



MADERA IRRIGATION DISTRICT BOARD OF DIRECTORS SPECIAL BOARD MEETING

In accordance with the declared State of Emergency due to the COVID-19 pandemic and MID Resolution No. 2021-29, there will not be a physical location available for the public to participate in the meeting. Members of the public can participate in the following ways:

1. Zoom Meeting

<https://us02web.zoom.us/j/85768864551?pwd=YVJUMStCVmtuVkNaZVBNdG9OWld0QT09>

Meeting ID: 857 6886 4551

Passcode: 167566

2. Conference Call-In: +1 669 900 9128 or +1 346 248 7799

Meeting ID: 857 6886 4551

Passcode: 167566

3. Email: You may submit comments on a specific agenda item via email to asandoval@madera-id.org. We request emails be sent at least two hours prior to the start of the meeting.

If Members of the public have any problems accessing the meeting, please contact the District office at 559-673-3514. For a copy of the Board Packet, please contact Board Secretary Andrea Sandoval at asandoval@madera-id.org.

AGENDA

MISSION STATEMENT

To obtain and manage affordable surface water and groundwater supplies in a manner which will ensure the long-term viability of irrigated agriculture in the District.

Meeting Date:
Wednesday, December 22, 2021
3:00 p.m.

Madera Irrigation District
12152 Road 28 ¼
Madera, California 93637

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Administration Office at 559-673-3514, ext. 215. Notification in advance of the meeting will enable MID to make reasonable arrangements to ensure accessibility to this meeting.

In compliance with the California Government Code, members of the public may inspect the agenda and any associated writings, including documents delivered after the 24-hour advance posting of the agenda during regular business hours at the Madera Irrigation District Office, located at 12152 Road 28 1/4, Madera, California 93637.

CALL TO ORDER / ROLL CALL / APPROVAL OF AGENDA

1. RECURRING BUSINESS

- 1a. 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. 2021-35

PUBLIC COMMENT: Closed Session

This portion of the meeting is reserved for members of the public to address the Board of Directors on Closed Session items listed on the Agenda. Speakers shall be limited to three minutes. Speakers will be asked to identify themselves and state the subject of their comment. The Board is prohibited by law from taking any action on matters discussed that are not on the Agenda, and no adverse conclusions should be drawn if the Board does not respond to public comment at this time.

POTENTIAL CONFLICTS OF INTEREST: Closed Session

Any Board Member who has a potential conflict of interest may now identify the item and recuse themselves from discussing and voting on the matter. (*Govt. Code, § 87105.*)

2. CLOSED SESSION

- 2a. 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

3. REPORT ON CLOSED SESSION

4. ADJOURNMENT

AGENDA ITEM 1a.

**DECEMBER 15, 2021
RESOLUTION NO. 2021-35**

**RESOLUTION OF THE BOARD OF DIRECTORS,
MADERA IRRIGATION DISTRICT
PROCLAIMING A LOCAL EMERGENCY, RE-RATIFYING THE PROCLAMATION OF A
STATE OF EMERGENCY BY THE GOVERNOR'S PROCLAMATION 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**

RESOLVED by the Board of Directors (“Directors”) of the Madera Irrigation District (“District”), at a special meeting duly called and held on December 22, 2021 at the business office of the District, 12152 Road 28 1/4, Madera, California 93637 as follows:

WHEREAS, the District is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of Madera Irrigation District’s legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the District’s legislative bodies conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the District’s boundaries, caused by natural, technological, or human-caused disasters; and

WHEREAS, such conditions now exist in the District, specifically, the Governor’s Proclamation of a State of Emergency Dated March 4, 2020; and

WHEREAS, the COVID-19 pandemic remains a significant challenge in California and according to the Department of Public Health; and

WHEREAS, in accordance with current State of California guidelines and the District’s duty to provide and maintain a workplace that is free of known hazards; and

WHEREAS, the Board of Directors previously adopted a Resolution No. 2021-19 on September 21, 2021, Resolution No. 2021-21 on October 19, 2021, Resolution No. 2021-26 on November 17, 2021, Resolution No. 2021-27 on November 17, 2021, and Resolution No. 2021-29 on December 15, 2021 finding

that the requisite conditions exist for the legislative bodies of Madera Irrigation District to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, as a condition of extending the use of the provisions found in section 54953(e), the Board of Directors must reconsider the circumstances of the state of emergency that exists in the District, and the Board of Directors has done so; and

WHEREAS, as a consequence of the local emergency, the Board of Directors does hereby find that the legislative bodies of the District shall conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such legislative bodies shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors approves:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Proclamation of Local Emergency. The Board hereby proclaims that a local emergency now exists throughout the District, and in accordance with current State of California guidelines and the District's duty to provide and maintain a workplace that is free of known hazards.

Section 3. Ratification of Governor's Proclamation of a State of Emergency. The Board hereby ratifies the Governor of the State of California's Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020.

Section 4. Remote Teleconference Meetings. The General Manager and legislative bodies of Madera Irrigation District are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) January 21, 2022, or such time the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of Madera Irrigation District may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Board of Directors of the Madera Irrigation District, at a special meeting of the Board held on the 22nd day of December 2021, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

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. 2021-35 adopted December 22, 2021.

Andrea Kwock Sandoval, Secretary