

**MADERA IRRIGATION DISTRICT
BOARD OF DIRECTORS
GROUNDWATER SUSTAINABILITY AGENCY
MEETING
OCTOBER 15, 2024
MINUTES**

Directors Present: James Erickson, President
Tim DaSilva entered at 1:13 p.m.
Brian Davis
Carl Janzen, Vice President

Directors Absent: David Loquaci

Staff Present: T. Greci, General Manager (GM Greci)
D. Cadenazzi Nolan, Assistant General Manager (AGM Nolan)
J. Furstenburg, Controller
C. Contreras, Operations & Maintenance Manager (OMM Contreras)

Others Present: General Counsel John Kinsey, Wanger Jones Helsley; Joel Hastings, WaterWrights; Kip Hudson, Hudson & Henderson; and others in-person or on Zoom that did not identify themselves

CALL TO ORDER / ROLL CALL

President Erickson called the meeting to order at 1:02 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:

AYES: Directors Janzen, Davis, and Erickson

NOES:

ABSTAIN:

ABSENT: Directors Loquaci and DaSilva

POTENTIAL CONFLICTS OF INTEREST: Closed Session

General Counsel Kinsey reported there were no potential conflicts of interest for Closed Session.

PUBLIC COMMENT: Closed Session

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

The Board convened to Closed Session at 1:03 p.m.

Director DaSilva entered during Closed Session at 1:13 p.m.

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 (2 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; *NRDC v. Rogers*, U.S. District Court, Eastern District of California (Sacramento Division), Case No. 88-CV-1658-JAM-GGH
- 1f. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION – Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9; Madera Irrigation District v. Allstate Insurance Company, Case No. MCV090064
- 1g. CONFERENCE WITH REAL PROPERTY NEGOTIATORS – Pursuant to Government Code Section 54956.8
Property: 027-172-010
Agency Negotiator: Thomas Greci and Dina Nolan
Negotiating Party: David and Renae Ross

CALL TO ORDER REGULAR SESSION / PLEDGE OF ALLEGIANCE

President Erickson called regular session to order at 2:03 p.m. with staff in attendance and the public in attendance.

REPORT ON CLOSED SESSION

There was no reportable action taken during Closed Session.

POTENTIAL CONFLICTS OF INTEREST

There were no potential conflict 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 in attendance.

ADJOURN AS BOARD OF DIRECTORS & CONVENE AS MID GROUNDWATER SUSTAINABILITY AGENCY – 2:03 p.m.

- a. Update on MID Groundwater Sustainability Agency (GSA)
 - NRCS Environmental Quality Incentive Program Grant Funding Award
 - Consider Before You Convert Flyer
 - Letter from Department of Water Resources regarding Annual Reports for the Madera Subbasin, Water Year 2023
 - SGMA Facilitation Support Services Grant

AGM Nolan reported MID received the NRCS EQIP grant of \$900,000 directly for six pipeline projects. Three projects will be completed in 2025. Funding has also been received by growers in the District from NRCS.

AGM Nolan highlighted the Consider Before You Convert flyer. The flyer was included with the last water statements and is posted on the District's website.

AGM Nolan stated in the board packet was the letter from the Department of Water Resources ("DWR") regarding the Annual Report for the Madera Subbasin, Water Year 2023 and the subsequent email from John Davids. The DWR letter is dated May, however the Madera Subbasin GSAs did not receive it from the consultant until September. The DWR letter goes over the DWR's concerns on the Annual Report. AGM Nolan stated most of the concerns brought up in the letter have already been brought up by MID to different agencies. Some of the other GSAs questioned what the letter means for the Madera Subbasin. AGM Nolan stated the email from John Davids includes his conversation with Paul Gosselin, Mr. Gosselin stated the letter was not a threat and it was their first opportunity to provide comment.

The SGMA Facilitation Support Services grant was awarded for the Madera Subbasin and was for support services related to the Joint GSP. The facilitation was not necessarily needed once the Joint GSP was approved. The grant was closed out on September 5, 2024. Root Creek Water District has submitted for a new SGMA Facilitation Support Services grant related to the plan amendment.

Director Janzen commented on the letter from DWR. He stated based on the things going on all over the state related to SGMA, the Madera Subbasin GSAs need to take the comments to heart.

AGM Nolan reported work continues on the Joint GSP Amendment. There have been some meetings and draft documents are being reviewed. AGM Nolan stated Madera County submitted for a domestic well grant through SB552. They have hired Dave Ceppos as a facilitator to assist with the process.

AGM Nolan stated we are working away at Basin #10. They are making a lot of progress on Basin #10. GM Greci complimented staff on their work. AGM Nolan stated we are moving along with Basin #11, escrow will close next week for the new parcel. It is another 60 acre parcel. AGM Nolan stated we are completing real projects with real water.

ADJOURN AS MID GROUNDWATER SUSTAINABILITY AGENCY & RECONVENE AS MID BOARD OF DIRECTORS – 2:12 p.m.

2. CONSENT AGENDA

- 2a. Approval of August 8, 2024 Special Board Meeting Minutes
- 2b. Discussion / possible action on approval of warrant list payments through September 26, 2024
- 2c. Discussion / possible action on monthly financial reports for July and August 2024

MOTION: Director Janzen / Director Davis to approve the Consent Agenda 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:

AYES: Directors Janzen, Davis, DaSilva, and Erickson

NOES:

ABSTAIN:

ABSENT: Director Loquaci

3. DEPARTMENT REPORT – DISTRICT OPERATIONS

OMM Contreras reported on the new office well. The well's tank has been installed and waiting on electrical. The new well will hopefully be working within the next few weeks.

The well water level measurement collection is underway. The SCADA integrator for Island Tract has been installed. Engineering staff continues right-of-way mapping and facility mapping updates. The new engineering building structure, wiring, lights, insulation, interior paneling, and walkway have been installed. OMM Contreras reviewed the O&M photos. Fall protection training will occur in January 2025.

4. **GENERAL MANAGER'S REPORT**

4a. Update of Activities

- Open Enrollment
- November / December Board Meetings
- Breakfast with Bosses – November 22, 2024
- Madera-Chowchilla Water & Power Authority
- Water Season

GM Greci reported on the 2024 water season. The water season ended on October 11, 2024. The District started running water in April. GM Greci stated the District brought in approximately 156,000 acre feet from Friant and 50,000 acre feet from Hidden. GM Greci stated May was the District's largest month. The District was in uncontrolled season and spreading water into the District recharge facilities. Uncontrolled season went to June 18 and then the Class 1 declaration was reduced to 90%. MID will carry over approximately 4,000 acre feet into 2025. The final numbers are still coming in. GM Greci thanked Operations staff for their hard work during the season.

GM Greci reported on the Madera-Chowchilla Water & Power Authority. The Madera Canal went off on Saturday morning at 7:00 a.m. The safe to operate inspections are occurring. The 980 Plant repairs will be underway as soon as possible. The new alarm systems are being installed moving from copper wiring to wireless.

Open enrollment documents were distributed and are due by October 24, 2024. The November board meeting will be cancelled, and we will likely have a longer December board meeting. The annual tradition of Breakfast with Bosses will occur on November 22, 2024.

5. **OLD BUSINESS**

- 5a. Discussion / possible action on acceptance of 401a Plan Report on Audited Financial Statements Year Ended December 31, 2023 and 2022, Resolution No. 2024-16 – **Timed Item 2:45 p.m.**

MOTION: Director Davis / Director Janzen to accept the 401 Plan Report on Audited Financial Statements Year Ended December 31, 2023 and 2022, Resolution No. 2024-16.

DISCUSSION: Kip Hudson from Hudson Henderson presented the 401 Plan Report on Audited Financial Statements. The auditor's report was provided with an unmodified opinion. There were no audit findings or material misstatements. The total assets was \$1.8 million. The net increase in plan position was \$613,214. The total deduction was approximately \$109,000.

Director Janzen questioned if we have to do an audit for the old plan. GM Greci replied no since there are no new funds put into it.

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 Janzen, Davis, DaSilva, and Erickson

NOES:

ABSTAIN:

ABSENT: Director Loquaci

6. **NEW BUSINESS**

There was a short break, and no District business was discussed.

6a. Premier of Madera Irrigation District Outreach Video

DISCUSSION: AGM Nolan stated we talked about this several years ago about having an outreach video for the general public about MID and why we are so important. AGM Nolan stated people have misconceptions about what special districts do. AGM Nolan stated it took almost two years to complete. The video will be sent out via Constant Contact. GM Greci stated several years ago the District completed a video regarding the importance of surface water that we still use today. GM Greci thanked AGM Nolan and Secretary Sandoval for all their work on the video and only accepting perfection.

Director Janzen stated it is interesting in the Madera County Historical Society newsletter they had a sign from the Madera Canal Company and asked for the history of it. Director Janzen stated he looked it up in MID's history book and let them know what page to look on.

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

6b. Discussion / possible action on Amendment to the Controller's Employment Agreement, Resolution No. 2024-19

MOTION: Director Janzen / Director DaSilva to approve the Amendment to Controller's Employment Agreement, Resolution No. 2024-19.

DISCUSSION: GM Greci stated at the last board meeting the Controller's review was held. This is an Amendment to the Controller's Employment Agreement based on her review. It amends the salary section and allows adjustments for 3 years. GM Greci and AGM Nolan thanked Controller Furstenburg for her many years of service and developing her team.

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

VOTE: ROLL CALL

AYES: Director Janzen, Davis, DaSilva, and Erickson

NOES:

ABSTAIN:

ABSENT: Director Loquaci

6c. Discussion / possible action on 2025 Riparian Water Year

MOTION: Director Janzen / Director Davis to approve run of the river for the 2025 Riparian Water Year.

DISCUSSION: AGM Nolan stated this is our annual discussion related to the riparian water year. The riparian water year began on October 1. The District will do run of the river as required by the Fresno River Operations Protocols. AGM Nolan stated the initial riparian letters will be sent out via WaterUI and overnight mail. Subsequent letters will be sent via WaterUI only. There have been no complaints from riparians on the WaterUI notification system.

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

VOTE:

AYES: Directors Janzen, Davis, DaSilva, and Erickson

NOES:

ABSTAIN:

ABSENT: Director Loquaci

6d. Discussion / possible action on Association of California Water Agencies proposed Amendments to Bylaws and designation of Voting Representatives

MOTION: Director Janzen / Director Davis to approve the Association of California Water Agencies proposed Amendments to Bylaws and designate Carl Janzen and Brian Davis as voting representatives.

DISCUSSION: Director Janzen stated there are some amendments to the bylaws. Director Janzen stated he read through the changes and which have to do with eligibility for offices. GM Greci recommended Carl Janzen as the voting representative and Brian Davis as the alternate.

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

VOTE:

AYES: Directors Janzen, Davis, DaSilva, and Erickson

NOES:

ABSTAIN:

ABSENT: Director Loquaci

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

Director DaSilva – nothing to report.

Director Davis stated he missed the ACWA tour.

Director Janzen stated he has received compliments from growers on the District's water season. He reported on the ACWA Region 6/7 event. Director Janzen reported he attended the Regional Water Management Group meeting and the San Joaquin River Conservancy tour.


Director Loquaci – absent


Director Erickson reported he was in Washington, D.C. with Friant Water Authority meeting with elected officials for several days. Director Erickson stated growers have also thanked him for the District's water season.

8. **ADJOURNMENT**

President Erickson adjourned the meeting at 3:00 p.m.

APPROVED FOR THE BOARD:


James Erickson
President


Andrea Kwock Sandoyal
Secretary to the Board

Date: 12/2/24



**OCTOBER 15, 2024
RESOLUTION NO. 2024-16**

**RESOLUTION OF THE BOARD OF DIRECTORS,
MADERA IRRIGATION DISTRICT
ACCEPTING 401A PLAN REPORT ON
AUDITED FINANCIAL STATEMENTS YEAR ENDED DECEMBER 31, 2023 AND 2022**

RESOLVED by the Board of Directors of the Madera Irrigation District (“District”), at a regular meeting duly called and held on October 15, 2024 at the business office of the District, 12152 Road 28 1/4, Madera, California 93637 as follows:

WHEREAS, the District has received the Madera Irrigation District 401a Plan Report of Audited Financial Statements for the Years Ended December 31, 2023 and 2022, conducted with auditing standards generally accepted in the United States and the State Controller’s Minimum Audit Requirements for California Special Districts; and

WHEREAS, the Board of Directors of the Madera Irrigation District have reviewed the Madera Irrigation District 401a Plan Report on Audited Financial Statements for the Years Ended December 31, 2023 and 2022 for the District’s 401a Plan; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Madera Irrigation District, that the facts contained in the recitals above are true and correct and that the Board of Directors of Madera Irrigation District accepts the Madera Irrigation District 401a Plan Report on Audited Financial Statements for the Year Ended December 31, 2023 and 2022.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Board of Directors of the Madera Irrigation District, at a regular meeting of the Board held on the 15th day of October 2024, by the following vote:

- AYES: Director Janzen, Davis, DaSilva, and Erickson
- NOES: None
- ABSENT: Director Loquaci
- ABSTAIN: None



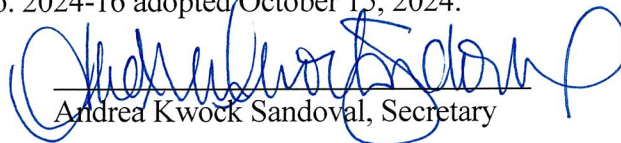
James Erickson, President

ATTEST: 

Carl Janzen, Vice President

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Madera Irrigation District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2024-16 adopted October 15, 2024.


Andrea Kwock Sandoval, Secretary



OCTOBER 15, 2024
RESOLUTION NO. 2024-19

**RESOLUTION OF THE BOARD OF DIRECTORS,
MADERA IRRIGATION DISTRICT
APPROVING AMENDMENT TO
CONTROLLER'S EMPLOYMENT AGREEMENT**

RESOLVED by the Board of Directors ("Directors") of the Madera Irrigation District ("District"), at a regular meeting duly called and held on October 15, 2024 at the business office of the District, 12152 Road 28 1/4, Madera, California 93637 as follows:

WHEREAS, the initial Employment Agreement for Jennifer Furstenburg was entered on September 15, 2020; and

WHEREAS, the Directors agree that it is in the best interest of the District to amend the Controller's Employment Agreement; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Madera Irrigation District does hereby approve that the Employment Agreement be amended by substituting the following for the entire Subsection 2.1:

Salary. In consideration of the services to be rendered under this Agreement, the District shall pay Employee a salary equivalent to One Hundred Twenty Thousand and No/100 Dollars (\$120,000.00) per year. The salary shall be paid in accordance with the District's regularly established payroll practices. Employee's salary shall be reduced by withholdings required by law. Employee's salary will be reviewed from time to time in accordance with the established procedures of the District for adjusting salaries for similarly situated employees. The salary may be adjusted in accordance with the District's Personnel Policy 301, Salary Code, Section 3 approved August 8, 2024 for up to three successive years from the date of this amendment. Salary adjustments will not alter the at-will employment relationship between the District and the Employee. A cost of living increase shall be provided annually on March 1 of each year based on the California Consumer Price Index for Urban Wage Earners and Clerical Workers as calculated by the Department of Industrial Relations in accordance with AB 1344.

Except for the above amendment, all of the other provisions of the Controller's Employment Agreement shall remain unchanged and in full force and effect.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Madera Irrigation District Board of Directors, at a regular meeting of the Board held on the 15th day of October 2024 by the following vote:

AYES: Director Janzen, Davis, DaSilva, and Erickson
NOES: None
ABSENT: Director Loquaci
ABSTAIN: None

James Erickson
James Erickson, President

ATTEST: Carl Janzen
Carl Janzen, Vice President

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Madera Irrigation District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2024-19 adopted October 15, 2024.

Andrea Kwock Sandoval
Andrea Kwock Sandoval, Secretary

