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4400 Hays Drive  
Chowchilla, CA 93610  
TEL: (209) 665-1788

**MEETING NOTICE AND AGENDA FOR THE SCHEDULED MEETING OF THE BOARD OF  
DIRECTORS OF THE  
TRIANGLE T WATER DISTRICT**

Alternate formats of this agenda will be made available upon request by qualified individuals with disabilities. Appropriate interpretive services for this meeting will be provided if feasible upon advance request by qualified individuals with disabilities. Please contact the Interim Agency Secretary at (209) 883-8374 for assistance and allow sufficient time to process and respond to your request.

PLEASE TAKE NOTICE that the scheduled meeting of the Board of Directors of the Triangle T Water District will be held on August 12, 2021 at 10:00 AM. VIA Teleconference due to COVID-19 restrictions;

**Join Zoom Meeting**

<https://us02web.zoom.us/j/87254449162?pwd=SFdTd0phTkJVRWx0SnE5YzZwTWRVZz09>

**Meeting ID: 872 5444 9162**

**Passcode: 701742**

**One tap mobile**

**+16699006833,,87254449162#,,,,\*701742#**

**Dial by your location**

**+1 669 900 6833**

**Meeting ID: 872 5444 9162**

**Passcode: 701742**

**1. ROLL CALL**

**2. PUBLIC COMMENT**

Interested persons in the audience are welcome to introduce any topic within the Agency's jurisdiction. No action may be undertaken on any item not appearing on the posted agenda, except that the Board may briefly respond to the comments, refer the matter to staff, or request it be placed on a future agenda.

**3. BOARD MEETING MINUTES – Sarah Woolf**

a. **Action Item** - Consider Approval of meeting minutes of July 8, 2021.

4. **BUDGET** – Chase Hurley
  - a. **Action Item** - Review and Consider Approval of Accounts Payable and the Financial Report
5. **WATER OPERATIONS** - Chase Hurley
  - a. Water Operations Update
  - b. **Action Item** – Consider Possible Approval of New Water Purchase
6. **2021 MITIGATION AGREEMENT** – Chase Hurley
7. **SIPHON PIPELINE EASEMENT UPDATE** – Sarah Woolf
8. **ANNEXATION UPDATE** – Sarah Woolf
  - a. **Action Item** – Consider Possible Action to Initiate the Annexation of identified lands and expanded Sphere of Influence
9. **APPROPRIATIVE WATER RIGHT UPDATE** – Sarah Woolf
10. **RED TOP LANDOWNER UPDATE** - Sarah Woolf
  - a. Next Meeting September with County and area landowners
11. **OTHER BUSINESS**
12. **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.
13. **CLOSED SESSION**
  - a. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**  
(Gov. Code § 54956.8)  
*Property:* Water Rights  
*Agency negotiator:* Chase Hurley  
*Under negotiation:* Price and terms
14. **ADJOURNMENT**



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**TRIANGLE T WATER DISTRICT  
MINUTES OF THE REGULARLY SCHEDULED BOARD MEETING  
July 8, 2021**

**Those present at the meeting via Zoom teleconference included**

**Directors:** Lucas Avila, Dirk Vlot, Jose Ochoa, Michael York, and Molly Thurman

**Others:** Sarah Woolf, Chase Hurley, Brad Samuelson, Kristi Robinson, Julia Berry, Jason Littleton, Samantha Lopes, George Park, Karun Samran, Stacy Ann Silva, Don Wright, and Amy Siliznoff

**Roll Call**

President Lucas Avila called the meeting to order at 10:17 AM and asked for a reading of the participant lists.

**Public Comment:**

There was no Public Comment

**Minutes**

Minutes from the Board Meetings of June 10, 2021 were reviewed. Director Dirk Vlot made a motion to approve the minutes and Director Jose Ochoa seconded. Roll call was taken and the motion passed unanimously.

**Budget**

The accounts payable and financial report was reviewed by Chase Hurley. The board was informed that staff is working with Clayton Water District on the outstanding \$106,000. Julia Berry of Clayton Water District stated that Clayton Water District had a successful Prop 218 and will have the funds available soon. Director Dirk Vlot made a motion to approve the accounts payable and budget report and seconded by Director Jose Ochoa. Roll call was taken and the motion passed unanimously.

**FY2020 Financial Audit**

Ryan Jolley of Bryant L. Jolley, CPA reported on the Audited Financials and found that are in accordance with accounting principles generally accepted in the United States of America. Director Dirk Vlot made a motion to accept the Audited Financial Report with a second from Director Molly Thurman. The motion passed with a roll call vote.

**Water Operations**

Chase Hurley informed the board that there was nothing to report on the water operations at this time due to no water coming into the district. Chase Hurley did indicate that the District is working with landowners in tracking groundwater pumping information. Chase Hurley and Sarah Woolf continue to work with past partners to purchase water. Director Dirk Vlot asked if there is any possibility of fall water. Chase Hurley feels that some water will be available this fall.



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### **2021 Mitigation Agreement Pumping Thresholds**

Chase Hurley informed the board that Water District Staff is working on the new Mitigation Agreement Negotiations on behalf of the district landowners and Cross Creek Farms. Staff is in talks with the Exchange Contractors and technical and legal representation from both sides. It has been agreed that the negotiations will be completed in time to have final documents to each board in November. Staff anticipates that this agreement will be an 8-12 year agreement, any lands annexed into the district will be required to meet the pumping thresholds put in place.

### **Siphon Pipeline Easement Update**

Sarah Woolf informed the board that the condemnation went before the court on June 3, 2021 and was postponed to June 21<sup>st</sup>, where it was postponed again. No new court date has been set. Once the court ruling, then public notice, and notice of condemnation.

### **Annexation Update**

Sarah Woolf presented that the Technical Ad Hoc Committee (Dirk Vlot and Lucas Avila) met with staff and are recommending to the board that lands that have a positive or neutral impact on the district's water balance should be annexed into the district at this time. The districts sphere of influence should be expanded to include all properties that are interested in annexation in preparation for future annexation. Staff reached out to Cross Creek and Clay Haynes to offer annexation. Both declined at this time. Annex properties include FNS, BB Limited, John Hancock USA - Madera 1, Western Farmland – Madera 6, and Dirk Vlot. It is anticipated that the annexation would be complete by the end of the year.

Director Jose Ochoa made a motion to Initiate the Annexation of the identified lands and expanded Sphere of Influence and Director Molly Thurman seconded. Roll call was taken and the motion passed unanimously with Director Dirk Vlot abstaining.

### **Appropriative Water Right (AWR)**

Sarah Woolf informed the board that the Public Notice period closed for the AWR on July 6, 2021. Three letters were received; California Department of Fish and Wildlife, NRDC, and Friant Water Authority. California Department of Fish and Wildlife stated in their letter concerns about the necessity of fish screens to protect the fish. NRDC also stated their wish for fish screens and had concerns about diversions impacting flows. Friant Water Authority expressed concerns about upper San Joaquin Water Rights. SWRCB has asked the applicants to review all water rights and prove that our application is not infringing on someone else's water rights. Director Dirk Vlot asked if this would be resolved before winter. Sarah Woolf indicated no, but applicants would still be able to divert water as they have done historically. These diversions would not be counted towards ground water credits for purposes of the GSP, however would help and improve the overall recharge and in the aquifer.

### **Red Top Landowner Meeting**

Sarah Woolf informed the board that there will be a Red Top Landowner meeting on July 21, 2021 at 10:00am at Allan Clark's Barn on Road 4. Meeting notice will be sent today.



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**Other Business**

Sarah Woolf informed that Board that Director Molly Thurman's and Director Dirk Vlot's term is expiring on September 1, 2021. Staff is working with the Madera County Board of Supervisors to have the directors reappointed.

Chase Hurley asked Director Dirk Vlot to give direction on when he would like District staff to decommission the test recharge ponds on his property. Director Dirk Vlot indicated he felt it was best to wait until the 30 acre recharge basin was being constructed and complete all at once.

**Comments from the Board**

No Comments

**Closed Session**

There was no closed session

**Adjournment**

Meeting was adjourned at 10:58 AM.

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Secretary: Sarah Woolf

**Triangle T Water District**  
**PAYABLE LIST**  
 July 9, 2021 - August 12, 2021

| Date                         | Num  | Name                                   | Memo   | Amount    | Balance      |
|------------------------------|------|--|--|-----------|--------------|
| <b>Tri Counties-Checking</b> |      |  |  |           |              |
| 07/26/2021                   | 1736 | AT&T                                   | 07/10/21 - 08/09/21 Phone                                  | -108.43   | 1,720,376.60 |
| 07/26/2021                   | 1737 | Central California Irrigation District | Water Year 2018 - SLDMWA Transportation Cost True-up       | -628.71   | 1,720,268.17 |
| 07/26/2021                   | 1738 | Chowchilla Water District              | June 2021 GSP Annual Report Cost Share                     | -389.86   | 1,719,639.46 |
| 07/26/2021                   | 1739 | PG&E                                   | 06/18/21 - 07/19/21 Electric                               | -99.97    | 1,719,249.60 |
| 07/26/2021                   |      |  | DEPOSIT Vlot - FY 2021 Assessment: 3rd Quarter Installment | 57,369.05 | 1,776,518.68 |
| 08/12/2021                   | 1740 | Chowchilla Water District              | July 2021 GSP Annual Report Cost Share                     | -144.59   | 1,776,374.09 |
| 08/12/2021                   | 1741 | Water & Land Solutions                 | August 2021 Management Fee                                 | -5,262.50 | 1,771,111.59 |
| 08/12/2021                   | 1742 | Water Wise                             | August 2021 Management Fee                                 | -5,262.50 | 1,765,849.09 |

Total Tri Counties-Checking

**TOTAL** 45,472.49 1,765,849.09

**Triangle T Water District**  
**Budget vs. Actual**  
**August 12, 2021**

|  | Budget              | Jan - Dec 21        | % of Budget      |
|--|---------------------|---------------------|------------------|
| <b>Income</b>                              |                     |                     |                  |
| <b>Assessments</b>                         | 1,882,500.00        | 1,411,919.34        | 75.0%            |
| <b>Total Income</b>                        | <b>1,882,500.00</b> | <b>1,411,919.34</b> | <b>75.0%</b>     |
| <b>Expense</b>                             |                     |                     |                  |
| <b>Administration</b>                      |                     |                     |                  |
| Audit                                      | 3,500.00            | 5,500.00            | 157.14%          |
| <i>Dues, Fees, and Permits</i>             |                     |                     |                  |
| Calif Farm Water Coalition                 | 2,500.00            | 0.00                | 0.0%             |
| MRW Mgmt Group                             | 2,500.00            | 2,500.00            | 100.0%           |
| SJRR Mgmt Coalition                        | 0.00                | 0.00                | 0.0%             |
| SJV Water Blueprint                        | 5,000.00            | 0.00                | 0.0%             |
| SWRCB Annual Fee Redtop Siphon             | 1,400.00            | 2,311.05            | 165.08%          |
| Insurance                                  | 2,000.00            | 1,938.00            | 96.9%            |
| Management                                 | 126,300.00          | 84,200.00           | 66.67%           |
| Phone                                      | 1,000.00            | 686.27              | 68.63%           |
| <i>Professional Services</i>               |                     |                     |                  |
| <i>Engineering</i>                         |                     |                     |                  |
| Annexation                                 | 0.00                | 0.00                | 0.0%             |
| General                                    | 2,500.00            | 2,642.20            | 105.69%          |
| <i>Legal</i>                               |                     |                     |                  |
| General Counsel                            | 15,000.00           | 3,429.69            | 22.87%           |
| Mitigation Agreement                       | 15,000.00           | 0.00                | 0.0%             |
| Supplies                                   | 300.00              | 175.82              | 58.61%           |
| Website Management & Updates               | 2,500.00            | 0.00                | 0.0%             |
| <b>Total Administration</b>                | <b>179,500.00</b>   | <b>103,383.03</b>   | <b>57.6%</b>     |
| <b>Capital Expenses</b>                    |                     |                     |                  |
| Recharge Ponds                             | 100,000.00          | 0.00                | 0.0%             |
| Shallow Well                               | 175,000.00          | 0.00                | 0.0%             |
| <b>Total Capital Expenses</b>              | <b>275,000.00</b>   | <b>0.00</b>         | <b>0.0%</b>      |
| <b>Chowchilla Sub-basin</b>                |                     |                     |                  |
| <i>SGMA Compliance</i>                     |                     |                     |                  |
| GSP Admin/Annual Rep Cost Share            | 23,000.00           | 5,514.21            | 23.98%           |
| <b>Total SGMA Compliance</b>               | <b>23,000.00</b>    | <b>5,514.21</b>     | <b>23.98%</b>    |
| <b>Total Chowchilla Sub-basin</b>          | <b>23,000.00</b>    | <b>5,514.21</b>     | <b>23.98%</b>    |
| <b>Operations &amp; Maintenance</b>        |                     |                     |                  |
| GW Monitoring and Metering                 | 25,000.00           | 0.00                | 0.0%             |
| PG&E Power                                 | 125,000.00          | 449.28              | 0.36%            |
| System Repairs & Maintenance               | 15,000.00           | 11,124.06           | 74.16%           |
| <b>Total Operations &amp; Maintenance</b>  | <b>165,000.00</b>   | <b>11,573.34</b>    | <b>7.01%</b>     |
| <b>Water-Purchases, O&amp;M, Transport</b> | <b>1,200,000.00</b> | <b>0.00</b>         | <b>0.0%</b>      |
| <b>Total Expense</b>                       | <b>1,842,500.00</b> | <b>120,470.58</b>   | <b>6.54%</b>     |
| <b>Net Income</b>                          | <b>40,000.00</b>    | <b>1,291,448.76</b> | <b>3,228.62%</b> |

**Triangle T Water District  
A/R Aging Summary**

|  | <b>Current</b>    | <b>1 - 30</b> | <b>31 - 60</b> | <b>61 - 90</b> | <b>&gt; 90</b>    | <b>TOTAL</b>      |
|--|-------------------|---------------|----------------|----------------|-------------------|-------------------|
| <b>Clayton Water District</b>                    | 0.00              | 0.00          | 0.00           | 0.00           | 106,000.00        | 106,000.00        |
| <b>John Hancock Life Insurance Company (...)</b> | 413,270.73        | 0.00          | 0.00           | 0.00           | 0.00              | 413,270.73        |
| <b>TOTAL</b>                                     | <b>413,270.73</b> | <b>0.00</b>   | <b>0.00</b>    | <b>0.00</b>    | <b>106,000.00</b> | <b>519,270.73</b> |



## RESOLUTION #2020-01

### **A RESOLUTION BY THE BOARD OF DIRECTORS OF TRIANGLE T WATER DISTRICT TO INITIATING PROCEEDINGS FOR THE ANNEXATION OF LAND AND A CORRESPONDING AMENDMENT TO THE DISTRICT'S SPHERE OF INFLUENCE**

**WHEREAS**, the owners of the certain lands described in Exhibit "A" (attached hereto and by reference made a part hereof and hereafter referred to as 'certain lands'), desire to have said land annexed to Triangle T Water District (District) and the District is amenable to the annexation of those certain lands; and

**WHEREAS**, those certain lands are outside of the District's current Sphere of Influence; and

**WHEREAS**, Government Code section 56654 provides, in part, that a proposal for reorganization may be made by the adoption of a resolution of application by the legislative body of any affected local agency, and the district is an "affected local agency" within the meaning of Government Code section 56654; and

**WHEREAS**, the provisions of Government Code section 56654(b) do not apply in this instance because the reorganization does not involve the exercise of new or different functions or classes of services; and

**WHEREAS**, Government Code section 56827 provides, in part, that the Commission may take proceedings pursuant to Government Code section 56650, *et seq.* without referring the proposal to a reorganization committee; and

**WHEREAS**, the annexation consists of an activity directly undertaken by a public agency, and is therefore considered a "project" under the California Environmental Quality Act (CEQA) as defined in CEQA Guidelines section 15378; and

**WHEREAS**, the Project Area contains agricultural land interspersed with rural residences. The agricultural land is not proposed for urban development and the district does not foresee and possibility the annexation in and of itself will result in a significant effect on the environment; and

**WHEREAS**, the annexation would allow the annexed lands the opportunity to obtain surface water supplies, thereby reducing groundwater pumping and improving the environmental condition of the annexed area; and

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Triangle T Water District does hereby determine, and order as follows:

1. Each of the matters set forth above is true and correct and the Board so finds and determines.
2. The Board of Directors finds that it can be seen with certainty that the amendment to the sphere of influence amendment and corresponding annexation has no possibility of resulting in a significant effect to the environment and is therefore not subject to CEQA pursuant to CEQA Guidelines section 15061(b)(3).

3. The Board of Directors requests that the Local Agency Formation Commission of Madera County undertakes proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Part 3 (commencing with section 56000) of Division 3 of Title 5 of the Government Code.
4. This proposal represents a reorganization consisting of the annexation of certain lands and a corresponding amendment to the District's current sphere of influence. The proposal does not involve the exercise of new or different functions or classes of services within the district.
5. The proposal would be consistent with the District's proposed sphere of influence. The appropriate LAFCo forms for amending the District's sphere of influence will be prepared and provided as part of the District's application.
6. The Project Area is located solely within Madera County and its exterior boundaries are described in Exhibit "A" attached hereto and incorporated herein. An exhibit delineating the Project Area is contained in Exhibit "B" attached hereto and incorporated herein.
7. The Project Area contains more than 12 registered voters and is considered to be inhabited pursuant to Government Code section 56046.
8. There are no special terms or conditions applicable to the proposal.
9. The reasoning for the proposal is to provide needed services to the affected lands.
10. The District's Manager is hereby authorized to file a notice of exemption pursuant to CEQA.
11. The District's Manager is hereby authorized and directed to forthwith prepare and file with the Executive Officer of the Local Agency Formation Commission of Madera County all forms relating to the application that are required by the Commission. Said forms shall include, but are not limited to, a certified copy of this resolution including exhibits, an application for proceeding on resolution by legislative body, and a plan for providing service, and documentation of the consent of the landowners to be annexed.
12. The District's Manager is hereby authorized and directed to forthwith to execute an indemnity agreement between the Local Agency Formation Commission of Madera County and the District in a form approved by Legal Counsel.
13. The District's Manager shall be, and hereby is, authorized and directed to perform any and all acts required to affect the reorganization initiated by this Resolution of Application.

**PASSED AND ADOPTED** at a meeting of the Board of Directors held August 12, 2021 by the following vote:

**AYES:**

**NAYS:**

**ABSTAIN:**

**ABSENT:**

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**Lucas Avila, President**

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**Sarah Woolf, Secretary/Treasurer**

EXHIBIT A  
Legal Description of Parcels

EXHIBIT B  
Map of Parcels

EXHIBIT C  
Terms and Conditions

NO TERMS AND CONDITIONS TO THIS ANNEXATION