



1036 West Main Street, Grass Valley, CA 95945
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Chris Bierwagen, President – Division II
Laura L. Peters, Vice President – Division IV
Ricki Heck – Division I
Karen Hull – Division III
Rich Johansen – Division V

AGENDA

**THE NEVADA IRRIGATION DISTRICT BOARD OF DIRECTORS
WILL MEET IN SPECIAL SESSION AT THE DISTRICT'S BOARD ROOM
LOCATED AT 1036 WEST MAIN STREET, GRASS VALLEY
VIA VIDEO-TELECONFERENCE AT 9:00 A.M. ON MARCH 4, 2021**

Note: Pursuant to the Governor's Executive Order N-29-20, and given the state of emergency regarding the threat of COVID-19, this meeting will be made available for public participation via video-teleconference.

The public is invited to attend this meeting online or via phone. Use the link below to join Zoom. If your computer has a microphone, it should be possible to both listen to and participate in the meeting through Zoom. If you do not have a microphone or a headset with a microphone that plugs into your computer via USB port, you will need to call the toll-free telephone conference line to listen and comment, although you still should be able to view the meeting materials on Zoom. Please do not simultaneously use a microphone through Zoom and the telephone conference line, as it results in audio problems for all participants.

Meeting Information

Please click the following to join the webinar:

<https://us02web.zoom.us/j/86509909114>

To join audio using telephone:
(669) 900-6833 or (346) 248-7799 or (253) 215 8782

Webinar ID: 865 0990 9114

iPhone One-tap access: US: +16699006833,,86509909114# or +12532158782,,86509909114#

Public Comment: The Board Chair will call for public comment throughout the meeting. To provide public comment when prompted, Press *9 to raise your hand. Pressing *9 again will lower your hand.

Please Note:

District Policy 2200 strictly prohibits employees, consultants, visitors or anyone else on District premises or engaged in a District-related activity, from behaving in a violent or threatening manner; this includes bullying or unreasonable behavior that demeans, intimidates or humiliates others, and causes disruptions in the boardroom.

District Board Policy 5030 states that disruption of any of the meetings of the Board of Directors shall not be permitted. Disruptive conduct includes the use of personal electronic devices, such as cell phones, tablets or other electronic devices.

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CALL THE MEETING TO ORDER

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PUBLIC COMMENT ON ITEMS TO BE CONSIDERED IN CLOSED SESSION

CLOSED SESSION CONFERENCE WITH REAL PROPERTY NEGOTIATORS - South Yuba Canal (FERC Project No. 14530). NID Negotiators - Greg Jones, Keane Sommers and District General Counsel. Negotiating with Pacific Gas & Electric Company concerning Price and Terms of Payment.

CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL - Initiation of Litigation (Government Code 54956.9(d)(4).) One Case.

CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL - Pending Litigation. (Government Code 54956.9 (d)(1).) The Board will conduct a closed session workshop with District General Counsel to Discuss All Pending Litigation Affecting Nevada Irrigation District, including the following cases:

- (1) *Bay-Delta Proceedings, including the California WaterFix (or Delta Conveyance Project), the associated environmental document and change petition before the State Water Resources Control Board and the planned update to the Bay-Delta Water Quality Control Plan*
- (2) *In re Nevada Irrigation District Application 5634X01 and Petition for Assignment of State-Filed Application 5634 and Petition to Change State-Filed Application 5634 before the State Water Resources Control Board*
- (3) *California State Water Resources Control Board v. Federal Energy Regulatory Commission, Ninth Circuit Court of Appeals, Case No. 20-72432;*
- (4) *South Yuba River Citizens League, et. al., v. Federal Energy Regulatory Commission, Ninth Circuit Court of Appeals, Case No. 72452.*
- (5) *Nevada Irrigation District v. State Water Resources Control Board et al., United States District Court for the District of Columbia, Case No. 1:20-cv-03523;*
- (6) *Nevada Irrigation District v. State Water Resources Control Board et al. Sacramento County Superior Court, Case No. 34-2020-80003544.*
- (7) *Water Audit California v. Nevada Irrigation District. Third District Court of Appeal, Case No. C092877*
- (8) *Emerson Pachaud and Michael Rainey v. Nevada Irrigation District. Nevada County Superior Court, Case No. CU19-084309*
- (9) *Nevada Irrigation District v. Back. Placer County Superior Court, Case No. S-CV-0040316*

ADJOURN

The next meeting of the Board of Directors will be held on **March 10, 2021 at 9:00 a.m.** at the District's Business Center located at **1036 West Main Street, Grass Valley, California**

Next NID Resolution No. 2020-05
Next NID Ordinance No. 2020-01

A SUMMARY OF ITEMS ON THE BOARD OF DIRECTORS' AGENDAS

CONSENT AGENDA: The Consent Agenda consists of those items which are routine, and it is approved by one motion of the Board adopting the Consent Agenda and authorizing the appropriate actions. Should any member of the Board, staff, or public wish to discuss any item appearing thereon, the item should be removed from the Consent Agenda and discussed immediately after the approval of the Consent Agenda.

* **PUBLIC COMMENT:** Members of the public shall be allowed to address the Board of Directors on items which are of interest to the public and which are within the jurisdiction of the Board, before or during the Board's consideration of the item; however, no action shall be taken on any item not appearing on the agenda unless otherwise authorized by the Board pursuant to Government Code Section 54954.2(b). The Board limits public comment time.

GENERAL ORDERS: General Orders include those items of regular District business which have not been referred to a Board committee and which will be presented with a recommendation or for consideration by the General Manager or District staff.

GENERAL MANAGER'S REPORT: The General Manager will provide a report on current activities within the District of interest to the public and the Board. Items to be discussed by the General Manager will be conditions of current water supply and water sales, legislative or regulatory items of interest not yet requiring action, and public affairs activities occurring within the District directly or indirectly involving District operations.

Any matters requiring immediate action by the Board of Directors, which have not been placed on the Agenda, shall be taken up under the heading of General Manager's Report after all other matters are considered. The Board shall cause such matters to be placed on the Agenda for future meetings of the Board unless the matter requires immediate action by the Board, in which case the Board may take action as set forth in the Government Code.

BOARD OF DIRECTORS' ITEMS / REPORTS: Directors may provide brief reports on meetings, conferences, and seminars attended by the Directors of interest to the District and the public. Directors may also report on community comments and activities of interest.

The Boardroom is accessible to persons with disabilities. Requests for Assistive Listening Devices or other considerations should be made 72 hours in advance of the meeting through the Board Secretary's Office at (530) 273-6185.

In accordance with Government Code Section 54957.5(b)(2), copies of the Agenda, and any writings in connection with open session agenda items, are available for public inspection during normal business hours at the office of the Board Secretary located at 1036 West Main Street, Grass Valley, CA.

This agenda has been posted at the District's Business Center at 1036 West Main Street, Grass Valley, California in the Main Lobby, the Boardroom Lobby, and the outdoor bulletin board of the East Annex, by 5:00 p.m. on March 2, 2021. This agenda has also been posted on the District's web site (www.nidwater.com).