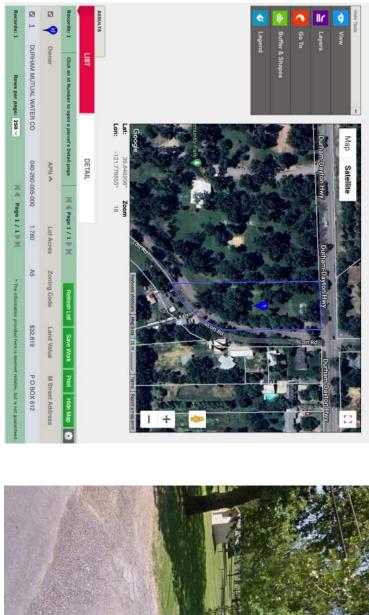
		Page 1 of 4
		Staff Use Only
	Tuscan Water District	Agenda Item:
	Agenda Transmittal	litera <b>F</b> a
	- Gerea - Canenara	ltem 5a
Subject:		Date: 5.15.2024
TWD Permanent M	eeting Location - Options	Regular: 🖌
		Special:
Agenda Item Su	immary:	- <u> </u>
<b>9</b>		
setting a temporary	, the TWD Board adopted Resolution No. 24-01, establishing the 2024 Regular I meeting location. According to the resolution, the monthly TWD Board meetings ence Room at North Valley Ag Services until a permanent location is determined	will temporarily take
	h, staff and board members have actively toured and evaluated two potential site criteria such as cost-effectiveness, accessibility, and suitability for board activitie	
Agenda packets wo	tate Farm, Room 104 - This location offers no cost usage and provides ample sp ould be conveniently posted at the Entry Gate along 311 Nicholas C Schouten La ills about the facility.	
	Mutual Water Company Office - Also available at no initial cost, this site may red t our needs fully. Agenda packets would be posted at the main entrance door. At this facility.	
Fiscal Impact:		
None.		
Personnel Impa	act:	
None.		
Action Reques	ted:	
1) Consider and ch	oose an option. 2) Adopt Resolution No. 24-02 to establish a permanent meeting	location.
Staff Reviewer:		

Version: March 2024



# **CSU** Farm

# **Durham Mutual Water Company**







#### **RESOLUTION NO. 24-02**

#### A RESOLUTION OF THE BOARD OF DIRECTORS OF THE TUSCAN WATER DISTRICT SETTING THE LOCATION FOR FUTURE BOARD MEETINGS

**WHEREAS**, the Tuscan Water District (TWD) is committed to effective governance and transparency in conducting its business; and

**WHEREAS**, the TWD Board recognizes the need to set a more permanent location for its board meetings;

# NOW, THEREFORE BE IT RESOLVED, by the Board of Directors of the Tuscan Water District that:

- 1. The location for the monthly TWD Board meetings shall be at the \_\_\_\_\_.
- 2. The agenda packets for the TWD Board meetings shall be posted for public review at the following locations:
  - a. The TWD website at <u>www.tuscanwaterdistrict.org</u>.
  - b. Physical posting \_\_\_\_\_.

The foregoing resolution was duly passed and adopted by the Board of Directors of the Tuscan Water District at a regular meeting held on May 15, 2024, by the following vote:

AYES: NOES: ABSENT: NOT VOTING:

> **Rich McGowan**, President Tuscan Water District Board of Directors

ATTEST:

By:

Title

	ITEM 5	9 - Page 1 of 6	
		Staff Use Only	
TUSCAN	Tuscan Water District	Agenda Item:	
Agenda Transmittal		ITEM 5b	
Subject:		Date: 5.15.2024	
	a firm to assist with the enactment of a special assessment or other		
revenue measure	e to satisfy LAFCO Condition 12.	REGULAR X	
aron de litere Cr			
Agenda Item Su	Immary:		
<ul> <li>generate revenue</li> <li>1. Provost planning.</li> <li>2. Larsen, V compliance</li> </ul>	terviews are a pivotal step in selecting a consulting partner to guide us through the for the District. The firms interviewed include: <b>&amp; Pritchard Consulting Group</b> – Specializing in water resource management at <b>Nurzel &amp; Associates</b> – Known for their expertise in environmental consulting at the consulting <b>Systems</b> – Experts in economic analysis and planning for public	and infrastructure	
<ul> <li>Consultat and meth</li> </ul>	for Provost & Pritchard, highlighting their key projects and achievements. nt Capabilities and Experience document for Larsen, Wurzel & Associates, deta odology to various projects.	iling their approach	
1. <u>Cost</u> : We 2. <u>Schedule</u> 3. <u>Type of F</u> assessme	estions and Considerations: sought a range of potential costs from each firm to ensure budgetary alignment : Understanding each firm's availability and timeline compatibility with our needs <u>Revenue Source</u> : We discussed various Prop 218 revenue generation approache ents, and fees/charges. The legal team and staff will collaborate with the choser tions for Board discussion and approval at the June board meeting.	s. es, including taxes,	
Fiscal Impact:			
Personnel Impa	act:		
Action Reques	ted:		
2) Direct staff a the cost of c	onsulting firm, and legal counsel to engage the consultant, subject to previously discuss onducting the revenue generating measure process, and etailed update to the Board at the next meeting on cost, schedule, and th is proposed.		

Staff Reviewer:

#### PROVOST&PRITCHARD consulting group

# **ABOUT US**

In 1968, Provost & Pritchard Consulting Group began a tradition of excellence in Central California. Over the years, Provost & Pritchard has grown, in size, services offered, and geography. With office locations throughout California, our staff is diverse in their specialties including:

- Water Resource Engineering
- Public Works Engineering
- Water Treatment
- Agricultural Engineering and Consulting
- Land Development Engineering
- Structural Engineering
- Environmental Engineering
- Roof Consulting & Design

- Geographic Information Systems (GIS)
- Land Use Planning
- Environmental Planning
- Surveying
- Construction Management
- Biological Resources
   Consulting
- National Parks
- Caves & Tunnels







#### **AGRICULTURAL ENGINEERING**

California's agricultural industry is the world leader in food and fiber production. Provost & Pritchard is proud to provide agricultural engineering services to support growers, ranchers, and food processors in California's most fundamental industry.

#### FARM WATER SUPPLY

- Reservoirs
- Canals
- Pipelines
- Wells
- Pumping plants
- Water rights
- Pump and flow testing
- Surface water
- SGMA consulting

#### **IRRIGATION SYSTEMS**

- ILRP consulting
- Drip or micro
- Frost/climate control
- Nutrient distribution systems
- Public hearing presentations

#### IRRIGATION DISTRICT ENGINEERING

#### IRRIGATION DISTRICT MANAGEMENT

FARM MASTER PLANNING/ DEVELOPMENT

#### DRAINAGE & EROSION CONTROL

- Subsurface drainage
- Erosion control
- Salinity management
- Construction dewatering

# SURVEYING & MAPPING

- Legal surveys
- Topographic surveys
- Land grading
- Farm maps
- Geographic Information Systems (GIS)

#### WASTE MANAGEMENT

- Reclaimed wastewater irrigation, plans and permitting
- Animal waste management/ nutrient management
- Land application plans
- Data management for soil analysis and nutrient management

### **PROPOSITION 218**





Provost & Pritchard understands that special districts providing water, sewer, and solid waste disposal rely primarily on the fees and charges imposed on the landowners who directly receive those services.

The success of a Proposition 218 election largely relies on effectively informing, listening, and educating landowners to adjust their land assessments. This adjustment is necessary to account for the fixed costs of their residing District. We achieve this through outreach and encouraging discussions among landowners during public workshops. Our team is highly skilled and experienced in these areas. Our services include:

# ASSESSMENT & PARCEL EVALUATION

- GIS
- Data collection
- Rate analysis
- Alternative assessment structures
- Document review

#### **ENGINEER'S REPORT**

- Financial reporting
- Groundwater trend analysis
- Surface water supply analysis

#### OUTREACH ASSISTANCE

- Public meetings & workshops
- Mail notices
- Informational flyers & handouts
- Website creation and maintenance

#### ELECTION PROCESS OVERSIGHT

- Voting ballot development & mailing
- Vote counting methodology

#### A partial list of agencies, districts, cities, and counties for which Provost & Pritchard has assisted on Proposition 218 elections are listed below:

- Glenn Colusa Irrigation
   District
- Biggs West Gridley Water
   District
- Anderson-Cottonwood
   Irrigation District
- Butte Water District
- Butte City Community Services District
- Alta Irrigation District
- Tulare Irrigation District
- Fresno Irrigation District
- North Fork Kings Groundwater Sustainability Agency
- Arvin-Edison Water Storage District
- Caruthers Community Services District
- Colusa Groundwater
   Authority
- Consolidated Irrigation
   District
- Cuyama Basin Water District
- Dudley Ridge Water District
- Fresno Irrigation District
- Glenn Groundwater
   Authority
- Laguna Irrigation District

- Lower Tule River Irrigation
   District
- McMullin Area Groundwater Sustainability Agency
- Merced County GSA
- North Fork Kings GSA
- North San Joaquin Water
   Conservation District
- Pixley Public Utility District
- Pleasant Valley Water
   District
- Riverdale Public Utility District
- Root Creek Water District
- Sacramento River Westside Levee District
- South San Joaquin Irrigation District
- Southwest Kings Groundwater Sustainability Agency
- Tejon-Castaic Water
   District
- Tranquillity Irrigation
   District
- Wasco Irrigation District

#### Section 3: Consultant Capabilities and Experience

#### Section 3.1: Firm's Capabilities

LWA specializes in working with various water resource agencies in California to develop, manage, and implement water infrastructure and flood risk reduction improvements, financial planning, grant administration, and governance structure studies. LWA provides project and financial management support services that often include the establishment of local funding mechanisms to construct or operate and maintain small and large-scale water and flood risk management projects. LWA supports the management of multi-disciplinary teams tasked to secure federal and state funding sources, establish regional governance plans, and support the construction of flood risk reduction and water infrastructure improvement projects.

This responsibility includes the management of independent technical review panels, coordination to secure approvals from Federal, State, and Local agencies to modify water and flood management facilities, preparation of grant applications and development of detailed financial plans in compliance with State and Federal guidelines. LWA has provided financial consulting services and advised multiple cities, counties, redevelopment agencies, and special districts on funding strategies for infrastructure improvements and services.

The economic environment for public agencies continues to pose challenges to the improvement and ongoing maintenance of infrastructure. Local agency revenues remain constrained as current infrastructure fails to provide the desired level of service, while at the same time, new regulations raise standards beyond the reach of agency budgets. LWA helps local agencies find and implement solutions to their financial challenges.

These broad range of services make LWA uniquely qualified to deliver tailored financing solutions to its clients. Understanding water infrastructure project delivery enables a critical and adept evaluation of funding requirements, assumptions, and constraints. As required of the scope of services to deliver and implement public infrastructure financing mechanisms, LWA will focus on the front-end assumption, financing approaches, benefits and drawbacks of different funding mechanisms in order to advise on a recommended fee or assessment approach. LWA has extensive experience managing, administering, and forming Proposition 218 benefit assessment districts.

LWA has experience working directly with the Sites Project Authority (Authority) and members of the Reservoir Committee to develop the Authority's Funding Credit & Reimbursement Policy to ensure that all participating members will have paid the same amount toward advancing the project on an equivalent cost basis. In establishing this policy, LWA gained a thorough understanding of the funding strategy that led to the development of the Plan of Finance.

Further, LWA recognizes the financial commitments that RD 108 must make in order to continue to participate in the Sites Reservoir Project. In June 2018, LWA assisted RD 108 in a briefing to its landowners regarding the preliminary investment requirements associated with continued participation in the project. Based partly on feedback from landowners, the RD 108 Board of Directors adjusted its level of participation and became heavily involved in addressing the financing assumptions and inherent risks that impact the ultimate cost of water supply from Sites Reservoir Project. LWA also recognizes that RD 108 owns approximately 8,000 acres of farmland in the southern portion of the district, known as Tract 6, that is leased to tenant farmers. As an owner of land that may be subject to charges to fund RD 108's ongoing and future participation in the Sites



Reservoir Project, special attention is required when determining who is responsible for the charges to confirm their vote is considered when seeking landowner approval of the charge. Lastly, LWA has been supporting RD 108 in development of the Landscape Scale Multi-Benefit Floodplain Feasibility Study. Although not directly related to the Sites Reservoir Project, LWA has a gained broader understanding of RD 108's long-term objectives for reactivating historical floodplains in the upper Sacramento River Basin for habitat benefits that ultimately support sustainable water supplies into the future.

#### Section 3.2: Staff Resources

LWA will support this project with its small but well qualified and experienced internal team. LWA is owned and led by four principals, each with more than 15-years of experience in the development and delivery of water supply and flood risk management projects in California. LWA's current staff of 22 professionals include:

- Seven Civil Engineers licensed in the State of California
- Three Certified Floodplain Managers
- One Certified Government Financial Manager
- Six employees with a Master's in Business Administration
- Three Qualified Municipal Advisors

LWA's staff has experience and expertise in many areas within the broad spectrum of public finance and management consulting services. In particular, LWA specializes in:

#### Public Finance Services including:

- Infrastructure funding and financing plan development
- Mello-Roos Community Facilities District (CFD) formations
- Benefit Assessment District formations (Prop 218 Ballot Proceedings)
- Parcel Tax implementation
- Development Impact Fee Nexus Study (AB 1600 Fees) preparation
- Fee Credit and Reimbursement Program development and administration
- Cost allocation modeling

#### Management Consulting including:

- Program management and support
- Coordination with federal, State, and Local agencies
- Water resource engineering design
- State and Federal permitting
- Grant program application and administrative services
- Contract director level finance, engineering, and program management

LWA's staff can support the District with the Sites Authority financing approach review, evaluation of alternative fees, recommendation and implementation of a fee or assessment. LWA is experienced with searching for innovative funding solutions while also understanding the nuances associated with infrastructure projects. Bridging these two domains is what we do. Further, the proposed personnel are experienced with working creative solutions within the legal financial framework of Proposition 218. LWA works collaboratively among its firm; for this project, the primary support staff and their role is listed below.

**Scott Brown's** role will be the principal-in-charge, applying his work experience on the Sites Reservoir Project and water infrastructure funding programs, in general, to support the development of funding strategies



associated with delivery of RD 108's contribution to the Sites Reservoir Project. He will be responsible for overall quality assurance of LWA's products to ensure presentations, documentation, and other deliverables meet our quality standards.

**Adam Riley** will serve as Project Manager, responsible for managing day-to-day activities. He will manage the scope of work, coordinate with RD 108 and its consulting team, manage internal staff assignment, and will be responsible for product delivery. Further, Adam will ensure the funding approach is in alignment with RD 108's priorities. He will compare funding approaches and opportunities to align with RD 108's objectives. He will be responsible for the Proposition 218 benefit methodology and framework, as applicable.

**Liz Abdissa** will serve as support staff, assisting with evaluating the financing approach and assumptions, and explore potential funding mechanisms. Liz will prepare financial models and prepare portions of the Engineer's Report with supporting documentation for the Proposition 218 proceedings, as appropriate.

#### Section 3.3: Staff Experience

#### Scott Brown, P.E. – Principal

Mr. Brown is a registered Civil Engineering with nearly 25 years of experience in water resources planning and engineering. He has been involved in the financing, planning, design, permitting and implementation of comprehensive flood risk reduction, irrigation, and hydroelectric projects. Scott has experience successfully advancing projects while leading multidisciplinary teams to navigate dynamic and complex State and federal regulatory permitting processes to achieve client goals and implement projects. He has successfully led local agencies through the assessment formation process to secure sustainable local funding for capital improvements and on-going operations & maintenance of irrigation, flood risk reduction and drainage systems.

#### Adam Riley, P.E. – Project Manager

Mr. Riley is a registered Civil Engineer with a Master's in Business Administration. His broad background ranges from underground civil improvement design to large flood control program and project management to project funding and financial evaluations. His recent experience on infrastructure financing includes work with Yolo County Flood Control & Water Conservation District to stabilize its revenue through the identification and implementation of a new assessment and updated water rate fees, following the requirements of Proposition 218 and work with the San Joaquin Area Flood Control Agency on the implementation of a benefit assessment district to fund its portion of the Federal Lower San Joaquin River Project.

#### Liz Abdissa – Senior Analyst

Ms. Abdissa is an experienced analyst with more than 6 years of experience in data analytics, grant management, report development, and finance research and evaluation. She holds an MBA and has experience analyzing financial reporting, performing market research, preparing statistical reporting and trend analyses. Her expertise has been utilized to assist in expenditure evaluations, revenue reporting, and cash flow modeling. Ms. Abdissa is responsible for the annual administration of RD 900's Drainage O&M assessment and provides client support to small reclamation districts, such as RD 2140, as well as large flood agencies, such as Sacramento Area Flood Control Agency.

\*See **Section 4** for Staff Resumes



#### Agenda Item 6a

То:	TWD Board
From:	Finance Ad Hoc Committee
Date:	May 15, 2024
Subject:	Consideration of a policy to allow landowners within the district to pre-
	pay toward the special assessment or other revenue measure.

At the last Board Meeting, the Finance Ad Hoc Committee agreed to conceptualize a draft policy that would allow landowners within the district to pre-pay landowner assessments, if necessary. This policy would be a strategic move to ensure sufficient funding for the district's activities, particularly in scenarios where external funding, such as that from the Agricultural Groundwater Users of Butte County, might fall short.

The following is an analysis of how such a policy could be structured and its potential implications.

#### **Policy Structure**

- <u>Voluntary Participation</u>: Participation in the pre-payment program would be voluntary, allowing landowners who are willing and able to contribute financially to the district's needs ahead of a successful assessment vote or other established long-term funding mechanism.
- <u>Clear Terms and Conditions</u>:
  - The policy would outline the terms of pre-payment, including how these funds will be used and how landowners who pre-pay would be reimbursed if the Proposition 218 revenue generating measure succeeds. This could include full refunds or credits against future assessments. Further, the opportunity to prepay would be provided to all landowners within the district through communication intended to reach all such landowners.
  - The policy would also include language explaining that voluntary contributions would be made at risk and would not be reimbursed if the Proposition 218 revenue generating measure fails and no other longer-term funding mechanism is established.
- Interest on Pre-Payments: Consideration should be given to whether the pre-paid funds will earn interest. If they do, the rate and conditions under which interest is calculated should be transparent. Such a concept should be vetted through the district's counsel as consideration of earned interest on such pre-payments takes on the characteristic of a loan versus pre-payment on future assessments. Pre-payment on future assessments (credits versus repayment) would not involve an interest calculation.
- <u>Accounting and Transparency</u>: Consider establishing a separate accounting process for pre-paid funds to ensure transparency and accountability. Regular reporting on the status of these funds should be made available to the pre-paying landowners and the public.

#### Benefits

- <u>Financial Security</u>: By allowing pre-payments, TWD could secure necessary funding upfront, if needed, reducing financial uncertainty and enhancing the district's ability to conduct a 218 election or other long-term funding mechanism as well as to potentially plan projects to implement the Groundwater Sustainability Plan and create groundwater sustainability within the Vina Subbasin until assessments could be collected pursuant to a successful 218 election or other established long-term funding.
- <u>Community Engagement</u>: This policy could increase community involvement and investment in district activities, fostering a sense of ownership and commitment among landowners.

#### Administrative and Legal Considerations

- Administrative Complexity: Managing pre-payments, especially with regards to refunds and accounting, could add administrative complexity and costs.
- <u>Compliance with Proposition 218</u>: Any pre-payment policy must be carefully designed to comply with the requirements of Proposition 218, particularly those relating to the use of funds and voter approval.

#### Conclusion

The proposed policy by TWD to allow pre-payment of landowner assessments could provide a viable financial strategy to ensure the district has the necessary funds to carry through the Proposition 218 election process. However, careful consideration must be given to the structure of the policy, its legal compliance, and its potential impacts on the community to ensure it serves the best interests of all stakeholders involved.

#### Recommendation

Direct staff and legal to develop a draft resolution regarding a pre-payment policy for consideration by the Finance Ad Hoc Committee and, ultimately, potential action by the TWD Board of Directors at either the June or July Regular Board Meeting.

	ITEM 7a	- Page 1 of 3 Staff Use Only
WATER DISTRICT	Tuscan Water District Agenda Transmittal	Agenda Item:
Subject:		Date: 5.15.2024
	<b>on 6b</b> – requires TWD to submit an Application (by August 1, 2024) to lot a municipal service review (MSR) and determine the long-term ce.	REGULAR X SPECIAL
Agenda Item S	ummary:	
2) / 3) / 4) E 5) / • The follo 1) L	A resolution of Application (attached, Resolution 24-03) A list of affected parcels. A map with a written description, acceptable to the executive officer. Environmental Documentation. A deposit wing will be requested by LAFCO upon project approval: Legal description of the district Map/plat stamped by a licensed engineer	
<ul> <li>At the sa</li> </ul>	ewly formed district and does not currently have permanent funding. me time, LAFCO Condition 6b requires TWD to submit an application with a de nay have some discretion on when it processes the application.	eposit.
Attachment:		
Resolution		
	n 24-03	

Potential cost: \$10,000. The initial deposit will be \$3,000. Additional cost for processing the Application beyond the deposit would likely be incurred after TWD secures permanent funding.

#### Personnel Impact:

#### **Action Requested:**

Approve Resolution 24-03. Approve the deposit cost of \$3,000 and direct staff to submit payment to LAFCO. Direct staff to work with legal to prepare and submit an application to LAFCO. Direct staff to provide an update to the Board at the June board meeting.

#### Staff Reviewer:



#### **RESOLUTION NO. 24-03**

#### A RESOLUTION OF THE BOARD OF DIRECTORS OF THE TUSCAN WATER DISTRICT AUTHORIZING SUBMISSION OF AN APPLICATION TO CONDUCT A MUNICIPAL SERVICE REVIEW (MSR) AND DETERMINE THE LONG-TERM SPHERE OF INFLUENCE

**WHEREAS**, the Tuscan Water District (the "District") has been formed in Butte County, California, with the primary goal of working collaboratively with various local and state agencies to implement water supply, recharge, and demand conservation projects in order to achieve groundwater sustainability; and

**WHEREAS**, the Local Agency Formation Commission (LAFCo) has approved the formation of the District subject to certain conditions, including the submission of an application for a municipal service review (MSR) and determination of the long-term sphere of influence for the District; and

**WHEREAS**, the District is committed to complying with all conditions set forth by LAFCo to ensure its successful operation and contribution to the sustainable management of groundwater resources in Butte County;

# NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Tuscan Water District as follows:

#### Section 1: Commitment to Compliance

The District hereby commits to fully comply with the condition of approval set forth by LAFCo requiring the submission of an application for an MSR and determination of the long-term sphere of influence within six months of the recording of the Certificate of Completion for the formation of the District.

#### Section 2: Application Submission

The District shall prepare and submit an application to LAFCo for conducting an MSR and determining the long-term sphere of influence for the District. This application will include all necessary documentation and information as required by LAFCo to facilitate a comprehensive review.

#### **Section 3: Financial Responsibility**

The District acknowledges that all fees and costs associated with the application for the MSR and sphere of influence determination shall be borne by the District. This includes an initial deposit in an amount deemed appropriate by the Executive Officer of LAFCo. The District shall allocate sufficient funds to cover these expenses and ensure timely payment.

#### Section 4: Collaboration with LAFCo

The District commits to working collaboratively with LAFCo throughout the MSR process and the determination of the sphere of influence. The District shall provide LAFCo with all requested information and assistance to ensure a thorough and efficient review process.

#### **Section 5: Corrective Actions**

The District acknowledges the importance of fulfilling this condition of approval and understands that failure to comply may result in LAFCo applying a zero sphere of influence and initiating corrective actions up to and including dissolution of the District. The District is committed to avoiding such outcomes by ensuring full compliance with LAFCo's requirements.

#### **Section 6: Effective Date**

This resolution shall take effect immediately upon its adoption by the Board of Directors of the Tuscan Water District.

# ADOPTED by the Board of Directors of the Tuscan Water District at a duly noticed and held meeting on May 15, by the following vote:

AYES:
NOES:
ABSENT:
NOT VOTING:

Name, President Tuscan Water District Board of Directors

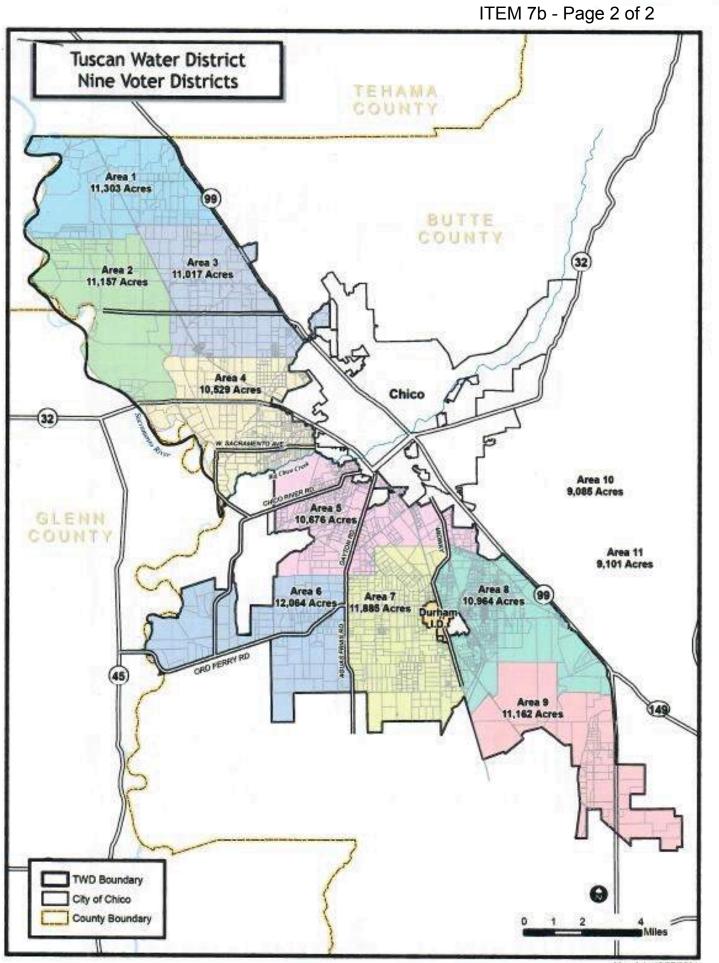
ATTEST:

By:

Title

	ITEM 7b - I	Dana 1 of 2	
		Staff Use (	Only
	Tuscan Water District	Agondali	tom
		Agenda Item:	
WATER DISTRICT	Agenda Transmittal	7b	
Subject:		Date: 5.	15.2024
	9 - Requirement to adopt a resolution requesting the Board of Supervisors to	Degulary	
establish electoral	divisions based on equal size (acres).	Regular:	
		Special:	
Agenda Item Si	ummary:		
LAFCO Condition	No. 9 requires the TWD Board to adopt a resolution - by August 1, 2024 - request	ting the Butte C	ounty
	rs to establish electoral divisions based on equal size (acres) and the boundarie ater Code sections 35025 and 35026.	s thereof in	
Attached is a map	and list of landowners by District that was prepared to satisfy this LAFCO conditi	on.	
Options for conside			
resolution for Board	the attached map and direct staff to work with legal counsel and return to the Boa d approval.	ard in June with	а
Option 2: Make adi	ustments to the attached map and direct staff to work with legal counsel and retu	irn to the Board	in
	ion for Board approval.		
Attachment: 9 Divis	sion Map		
Fiscal Impact:			
None.			
Personnel Imp	act:		
None.			
Action Decuse	todi		
Action Reques			]
Review the options	above and provide direction to staff and legal counsel.		

#### Staff Reviewer:



		Staff Use Only			
	Tuscan Water District	Agenda Item:			
C WATER DISTRICT Agenda Transmittal		ITEM 8a			
Subject:		Date: 5.15.2024			
	Consideration of a request by M&T Chico Ranch to remove acreage from the Tuscan Water District boundaries.           REGULAR         SPECIAL				
Agenda Item Su	ımmary:				
Tuscan Water Dis Sustainability Age potential solutions the GSA represer At the time, petitic legal description, by discussions wi	, M&T Chico Ranch (M&T) requested that LAFCO remove several M&T parcels f strict. The M&T acreage in question sits in the Butte Subbasin, which has its own ency (GSA) and Groundwater Sustainability Plan (GSP) and, therefore, its own s is to achieve groundwater sustainability. M&T wanted its Butte Subbasin acreage nting the Butte Subbasin and not part of or subject to the Vina GSA GSP.	o Groundwater et of issues and governed solely by o amend the map and t the time, informed			
	Removing acreage from a special district can happen by Agency Resolution or by Landowner Petition. LAFCO staff prefers that acreage detachment occur via Agency Resolution.				
Attached is the map showing the acreage that M&T wishes to remove from TWD. The cost to detach this acreage will likely fall between \$3,000 and \$5,000 for LAFCo staff time to process the Application and for an amended legal description and map.					
Attachments: 1. Letter from M&T 2. Map showing parcels to be removed					
Fiscal Impact:					
Personnel Impact:					
Action Requested:					
<ol> <li>Direct staff to determine if AGUBC is willing to cover the cost.</li> <li>If AGUBC is willing to cover the cost, direct staff to develop a Resolution and Application to remove M&amp;T's Butte Basin acreage from TWD for approval at the next TWD Board meeting.</li> </ol>					
Staff Reviewer:					
Version: March 2024					

ITEM 8a - Page 1 of 5

M & T CHICO RANCH • 3964 CHICO (ER ROAD • CHICO • CALIFORNIA 959) (530) 342-2954 • FAX (530) 342-4138



February 3, 2022

Stephen Lucas, Executive Officer Butte Local Agency Formation Commission 1453 Downer Street, Suite C Oroville California 95965

Dear Mr. Lucas,

This is being written for Pacific Realty Associates, dba as M&T Chico Ranch. The majority of this ranch is in the Butte Subbasin of Butte County. We have two assessor's parcels that are currently within the boundary of the planned Tuscan Water District. They are parcels 39-53-01 which is 1,250 acres and parcel 39-55-70 which is 198.93 acres. We would like these two parcels to be removed from the planned Tuscan Water District and left in the Butte Subbasin.

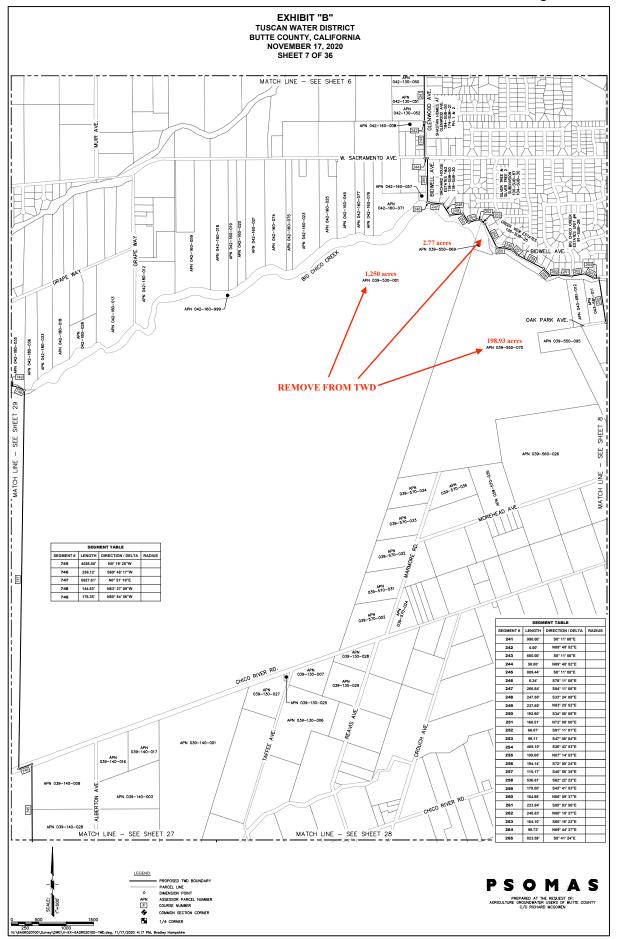
We do have three additional parcels 39-580-034 (156.29 acres), 39-16-02 (69.76 acres) and 39-14-07 (37.07 acres) that are currently in the Vina Subbasin and we want them to remain in the Vina Subbasin and the Tuscan Water district.

The remainder of the M&T Ranch has always been in the Butte Subbasin and we would like to leave it that way.

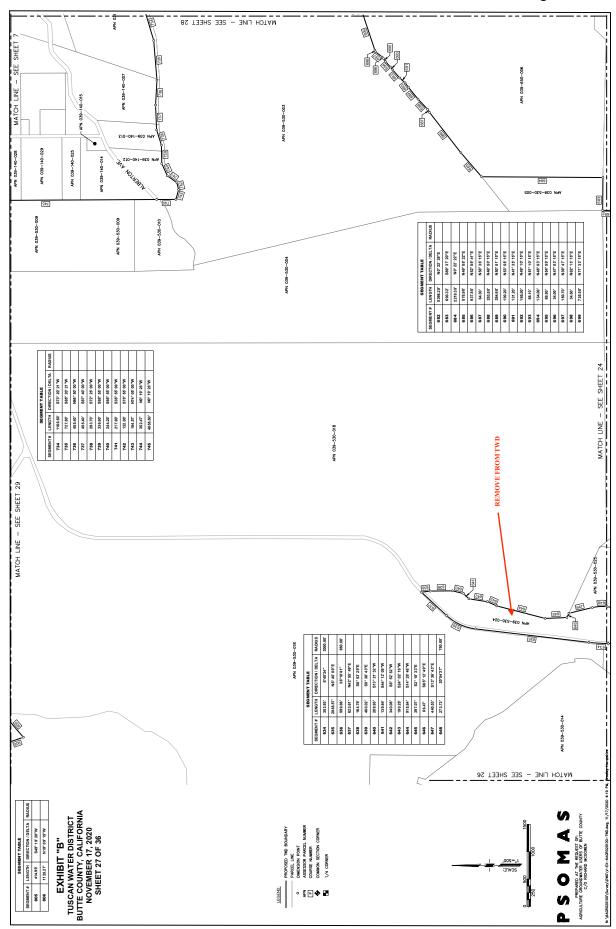
Sincerely

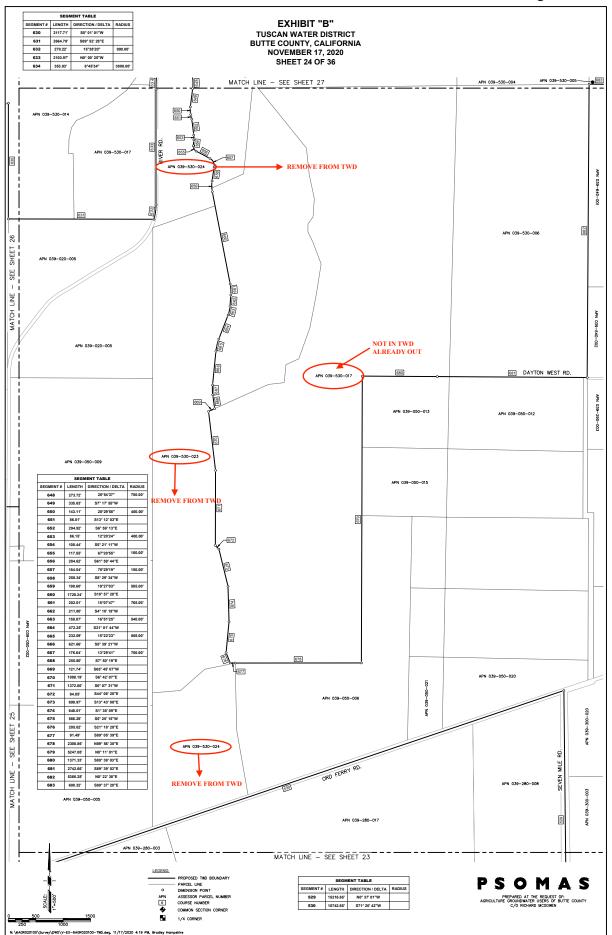
Les Heringer, Vice President Pacific Realty Associates, dba M&T Chico Ranch











Richard McGowan 30 Independence Circle #300 Chico, Ca 4-18-24

Dear Richard

This is a brief letter to resign from the Tuscan Water District Board and the AGUBC Board. It has been a pleasure to work with you and all the board members. I intend to continue to support your efforts to protect our water. This is not a decision I wanted to make or take lightly. That being said, I need to spend more time on the farm and with my family.

Sincerely, Ed McLaughlin Ed M: Joughlim

# INVOICE

#### Giezentanner & Associates 698 East 5th Street Chico, California 95928 United States

\$3,500.00

Amount Due (USD):

BILL TOInvoice Number:20201272Tuscan Water District<br/>30 Independence Circle<br/>Chico, California 95973<br/>United StatesInvoice Date:April 30, 2024Payment Due:May 30, 2024May 30, 2024Amount Due (USD):\$3,500.00

Items	Quantity	Price	Amount
Service April 2024 - For staff support services regarding the following: - Monthly Board Meeting and Ad Hoc Committee meetings - Compliance with LAFCO Conditions of Approval - Logistical and financial issues	1	\$3,500.00	\$3,500.00
		Subtotal:	\$3,500.00
		Total:	\$3,500.00



(661) 395-1000 FAX (661) 326-0418 E-MAIL accounting@kleinlaw.com

April 30, 2024

RICHARD McGOWAN 30 INDEPENDENCE CIRCLE #300 CHICO, CA 95973 Invoice No.1225990Client No.24618Matter No.001Billing Attorney:JDH

#### **INVOICE SUMMARY**

For Professional Services Rendered for the Period Ending: April 19, 2024.

#### RE: TUSCAN WATER DISTRICT GENERAL BUSINESS

Professional Services	\$ 4,270.00
Costs Advanced	\$ .00
TOTAL THIS INVOICE	\$ 4,270.00

#### **KLEIN DENATALE GOLDNER**

Invoice No. 1225990

April 30, 2024

**PROFESSIONAL SERVICES** 

Date	Init	Description	Hours	Amount
3/22/24	RMS	FPPC REGULATIONS RESEARCH.	.20	70.00
4/12/24	JDH	REVIEWED AND REPLIED TO E-MAIL FROM TOVEY REGARDING REIMBURSEMENT PROCESS FROM AGUBC.	.50	187.50
4/16/24	JDH	TRAVELLED TO CHICO FOR APRIL REGULAR BOARD MEETING, INCLUDING PRE-BOARD MEETING CONFERENCE WITH R. McGOWAN AND TOVEY.	3.70	1,387.50
4/17/24	JDH	ATTENDED APRIL REGULAR BOARD MEETING; TRAVEL TO BAKERSFIELD.	7.00	2,625.00
TOTAL PROFESSIONAL SERVICES			\$	4,270.00

#### TOTAL PROFESSIONAL SERVICES

#### SUMMARY OF PROFESSIONAL SERVICES

Name	Init	Rate	Hours	Total
SHERFY, ROBERT	RMS	350.00	.20	70.00
HUGHES, JOSEPH	JDH	375.00	11.20	4,200.00
Total			11.40	\$ 4,270.00

**TOTAL THIS INVOICE** 

\$ 4,270.00



10000 STOCKDALE HWY, SUITE 200 BAKERSFIELD, CA 93311

(661) 395-1000 FAX (661) 326-0418 E-MAIL accounting@kleinlaw.com

Invoice No.

Client No.

Matter No.

Billing Attorney:

April 30, 2024

1225990

24618

001

JDH

RICHARD McGOWAN 30 INDEPENDENCE CIRCLE #300 CHICO, CA 95973

#### REMITTANCE

#### RE: TUSCAN WATER DISTRICT GENERAL BUSINESS

#### **BALANCE DUE THIS INVOICE**

\$ 4,270.00

All checks should be made payable to: (Please return this advice with payment.) Klein DeNatale Goldner 10000 Stockdale Hwy, Suite 200 Bakersfield, CA 93311

For payment by wire in USD: (Please reference: Client-Matter No. 24618-001, Invoice No. 1225990) J.P. Morgan Chase Account No. 825707620 ABA No. 322271627

To pay by credit card, click here --->: Pay Now or call Accounting at (661) 395-1000.

## DUE UPON RECEIPT

#### FEDERAL I.D. No. 95-2298220

Thank you! Your business is greatly appreciated.



April 5, 2024

Tuscan Water District Rich McGowan 30 Independence Cir #300 Chico, CA 95973

Dear Rich,

Are you ready? The **Butte County Farm Bureau** is pleased to announce the **Annual Summer Barbeque** will take place on **Thursday, June 20, 2024** at the Butte County Fairgrounds in Gridley. This event – designed for the whole family – is not to be missed!

We would like to thank you for your past support of this event and would appreciate your consideration once again. Sponsorship of the Summer Barbeque not only provides a great opportunity to get your business name recognized by the community, but also helps to support the agriculture industry through the grassroots efforts of Farm Bureau; this event is attended by more than 600 people from throughout Northern California.

This year's dinner, live auction, silent auction, and raffle proceeds will assist Butte County Farm Bureau in our continued efforts to support and defend local agricultural.

Once again, supportive businesses have the opportunity to be listed as a sponsor of the event on invitations, which are mailed to approximately 1,000 members and guests. In order to take advantage of this special benefit, sponsorship confirmations must be received to the BCFB office by **May 3**, **2024**. Sponsorships received after May 3<sup>rd</sup> will receive all other benefits, but will not be listed on the mailed invitations.

Enclosed is information on the different sponsor levels and benefits. If you are interested in being a sponsor of this annual event, please complete the enclosed form and return it along with your donation to BCFB.

The evening will begin with a no-host social hour at 5:30 followed by dinner at 7:00 p.m. The evening's activities will also include a raffle, silent auction, and live auction. Event invitations will be mailed in early May.

Please feel free to contact the Farm Bureau at (530) 533-1473 if you have any questions. We appreciate your continued support of the Butte County Farm Bureau, and look forward to hearing from you soon.

Sincerely,

Colleen Cecil Executive Director



#### Annual Summer BBQ June 20, 2024

2024 Sponsor Levels & Benefits:

#### Title Sponsor \$10000 (limited to one sponsor)

- Company logo placement on event invitation
  - ★ Company logo placement on event posters and in May/June BCFB Newsletter to members.

  - Opportunity at the BBQ to display our company's banners.
     Opportunity at the BBQ for display our company's banners.
     Opportunity at the BBQ for display our company's banners.
  - 24 complin h ackets.
  - One complimentary half page ad in the May/June BCFB Newspaper.
  - One complimentary half page ad in the July/August BCFB Newspaper.

#### **Presenting Sponsor \$5000**

- Company logo placement on event invitation.
- Opportunity at the BBQ to display two of your company's banners.
- 16 complimentary dinner tickets.
- ★ One complimentary half page ad in the BCFB Newspaper.

#### **Corporate Sponsor \$2500**

- Company logo placement on event invitation.
- Opportunity at the BBQ to display your company's banner.
- 10 complimentary dinner tickets.
- One complimentary half page ad in the BCFB Newspaper.

#### Diamond Sponsor \$1000 (cash or item donation)

- ★ 8 complimentary dinner tickets.
- Opportunity at the BBQ to display your company's banner.
- One complimentary quarter page ad in the BCFB Newspaper.

#### Platinum Sponsor \$750 (cash or item donation)

- ★ 5 complimentary dinner tickets.
- Opportunity at the BBQ to display your company's banner.
- One complimentary quarter page ad in the BCFB Newspaper.

#### Gold Sponsor \$500 (cash or item donation)

- ★ 4 complimentary dinner tickets.
- One complimentary quarter page ad in the BCFB Newspaper.

#### Silver Sponsor- \$300 (cash or item donation)

3 complimentary dinner tickets.

#### Bronze Sponsor- \$250 (cash or item donation)

2 complimentary dinner tickets.

#### Prize Donation- under \$250 (item donation)

★ Recognition at the BBQ.

#### Additional sponsor benefits and information

 Sponsor Banus – All sponsorships received (over \$250) by May 3, 2024 will be recognized on the event invitations, which are mailed to mare than 1000 members and guests. 
All sponsors will receive their business name listed on the BBQ placemats. 
Sponsors committing \$250 or more will also receive recognition at the BBQ, and a listing in a "Thank You Sponsors" ad in the BCFB newspaper. • Presenting, Corporate and Limited Sponsorships levels restricted to cash donations.