



**MADERA IRRIGATION DISTRICT
BOARD OF DIRECTORS
GROUNDWATER SUSTAINABILITY AGENCY
REGULAR MEETING
FEBRUARY 21, 2023**

MINUTES

Directors Present: James Erickson, President
Tim DaSilva
Brian Davis
Carl Janzen, Vice President
David Loquaci

Directors Absent: None

Staff Present: T. Greci, General Manager (GM Greci)
D. Cadenazzi Nolan, Assistant General Manager (AGM Nolan)
A. Kwock Sandoval, Secretary to the Board
C. Contreras, Operations and Maintenance Manager (OMM Contreras)
J. Furstenburg, Controller

Others Present: General Counsel John Kinsey via Zoom, Wanger Jones Helsley; Bob Shull, Public Trust Advisors; Christina Beckstead, Madera County Farm Bureau; Lak Brar; Joel Hastings; others on the Zoom or in-person that did not identify themselves.

CALL TO ORDER / ROLL CALL

President Erickson called the meeting to order at 1:00 p.m. at the business office of the District at 12152 Road 28 ¼, Madera, California 93637.

APPROVAL OF AGENDA

MOTION: Director Janzen / Director Davis to approve the agenda as presented.

VOTE: ROLL CALL

AYES: Directors Loquaci, Janzen, Davis, DaSilva, and Erickson

NOES:

ABSTAIN:

ABSENT:

POTENTIAL CONFLICTS OF INTEREST: Closed Session

There were no potential conflicts noted.

PUBLIC COMMENT: Closed Session

President Erickson opened and closed public comment due to no public in attendance.

1. CLOSED SESSION Closed Session items not concluded prior to Regular Session may be continued at the end of the Regular Session.

- 1a. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9 (3 potential cases)
- 1b. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – Potential initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9 (2 potential cases)
- 1c. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to Paragraph (1) of subdivision (d) of Section 54956.9; Petition for the Adjudication of Rights to the Fresno River, before the State Water Resources Control Board
- 1d. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9; Madera Irrigation District v. Smith-Adobe Ranch Family Limited Partnership, Case No. MCV081757
- 1e. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9; Jose Hernandez v. Madera Irrigation District, et. al., Case No. MCV084802 and consolidated cases
- 1f. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9; Madera Irrigation District and Madera Irrigation District Groundwater Sustainability Agency v. Madera County Groundwater Sustainability Agency, Madera County Board of Supervisors, County of Madera, Case No. MCV086277
- 1g. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9; Madera Irrigation District and Madera Irrigation District Groundwater Sustainability Agency v. Madera County Groundwater Sustainability Agency, Madera County Board of Supervisors, County of Madera, Case No. MCV087598
- 1h. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9; *NRDC v. Rogers*,

U.S. District Court, Eastern District of California (Sacramento Division), Case No. 88-CV-1658-JAM-GGH

CALL TO ORDER REGULAR SESSION/ PLEDGE OF ALLEGIANCE

President Erickson called regular session to order at 2:04 p.m. with staff in attendance and the public in attendance.

REPORT ON CLOSED SESSION

There was no reportable action taking during Closed Session.

POTENTIAL CONFLICTS OF INTEREST

There were no potential conflicts of interest noted.

PUBLIC COMMENT: MID Groundwater Sustainability Agency & Regular Session

President Erickson opened and closed public comment due to no comments from the public.

ADJOURN AS MID BOARD OF DIRECTORS & CONVENE AS MID GROUNDWATER SUSTAINABILITY AGENCY – 2:06 p.m.

- a. Update on MID Groundwater Sustainability Agency (GSA)
 - On-Farm Recharge Workshop Recap
 - MID Selected as Priority Area, \$1.5 Million Available for District Landowners
 - RFP Potential Parcel Acquisition

AGM Nolan reported on the On-Farm Recharge Workshop that was held on January 19, 2023 with approximately 35 people in attendance. MID, Sustainable Conservation, NRCS, and the Madera Chowchilla Resource Conservation District provided brief presentations. It was a successful event.

AGM Nolan highlighted the press release sent out on February 15, 2023 announcing the District was selected as a priority funding area with \$1.5 million in funding available for on-farm conservation practices. AGM Nolan explained the press release initially stated applications will be taken beginning April 1, however, subsequently we learned the applications are due on April 3, 2023. Applications can be submitted now, and landowners interested should contact the local Madera NRCS office. AGM Nolan explained MID is one of only a few agencies selected for funding in the entire western United States.

AGM Nolan stated there are also additional funds available through NRCS for the Pilot Program for recharge projects. MID was selected for additional funding and applications are available from the NRCS. These applications are also due by April 3, 2023.

AGM Nolan stated a few years back, MID released an RFP for Potential Parcel Acquisition and purchased two parcels through the process. The parcels have been developed into MID recharge facilities. The District continues to look for additional opportunities. If landowners are interested, they only need to fill out a form and submit it to the District. Mr. Pistoresi requested the total

acreage of all MID basins. AGM Nolan replied the District has 9 basins, but does not have the total acreage with her today.

AGM Nolan provided additional updates on the MID GSA. She stated staff continues to meet with the other GSA in the Madera Subbasin to discuss the GSP update.

ADJOURN AS MID GROUNDWATER SUSTAINABILITY AGENCY & RECONVENE AS MID BOARD OF DIRECTORS – 2:11 p.m.

2. CONSENT AGENDA

- 2a. Approval of December 15, 2022 Special Board Meeting Minutes
- 2b. Approval of January 4, 2023 Special Board Meeting Minutes
- 2c. Discussion / possible action on approval of warrant list payments through February 9, 2023
- 2d. Discussion / possible action on monthly financial reports for November and December 2022
- 2e. Finance Department Report
 - Annual Disclosure of Payments over \$100 to Employees and Directors
- 2f. Discussion / possible action on Proclaiming a Local Emergency Persists, Re-Ratifying the Proclamation of a State of Emergency By the Governor's Proclamation of a State of Emergency Dated March 4, 2020, and Re-Authorizing Remote Teleconference Meetings of the Legislative Bodies of Madera Irrigation District for the Period of 30 Days Pursuant to Brown Act Provisions, Resolution No. 2023-03
- 2g. Discussion / possible action on modifications to District Policies, Resolution No. 2023-04
 - Section 212 – Use of District Vehicles
 - Section 216 – Anti-Harassment
 - Section 309 – Standby Compensation
 - Section 408 – Sick Leave
 - Section 411 – Compassionate Leave
 - Section 421 – Family and Medical Leave
 - Section 426 – Alternative Work Schedule
 - Section 601 – Progressive Discipline
- 2h. Discussion / possible action on surplus of equipment, Resolution No. 2023-05

MOTION: Director Janzen / Director Loquaci to approve the consent agenda items 2a. – 2h. as presented.

DISCUSSION: There was no discussion.

PUBLIC COMMENT: President Erickson opened public comment and closed public comment due to no comments from the public in attendance.

VOTE: ROLL CALL

AYES: Directors Loquaci, Janzen, Davis, DaSilva, and Erickson

NOES:

ABSTAIN:

ABSENT:

3. **DEPARTMENT REPORT – DISTRICT OPERATIONS**

OMM Contreras provided an update on the Operations & Maintenance Department. The Engineering Department continues to coordinate with maintenance season staff for off-season projects. The meters have been installed at the MID basins with recharge ongoing. The total number of water applications completed between January 1 and February 15, 2023 was 225. The Maintenance Department continues to repair leaks. The 24.2 Pipeline System was down from February 12 – February 17, 2023 due to the high number of leaks.

4. **GENERAL MANAGER'S REPORT**

4a. Update of Activities

- Friant Water Authority Annual Meeting, April 13, 2023
- ACWA Spring Conference, May 9-11, 2023
- Madera-Chowchilla Water & Power Authority
- Water Supply

GM Greci reported the Friant Water Authority Annual Meeting is scheduled for April 13, 2023 in Visalia. Directors that would like to attend the event should reach out to Secretary Sandoval. The ACWA Spring Conference is scheduled for May 9-11, 2023 in Monterey. Secretary Sandoval noted all the directors are booked to attend and have a room reserved.

GM Greci reported on the Madera-Chowchilla Water & Power Authority. The Madera Canal has been running. Two of the power plants were started up. GM Greci stated MID has been assisting the Upper San Joaquin River Water & Power Authority on terminating the agency. The last Board Meeting has been scheduled for February 27, 2023. GM Greci reported he presented at the Madera County Association of Realtors last week.

GM Greci provided a water supply update. Uncontrolled season concluded on February 9, 2023. Flood releases from Hidden have ended. The final Class 1 allocation from USBR was 50%. The new water year begins on March 1, 2023. An additional uncontrolled season may be declared in March. GM Greci stated it continues to rain and there is additional rain in the forecast.

5. OLD BUSINESS

- 5a. Discussion / possible action Public Trust Advisors California Cooperative Liquid Assets Securities System (“CLASS”) Prime Fund – **Timed Item 2:30 p.m.**

MOTION: Director Loquaci / Director Janzen to invest \$5,000,000 in CLASS.

DISCUSSION: AGM Nolan noted the Board’s direction at the December Board Meeting was for this item to be placed on a future agenda. AGM Nolan stated the District has quite a bit of money in LAIF. Secretary Sandoval distributed handouts with the most up to date rates from both LAIF and California CLASS. The LAIF daily rate on February 15, 2023 was 2.63% and CLASS on February 14, 2023 was 4.69%.

Mr. Shull with Public Trust Advisors stated the pool is going very nicely. There currently are 5 water districts participating. Mr. Shull stated there is no minimum requirement and funds do not need to be invested for a set period of time. Director Janzen suggested investing \$10,000,000 into CLASS. Mr. Shull stated most districts begin with a conservative first investment. Director Loquaci stated we can start at \$5,000,000 and add additional funds at a later date.

PUBLIC COMMENT: President Erickson opened public comment and closed public comment due to no comments from the public in attendance.

VOTE:

AYES: Directors Loquaci, Janzen, Davis, DaSilva, and Erickson

NOES:

ABSTAIN:

ABSENT:

- 5b. Discussion / possible action on Amendments to Bylaws, Resolution No. 2023-06

MOTION: Director Loquaci / Director Janzen to approve the Amendments to the District Bylaws, Resolution No. 2023-06

DISCUSSION: Secretary Sandoval noted the Board directed staff to update the Bylaws based on the discussions at the December Board Meeting. There were modifications to the committee assignments language. The committee assignment term limits language was removed. There were also edits made as shown on the redlined version in the packet.

PUBLIC COMMENT: President Erickson opened public comment and closed public comment due to no comments from the public in attendance.

VOTE: ROLL CALL

AYES: Directors Loquaci, Janzen, Davis, DaSilva, and Erickson

NOES:

ABSTAIN:

ABSENT:

- 5c. Discussion / possible action on Madera Irrigation District Ad Hoc and Standing Committees and Outside Group Appointees, Resolution No. 2023-07

MOTION: Director Loquaci / Director Janzen to approve the Ad Hoc and Standing Committees and Outside Group Appointees as presented, Resolution No. 2023-07.

DISCUSSION: Secretary Sandoval noted the edits to the Bylaws were approved and the committee assignments do not need to change. It was discussed at the December meeting, the Board did not want to make any changes to the committee assignments because it is difficult to gain institutional knowledge for topics that have been ongoing for many years, such as groundwater.

PUBLIC COMMENT: President Erickson opened public comment and closed public comment due to no comments from the public in attendance.

VOTE: ROLL CALL

AYES: Directors Loquaci, Janzen, Davis, DaSilva, and Erickson

NOES:

ABSTAIN:

ABSENT:

- 5d. Discussion / possible action on Revised Crop Water Distribution Policy, Resolution No. 2023-08

DISCUSSION: There were no changes recommended by staff or the Board due to the ongoing conditions.

PUBLIC COMMENT: President Erickson opened public comment and closed public comment due to no comments from the public in attendance.

6. NEW BUSINESS

- 6a. Discussion / possible action on approving and authorizing execution of Lease Agreement with Power Business Technology / Toshiba Financial Services, Resolution No. 2023-09

MOTION: Director Loquaci / Director Janzen to approve the Lease Agreement with Power Business Technology / Toshiba Financial Services, Resolution No. 2023-09.

DISCUSSION: Secretary Sandoval stated an RFP was released on January 11, 2023 for copier equipment. There were two bids received. The lowest bid that provides the best value for the District was from Power Business Technology. The lease includes a 5 year term with an option to upgrade at year 3. There are two copier machines included in the lease.

PUBLIC COMMENT: President Erickson opened public comment and closed public comment due to no comments from the public in attendance.

VOTE: ROLL CALL

AYES: Directors Loquaci, Janzen, Davis, DaSilva, and Erickson

NOES:

ABSTAIN:

ABSENT:

7. **DIRECTOR REPORTS, COMMITTEE REPORTS, FUTURE AGENDA ITEMS**

Director DaSilva – nothing to report

Director Davis apologized for missing meetings in January, his family welcomed a new baby girl.

Director Janzen reported on the Mid-Pacific Users Conference held in January and the Regional Water Management Group.


Director Loquaci stated he hopes we can continue to bring water in to help the wells.

Director Erickson reported he attended meetings with Friant Water Authority.

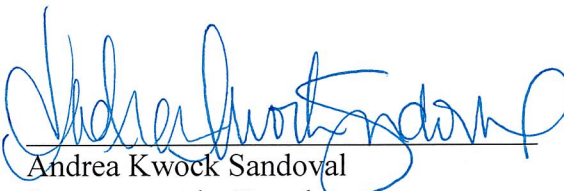
8. **ADJOURNMENT**

President Erickson adjourned the meeting at 3:11 p.m.

APPROVED FOR THE BOARD:



James Erickson
President



Andrea Kwock Sandoval
Secretary to the Board

Date: 4/14/23

