

**MADERA IRRIGATION DISTRICT  
BOARD OF DIRECTORS REGULAR MEETING  
GROUNDWATER SUSTAINABILITY AGENCY  
REGULAR MEETING  
JANUARY 19, 2021**

**MINUTES**

**Directors Present:** James Erickson, President  
Richard Cosyns, Vice President  
Brian Davis  
Carl Janzen  
David Loquaci entered at 1:10 p.m.

**Directors Absent:** None

**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)
- T. Welch, HR Administrator / Risk Manager (HR/RM Welch)

**Others Present:** General Counsel John Kinsey, Wanger Jones Helsley; Kip Hudson, Hudson Henderson, and others on the virtual meeting platform that did not identify themselves

**CALL TO ORDER / ROLL CALL**

President Erickson called the meeting to order at 1:05 p.m. at the business office of the District at 12152 Road 28 ¼, Madera, California 93637. Due to COVID-19, the majority of the Board of Directors and staff attended in-person practicing social distancing and the public participated via Zoom teleconferencing only.

**APPROVAL OF AGENDA**

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

**VOTE:**

**AYES:** Directors Cosyns, Davis, Janzen, and Erickson

**NOES:**

ABSTAIN:  
ABSENT: Director Loquaci

**PUBLIC COMMENT: Closed Session**

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

**POTENTIAL CONFLICTS OF INTEREST: Closed Session**

General Counsel Kinsey reported Director Cosyns will recuse himself from the topics related to Fresno River.

*Director Loquaci entered the meeting at 1:10 p.m. during Closed Session.*

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; Cindy Reyna Castro v. Madera Irrigation District, et. al., Case No. MCV078961
  - 1e. 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
  - 1f. PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
Pursuant to Paragraph (1) of subdivision (b) of Government Code Section 54957  
Title: Operations & Maintenance Manager
  - 1g. PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
Pursuant to Paragraph (1) of subdivision (b) of Government Code Section 54957  
Title: Human Resources Administrator / Risk Manager

**CALL TO ORDER REGULAR SESSION/ PLEDGE OF ALLEGIANCE**

President Erickson called regular session to order at 2:01 p.m. with staff in attendance.

**REPORT ON CLOSED SESSION**

General Counsel Kinsey stated there was no reportable action taken 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**

a. Update on MID Groundwater Sustainability Agency (GSA)

AGM Nolan provided an update on the MID GSA. The public comment period for the Joint Groundwater Sustainability Plan (GSP) concluded in December. There was a follow up from the Department of Water Resources that they have until October 2022 to review the final GSP due to the later submittal date. There is a Coordination Workgroup Meeting being held in February and the MID GSA's representative will be in attendance.

AGM Nolan provided an update on the MID projects. The process for purchasing the two properties identified through the RFP has started.

**ADJOURN AS MID GROUNDWATER SUSTAINABILITY AGENCY & RECONVENE AS MID BOARD OF DIRECTORS**

**2. CONSENT AGENDA**

- 2a. Approval of December 10, 2020 Special Board Meeting Minutes
- 2b. Approval of December 15, 2020 Board Meeting Minutes
- 2c. Discussion / possible action on approval of warrant list payments through January 19, 2021
- 2d. Discussion / possible action on monthly financial reports for November and December 2020
- 2e. Discussion / possible action on Amended Resolution No. 2020-40, Purchase Agreement for Madera County APN 040-082-003
- 2f. Discussion / possible action on Amended Resolution No. 2020-41, Purchase Agreement for Madera County APN 027-201-009

MOTION: Director Janzen / Director Cosyns to approve the consent agenda items 2a. – 2f.

DISCUSSION: There were no public comments.

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

VOTE: ROLL CALL

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

NOES:

ABSTAIN:

ABSENT:

### **3. INFORMATIONAL ITEMS**

#### **3a. Finance / Human Resources Reports**

- Annual Disclosure of Payments over \$100 to Employees and Directors

Controller Furstenburg reported the 401k and 401a audits have been completed and the Audited Financial Statements are included in the board packet. The Finance Department is currently preparing the 1099's for both MID and MCWPA and the W-2's for MCWPA which will be completed by January 29, 2021. The W-2's for MID will be prepared by Paychex and distributed by the Finance Department. The MID audit will be performed by Hudson Henderson & Company, Inc. with field work beginning the week of February 15, 2021. The MCWPA audit will be performed by Bryant L. Jolley, CPA with field work beginning at the end of February. Controller Furstenburg stated the Annual Disclosure of Payments over \$100 was included in the board packet.

HR/RM Welch reported the HR Department has been working on coordination of benefits with Finance Department to ensure all deductions are correct. The Canal Operator I position was filled internally. Recruitment for Maintenance Worker I is now open and will close in February. HR/RM Welch stated she has also been working on COVID tracking and mandated reporting.

#### **3b. Engineering / Operations / Maintenance Report**

OMM Contreras reported the Engineering Department has been completing maintenance on the Rubicon gates. The 6.2 overcrossing is near completion by California High Speed Rail. The trash screen has been installed. New iPads were purchased for Canal Operators with mapping and the STORM application. A new program has been installed to track turnouts, gates, and maintenance. OMM Contreras stated the Maintenance Department continues to repair leaks. Grading and sloping is ongoing. OMM Contreras reviewed the maintenance photos and photo of the newly built spray truck. GM Greci noted the spray truck was fabricated in-house. OMM Contreras reported on the work completed at the Madera Canal. GM Greci complimented OMM Contreras on the stairs utilized for the Madera Canal to enhance safety.

4. **GENERAL MANAGER'S REPORT**

4a. Update of Activities

GM Greci reported on water supply. Things have not changed since the last board meeting and if we do not receive additional rain, we are on track to be the driest in 110 years. GM Greci stated there is still February – May to get some rain. GM Greci stated there was also a reduction in recirculation water in January and February. Even this year is being impacted.

GM Greci stated the high priority projects are being completed at the Madera Canal. MID and Chowchilla Water District employees completed the work. GM Greci stated he is meeting with the Bureau of Reclamation regarding the timber bridge on the Madera Canal that is in need of repairs.

5. **NEW BUSINESS**

- 5a. Discussion / possible action on acceptance of 401k Pension Plan Report on Audited Financial Statements Years Ended December 31, 2019 and 2018, Resolution No. 2021-01 – **Timed Item 2:30 p.m.**

MOTION: Director Cosyns / Director Loquaci to accept the 401k Pension Plan Report on Audited Financial Statements Years Ended December 31, 2019 and 2018, Resolution No. 2021-01.

DISCUSSION: Controller Furstenburg introduced Kip Hudson, auditor from Hudson Henderson. Mr. Hudson reviewed the 401k Pension Plan Report with the Board. There were two audits completed for 2019 due to the termination of the 401k and implementation of the 401a in 2019. The auditor reports were unmodified opinion. Mr. Hudson stated there were forfeiture issues with the 401k after the termination of the plan. The employee should have been vested when the plan terminated. Mr. Hudson stated there were no deadlines missed since the SCO report was completed by the due date of July 31. Mr. Hudson stated a required footnote was included in the audit reports.

The 401k Plan net position at the end of the year was \$3,271,657. The 401a Plan net position at the end of the year was \$171,204. AGM Nolan thanked Controller Furstenburg for her hard work on the audits.

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

VOTE: ROLL CALL

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

NOES:

ABSTAIN:

ABSENT:

- 5b. Discussion / possible action on acceptance of 401a Plan Report on Audited Financial Statements Year Ended December 31, 2019, Resolution No. 2021-02 – **Timed Item 2:30 p.m.**

MOTION: Director Janzen / Director Davis to accept the 401a Plan Report on Audited Financial Statements Year Ended December 31, 2019, Resolution No. 2021-02.

DISCUSSION: Discussion occurred during item 5b.

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

VOTE: ROLL CALL

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

NOES:

ABSTAIN:

ABSENT:

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

Director Cosyns reported he is unfortunately starting water, just not MID water. He complimented OMM Contreras and his department for their hard work.

Director Davis – nothing to report

Director Janzen seconded Director Cosyns compliments of OMM Contreras and his department.

Director Loquaci stated he hopes it starts raining and snowing. He stated there is going to be all of wells going down if we do not get some water. It will show why SGMA is a real thing and not just legislation. We are overdrafting and need to quit.

Director Erickson reported on the Friant Water Authority Executive Committee meeting.

**7. NEXT SCHEDULED BOARD MEETING**

February 16, 2021 – Regular Board Meeting


**8. ADJOURNMENT**

The Board reconvened to Closed Session at 3:00 p.m. for items 1f. and 1g.

There was no reportable action taken during Closed Session.

President Erickson adjourned the meeting approximately at 4:00 p.m.

**APPROVED FOR THE BOARD:**

  
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James Erickson  
President

  
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Andrea Kwock Sandoval  
Secretary to the Board

Date: 3/16/21