

NEVADA IRRIGATION DISTRICT

BOARD OF DIRECTORS

MINUTES

October 27, 2021

The Board of Directors of the Nevada Irrigation District convened in regular session at the District's main office located at 1036 W. Main Street, Grass Valley, on the 27th day of October 2021, at 9:00 a.m.

Present were Chris Bierwagen, President (Division II); Laura L. Peters, Vice-President (Division IV); and Directors Ricki Heck (Division I); Karen Hull (Division III); and Rich Johansen (Division V).

Staff members present included Jennifer Hanson, General Manager; Greg Jones, Assistant General Manager; Doug Roderick, Interim Engineering Manager; Chip Close, Water Operations Manager; Keane Sommers, Hydroelectric Manager; Joanne Phillips, Engineering Management Assistant; Dustin Cooper, District Counsel; and Joanne Phillips, Engineering Management Assistant, served as deputy Board Secretary.

STANDING ORDERS

- Call to Order: President Bierwagen called the meeting to order at 9:00 a.m.
- President Bierwagen led the Pledge of Allegiance
- Roll Call: 5 members present, 0 members absent

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

- Oscar Shaffer, NID customer, recognized ditch tenders, dispatch staff, and past-Board member Paul Williams; and suggested a community group be formed to to help support economical water deliveries

CONSENT AGENDA

President Bierwagen pulled the following items from the Consent Agenda for discussion at the request of members of the Board:

- Item 2: Rollins Relay Protection Improvements (Project #2394)
- Item 4: Combie South Powerhouse Power Purchase Agreement

Public Comment: None

Director Peters motioned for approval Items 1, 3, and 5 of the Consent Agenda. Director Hull seconded the motion, and it was unanimously approved.

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The following Consent Agenda items were approved:

FALL CREEK FLUME REPAIR PROJECT (PROJECT #2404)

Approved a sole-sourced purchase in the amount of \$140,930.32 to Frank M. Booth, Inc. to procure materials for the Fall Creek Flume Repair Project and authorized the General Manager to execute the appropriate documents. M/S/C Peters/Hull, unanimously approved.

UNION SIDE LETTER

Authorized the General Manager to execute a Side Letter Agreement between the Nevada Irrigation District and all Field, Office, and Supervisory Unit Employees represented by American Federation of State, County, and Municipal Employees, Local 146, AFL-CIO. M/S/C Peters/Hull, unanimously approved.

WARRANTS, PROJECTS & FACILITIES, INVESTMENT REPORT

Received check registers, Project & Facility, and Investment Transaction Reports for the period ending October 31, 2021. M/S/C Peters/Hull, unanimously approved.

ITEMS PULLED FROM THE CONSENT AGENDA FOR DISCUSSION

ROLLINS RELAY PROTECTION IMPROVEMENTS (PROJECT #2394)

Keane Sommers, Hydroelectric Manager, presented the item. Board discussion ensued regarding the cost of design relative to construction costs and the necessity of upgrading the relays to provide protection of the powerhouse systems.

Public Comment: None

Awarded a contract in the amount of \$162,000 with GS Engineering for design services for the Rollins Powerhouse Relay Protection Upgrade Project and authorized the General Manager to execute the appropriate documents. M/S/C Johansen/Heck, unanimously approved.

COMBIE SOUTH POWERHOUSE POWER PURCHASE AGREEMENT

Keane Sommers, Hydroelectric Manager, presented the item. Board discussion ensued regarding the calculation of overhead costs used in the average expenses of the plant, the capitalization rate used to determine the value of the plant, and the risks associated with energy sales.

Public Comment: None

Approved a contract for the sale of Portfolio Content Category 1 Product Resource Contingent Bundled Renewable Energy Credits (RECs) and a contract for the sale of Designated Resource Adequacy (RA) Capacity of RA Attributes, Local RA Attributes, and if applicable, Flexible RA Attributes from the Combie South Powerhouse and authorized the General Manager to execute the appropriate documents, including any non-substantive modifications as may be approved by NID's General Counsel. M/S/C Peters/Heck, unanimously approved.

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GENERAL MANAGER'S REPORT

Jennifer Hanson, General Manager, requested reports on the following items:

- Voluntary Agreement update to come when more information is received
- IT intrusion update provided – more in-depth investigation is underway and feedback to follow
- Recent storm update and its impact on the River Fire burn scar area provided by Greg Jones, Assistant General Manager

BOARD OF DIRECTORS' ITEMS / REPORTS

Director Johansen, Division V, reported on the following items:

- Attended Ag Pass training for access to real property after a fire event
- Will attend Penn Valley Municipal Advisory Committee with General Manager
- Discussed funding opportunities from DWR for distressed and dry wells

Director Heck, Division I, reported on the following items:

- Attended a Disadvantage Community Workshop
- Plans to attend the Loma Rica Road Association meeting
- Residents in the Loma Rica DFWLE construction area praised staff and the contractor

Director Peters, Division IV, reported on the following items:

- Received a letter from a constituent regarding notifications of water shutoffs
- Discussions with Congressman LaMalfa and Assemblyman Kiley regarding funding opportunities for the District
- Attended tour of PCWA Ophir Treated Water Plant with Director Hull and staff

Director Hull, Division III, reported on the following items:

- Attended quarterly PCWA meeting
- Attended a tour of PCWA Ophir Treatment Plant with Director Peters and staff

Director Bierwagen, Division II, reported on the following items:

- Recent rain event

PUBLIC COMMENT ON ITEMS TO BE CONSIDERED IN CLOSED SESSION

- None

The meeting recessed at 9:56 a.m. and reconvened in Closed Session at 10:00 a.m.

Closed Session for Real Property Negotiations was declared at 10:00 a.m., pursuant to Government Code 54956.8, regarding Combie S. Access Rd. Property Acquisition. Negotiating Parties: Nevada Irrigation District by and through Jennifer Hanson, Minasian, Meith, Soares, Sexton & Cooper, LLP District Counsel, and owner of Placer County APN 075-161-047 (Arroyo) or their authorized representatives. Under negotiation: Price and terms and conditions of payment and sale.

Board Action: Direction was given to real property negotiators.

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Closed Session Conference with Real Property Negotiators was declared at 10:00 a.m., pursuant to Government Code § 54956.8. Nevada Irrigation District’s negotiators, the General Manager and District Counsel, to Discuss Terms and Conditions of Payment of a Potential 2022 Water Transfer with Potential Purchasers Located Downstream of Nevada Irrigation District and South of the California Bay-Delta.

Board Action: Direction was given to real property negotiators.

Conference with Legal Counsel- Anticipated Litigation. Significant exposure to litigation was declared at 10:00 a.m., pursuant to paragraph (2) or (3) of subdivision (d) of Government Code section 54956.9: (one case)

Board Action: Direction was given to Legal Counsel.

Closed Session Conference with Labor Negotiators was declared at 10:00 a.m., pursuant to Government Code § 54957.6. District Representatives: Jennifer Hanson, General Manager; Greg Jones, Assistant General Manager; Minasian, Meith, Soares, Sexton & Cooper, LLP, District Counsel; Employee Units: Unrepresented and Management.

Board Action: Direction was given to labor negotiators.

MEETING ADJOURNED at 12:21 p.m., to reconvene in regular session on Wednesday, November 10, 2021, at 9:00 a.m. at the District’s Business Center located at 1036 West Main Street, Grass Valley, California.

Board Secretary

Attest a true record of actions had and taken at the above and foregoing meeting our presence thereat and our consent thereto.

Division I

Division II

Division III

Division IV

Division V
