



MANAGING RESOURCES FOR A BETTER FUTURE

**DIRECTORS**  
NICK BRUNO, PRESIDENT  
JEFFREY D. COULTHARD, VICE PRESIDENT  
AMBER MENDOZA, TREASURER  
ERIC BREAM  
DANNY HOFFMAN  
LYNN HOFFMAN  
BRICE JONES

JULIA D. STORNETTA, GENERAL MANAGER  
MIKE CUTTONE, ASSISTANT TREASURER  
BRIAN EHLERS, DISTRICT ENGINEER  
LAUREN D. LAYNE, LEGAL COUNSEL

**REGULAR MEETING OF THE  
ROOT CREEK WATER DISTRICT  
GROUNDWATER SUSTAINABILITY AGENCY**

**AGENDA**

will be held on

**Monday, March 14, 2022**

**11:00 a.m.**

**(or immediately following the Root Creek Water District Board of  
Directors meeting)**

at the Lodge at Riverstone

370 Lodge Road

Madera, CA 93638

In accordance with Assembly Bill 361 (2021) and consistent with California Government Code section 54953(e), which allows local and state legislative bodies to hold meetings via teleconference and to make meetings accessible electronically, this meeting can be accessed as follows:

559-515-4290

Phone Conference ID: 522 043 139#

The public may participate in the meeting as otherwise permitted under the Brown Act by calling into this telephone number.

**1. CALL TO ORDER**

**REGULAR MEETING OF THE BOARD OF DIRECTORS**

**2. ADDITIONS TO THE AGENDA**

*(The Board may add an item to the agenda if, upon a two-thirds vote, the Board finds that there is a need for immediate action on the matter and the need came to the attention of the District after the posting of this Agenda).*

**3. AB 361 RESOLUTION** – Review and consider action to adopt a resolution related to the Brown Act and Public Meetings in compliance with AB 361 from March 13, 2022 – April 14, 2022.

#### **4. PUBLIC COMMENT**

Members of the public may address the Board on any matter related to the District that is not included on the Agenda. Comments are limited to five (5) minutes per person.

#### **5. POTENTIAL CONFLICT(S) OF INTEREST**

*(Any Board member who has a potential conflict of interest may now identify the item and recuse himself or herself from discussing and voting on the matter).*

#### **6. MINUTES**

- a. Review and consider action to adopt the minutes from the meeting on January 24, 2022.

#### **7. CORRESPONDENCE**

*(Members of the Board or Staff may provide comment on any timely matter related to the District that is not included on the agenda).*

#### **8. NEW BUSINESS**

- a. **2021 SGMA Implementation Grant Program Resolution** – Review and consider action to adopt a resolution to authorize Root Creek Water District to submit an application for the 2021 SGMA Implementation Grant Program on behalf of the RCWDGSA.

#### **9. STAFF REPORT**

- a. **General Manager** – The Board may take action on any of the following items:
  - i. Madera Subbasin Status Update
  - ii. Other items as needed

#### **10. ADJOURN**

- Items on the Agenda may be taken in any order.
- Action may be taken on any item listed on the Agenda.
- Writings relating to open session Agenda items that are distributed to members of the Board of Directors will be available for inspection at the District office, excluding writings that are not public records or are exempt from disclosure under the California Public Records Acts.
- **ACCOMMODATIONS FOR PERSONS WITH DISABILITIES**  
A person with a qualifying disability under the Americans With Disabilities Act of 1990 may request the District to provide a disability-related modification or accommodation in order to participate in any public meeting of the District. Such assistance includes appropriate alternative formats for the agendas and agenda packets used for any public meetings of the District. Requests for such assistance and for agendas and agenda packets shall be made in person, by

telephone, or by written correspondence to the District at (559) 970-8778 or P.O. Box 27950, Fresno, California 93729, at least 48 hours before a District meeting.



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MIKE CUTTONE, ASSISTANT TREASURER  
BRIAN EHLERS, DISTRICT ENGINEER  
LAUREN D. LAYNE, LEGAL COUNSEL

**Minutes of the Special Meeting of the Board of Directors  
Root Creek Water District  
Groundwater Sustainability Agency (GSA)  
held on  
January 24, 2022**

**1. Call to Order:**

The regular meeting for the Root Creek Water District GSA was called to order at 11:39 a.m. at the Lodge at Riverstone by President Nick Bruno. Board members present were Brian Ehlers, Emory Wishon, Sydney Wishon, Angela Perez, and Al Solis.

**2. Additions to the Agenda:**

There were no additions to the agenda.

**3. AB 361 Resolution:**

No action.

**4. Public Comment:**

There was no public comment.

**5. Potential Conflicts of Interests:**

There were no conflicts identified.

**6. Approval of GSA Meeting Minutes:**

Director L. Hoffman made a motion to approve the minutes from the August 9, 2021, and December 13, 2021, GSA board meetings, seconded by Director L. Coulthard. The motion carried.

**7. Correspondence**

There was no correspondence to report.

**8. New Business New Business**

**a. 2021 SGMA Implementation Grant Program Resolution**

Director L. Hoffman made a motion to adopt a resolution to submit an application for the 2021 SGMA Implementation. Director D. Hoffman seconded the motion and the motion carried.

**9. Staff Report**

GM Berry reported an update on the status of the Madera Subbasin. She also mentioned discussion of the project in the meeting with Madera Subbasin GSAs Coordination Group that will take place on January 25, 2022.

**10. Adjournment:**

The meeting was adjourned by consensus at 11:46 a.m.

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Julia D. Berry, District Secretary

DRAFT

**RESOLUTION NO. 2022-03-14**

**BEFORE THE BOARD OF DIRECTORS OF THE  
ROOT CREEK WATER DISTRICT GROUNDWATER SUSTAINABILITY AGENCY**

**RESOLUTION PROCLAIMING A LOCAL EMERGENCY, RATIFYING THE  
PROCLAMATION OF A STATE OF EMERGENCY, AND AUTHORIZING  
REMOTE TELECONFERENCE MEETINGS OF THE BOARD OF DIRECTORS  
FOR THE PERIOD MARCH 14, 2022 TO APRIL 13, 2022 PURSUANT TO BROWN  
ACT PROVISIONS**

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**WHEREAS**, the Root Creek Water District Groundwater Sustainability Agency (the “GSA”) is committed to preserving and nurturing public access and participation in meetings of its Board of Directors (the “Board”); and

**WHEREAS**, all meetings of the GSA’s legislative bodies are open and public, as required by the Ralph M. Brown Act (the “Brown Act”) under Government Code sections 54950 et seq., so that any member of the public may attend, participate, and watch the Board conduct the business of the GSA; 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 GSA's boundaries, caused by natural, technological, or human-caused disasters; and

**WHEREAS**, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

**WHEREAS**, such conditions now existing in the GSA's service area, specifically, a state of emergency has been proclaimed in the State of California pertaining to the threat to human health and safety posed by the COVID-19 pandemic (*See* Mar. 4, 2020 Proclamation of a State of Emergency); and

**WHEREAS**, allowing all individual members of the Board and members of the public to meet in person would present an imminent risk to the health and safety of attendees; and

**WHEREAS**, the Board does hereby find that the existing state of emergency and conditions causing imminent risk to the health and safety of attendees, and desires to proclaim a local emergency and ratify the proclamation of state of emergency by the Governor and the State of California; and

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

**WHEREAS**, the GSA has taken and is taking measures to ensure access for the public, including by providing teleconference and/or video conferencing access to members of the public for meetings of Board.

**NOW, THEREFORE, BE IT RESOLVED, AS FOLLOWS, THAT:**

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

Section 2. The Board hereby proclaims that a local emergency now exists throughout the GSA, and in-person meetings could present an imminent risk to the health and safety of attendees.

Section 3. 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. The staff and legislative bodies of the GSA 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. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (1) April 13, 2022, (2) such time the Board adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the Board may continue to teleconference without compliance with Government Code section 54953(b)(3), or (3) the Board acts to rescind this Resolution.

**PASSED, APPROVED, AND ADOPTED** this 14th day of March, 2022 by  
the following vote:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

Attest:

\_\_\_\_\_  
NICK BRUNO, President  
Root Creek Water District  
Groundwater Sustainability Agency

\_\_\_\_\_  
JULIA BERRY, Secretary

**CERTIFICATE OF SECRETARY  
OF  
ROOT CREEK WATER DISTRICT GROUNDWATER SUSTAINABILITY AGENCY**

I, JULIA BERRY, do hereby certify that I am the duly authorized and appointed Secretary of the Root Creek Water District GSA, a California groundwater sustainability agency (the "GSA"); that the following is a true and correct copy of that certain resolution duly and unanimously adopted and approved by the Board of Directors of the District on the 14th day of March, 2022; and that said resolution has not been modified or rescinded and remains in full force and effect as the date hereof:

**IN WITNESS WHEREOF**, I have executed this Certificate on this 14th day of March 14, 2022.

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JULIA BERRY, Secretary  
Root Creek Water District GSA