

NEVADA IRRIGATION DISTRICT

BOARD OF DIRECTORS

MINUTES

September 13, 2017

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 13th day of September, 2017, at 9:00 a.m.

Present were Nick Wilcox, President (Division V); William Morebeck, Vice President (Division IV), Nancy Weber, (Division I); John H. Drew (Division II), and W. Scott Miller (Division III), Directors.

Staff members present included Remleh Scherzinger, General Manager; Greg Jones, Assistant General Manager; Marvin V. Davis, Finance Manager/Treasurer; Keane Sommers, Hydroelectric Manager; Chip Close, Water Operations Manager; Gary King, Engineering Manager; Monica Reyes, Recreation Manager; Doug Roderick, Senior Engineer; Matthew Crowe, Senior Right of Way Agent; Dustin Cooper, District Counsel; and Kris Stepanian, Board Secretary.

PUBLIC COMMENT

The Following members of the public addressed the Board:

- John Volz, resident of Chicago Park, addressed the Board regarding transparency
- Carmen Mateo, resident of Nevada City, addressed the Board regarding listening to the public
- Marin Lipowitz, resident of Grass Valley, recited a pledge to the Earth, and addressed the Board regarding the Bear River
- Michael Hill-Weld, resident of Division 1, addressed the Board regarding transparency
- Steven Kirshbaum, resident of Nevada City, addressed the Board regarding the Scotts Flat Spillway gate and fence
- Adian Minty, resident of Nevada City, addressed the Board regarding the Scotts Flat Spillway gate and fence
- Mike Pettingill, resident of Nevada County and teacher, addressed the Board regarding the Scotts Flat Spillway gate and fence
- Jane Ragan, resident of Nevada City, addressed the Board regarding the Scotts Flat Spillway gate and fence and the need for connected recreation areas
- Rick Weaver, resident of Cascade Shores, addressed the Board regarding the Scotts Flat Spillway gate and fence
- Mike Mays, Scout Master and owner of property adjacent to the Scotts Flat Spillway, addressed the Board regarding the Scotts Flat Spillway gate and fence
- Jeanette Lowe, resident of Nevada County, addressed the Board regarding transparency, and the Scotts Flat Spillway gate and fence

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- Sean Clark, resident of Grass Valley, spoke on behalf of The Bear Yuba Land Trust, addressing the Board regarding the Scotts Flat Spillway gate and fence, and offered to work with NID if the best remedy is to construct an alternative trail for access
- Ray Briars, resident of Nevada City, addressed the Board regarding the Scotts Flat Spillway gate and fence
- Jamie Ervin, resident of Nevada City, addressed the Board regarding the Centennial Reservoir and the Bear River
- Syd Brown, resident of Nevada City, addressed the Board regarding administrative and procedural items, and requested moving Items 8 & 9 higher up on the agenda
- Dianna Suarez, resident of Colfax, addressed the Board regarding lack of space for the number of people in attendance and the Bear River
- Duane Strawser, Nevada City Council Member, requested that the gate be opened through the weekend at the Scotts Flat Spillway during the Barbara Schmidt Millar Triathlon
- Mark Johnson, District 1, addressed the Board regarding credibility
- Shirley Osgood, resident of Grass Valley, addressed the Board regarding saving the Bear River and its presence in recent local parades
- Maria Blasko, resident of Grass Valley, addressed the Board regarding the Centennial Reservoir and the Bear River
- Ricki Heck, resident of Division 1, addressed the Board regarding the sponsorship of the Yuba River Cleanup, and requested a review of the budget for community service activities
- David Edwards, local resident, addressed the Board regarding the Centennial Reservoir
- Bruce Herring, resident of Division 2, addressed the Board regarding working together, and requested notification be made to the public once negotiations with South Sutter Water District are complete
- Kurt Lorenz, Nevada County resident and SYRCL Board Director, addressed the Board regarding Public Records Act Requests & transparency
- Bob Branstrom, resident of Grass Valley, addressed the Board expressing his thanks for videotaping of meetings
- Garrett Stuessy, resident of District 1, addressed the Board regarding the Centennial Reservoir and current recreation on the Bear River
- Gabriel Lawson, student of soil and water science, commended the Board for looking ahead to future public water needs and watershed cleanup
- Otis Wollan, resident of Colfax, addressed the Board regarding transparency and the Centennial Reservoir, and provided the Board with an opinion paper draft by the American River Watershed Institute, entitled "Potential Centennial Dam Project Impacts to Placer County", welcoming NID Board review and feedback
- Annette Dunklin, resident of Nevada County, addressed the Board in opposition of the Centennial Reservoir, shared some history of the Nisenan Tribe, and thanked the Board members for their service
- Pamela Osgood, resident of Grass Valley, addressed the Board regarding herbicide use and access to information
- Mike Pasner, resident of Penn Valley, and owner of Indian Springs Organic Farm, addressed the Board regarding his opposition to the Centennial Reservoir,

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herbicide use, the Scotts Flat Spillway gate, District support of the 20th Annual Yuba River Cleanup, and recreation use on the Bear River,

- Bill Wright, resident of Nevada County, addressed the Board regarding the Centennial Reservoir, alternatives and transparency
- Chris Feucht, resident of Nevada City and Managing Director of the Sierra Buttes Trail Stewardship, addressed the Board regarding the Scotts Flat Spillway fence and gate, and offered free services from the Sierra Buttes Trail Stewardship to help discover a connectivity solution

MINUTES – August 9, 2017 Special Meeting

Approved the minutes of the special meeting on August 9, 2017, as submitted. M/S/C Drew/Weber, unanimously approved

WARRANTS

Approved warrants as submitted on check and payroll registers. M/S/C Drew/Weber, unanimously approved

WATER SERVICE RULES AND REGULATIONS REVISIONS TO SCHEDULE 4-A OF RATES AND CHARGES

Approved an amendment to the District's Rules and Regulations - Schedule 4-A of the Schedule of Rates and Charges, as recommended by the Administrative Practices Committee, M/S/C Drew/Weber, unanimously approved

VIA DEL SOL (TUCKER) WATERLINE EXTENSION – CONVEYANCE AGREEMENT

Approved of Conveyance Agreement with Robert Tucker, Manager, Golden State Manufactured Homes, LLC, for installation of approximately 4,165 lineal feet of 8-inch pipe, and all appurtenances to serve Nevada County parcels 11-690-09 & -14. M/S/C Drew/Weber, unanimously approved

MONTCLAIR COURT DISTRICT FINANCED WATERLINE EXTENSION

Chip Close, Water Operations Manager presented the item, which was pulled from the Consent Agenda for discussion at the request of Director Weber.

Encumbered funds for the Montclair Court District Financed Waterline Extension project as recommended by the Administrative Practices Committee. M/S/C Miller/Drew, unanimously approved

Director Weber made a motion to change the order of General Items on the Agenda, moving up items 8 and 9. Motion seconded by Director Drew, unanimously approved

CENTENNIAL RESERVOIR PROJECT – WATER STORAGE INVESTMENT PROGRAM APPLICATION (FATR #7013)

Doug Roderick, Senior Engineer presented the item for review and discussion.

Public Comment:

- Kurt Lorenz, resident of Nevada County
- Mike Pasner, resident of Penn Valley and owner of Indian Springs Organic Farm
- Tracie Sheehan, with the Foothills Water Network
- Sue Ghilotti, resident of Colfax

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- Marin Lipowitz, resident of Grass Valley
- Theresa Simsiman, California Stewardship Director for American Whitewater
- Dianna Suarez, resident of Colfax
- Carmen Mateo, resident of Nevada City
- Gary Moon, resident of Grass Valley
- John Volz, resident of Chicago Park
- Otis Wollan, resident of Colfax
- Maria Blasko, resident of Grass Valley
- Willis McNeal, resident of Grass Valley
- Mark Johnson, resident of District 1
- Jamie Ervin, resident of Nevada City

Director Drew left the meeting at 11:45 a.m. and returned at 11:47 a.m.

Meeting recessed at 11:48 a.m. and reconvened at 11:52

VIDEO SOLUTION

JR Lewis, IT Analyst presented the item.

Public Comment:

- Pamela Osgood, resident of Grass Valley
- Syd Brown, resident of Nevada City
- Richard Thomas, resident of Nevada City
- Bob Branstrom, resident of Grass Valley

Approved video solution as recommended by the Administrative Practices Committee on August 1, 2017. M/S/C Drew/Weber, unanimously approved

MEADE CANAL ENCASEMENT PROJECT #1071 – EASEMENT ACQUISITION YUBA COUNTY ASSESSOR PARCEL NUMBERS 006-260-026-000 (BLUE POINT PARTNERS) AND 006-260-035-000 (BRADY)

Gary King, Engineering Manager and Matthew Crowe, Senior Right of Way Agent, presented the item.

Public Comment:

- Brian Bisnett, Managing Partner of Blue Point Partners

Motion made by Director Drew to adopt Resolution No. 2017-26, declaring necessity and authorizing eminent domain proceedings for the acquisition of real property for a public project known as the Meade Canal Encasement Project, on Yuba County Assessor Parcel Number: 006-260-026-000, owned by Blue Point Partners, and authorized the General Manager to execute the appropriate documents. Motion seconded by Director Miller.

Motion passed on the following roll call vote:

Weber, Division I	-	No
Drew, Division II	-	Aye
Miller, Division III	-	Aye
Morebeck, Division IV	-	Aye
Wilcox, Division V	-	Aye

Public Comment:

- Brian Bisnett, Managing Partner of Blue Point Partners

Motion made by Director Drew to adopt Resolution No. 2017-27, declaring necessity and authorizing eminent domain proceedings for the acquisition of real property for a public project known as the Meade Canal Encasement Project, on Yuba County Assessor's Parcel Number 006-260-035-000, owned by Shaun Brady, and authorized the General Manager to execute the appropriate documents. Motion seconded by Director Miller.

Motion passed on the following roll call vote:

Weber, Division I	-	No
Drew, Division II	-	Aye
Miller, Division III	-	Aye
Morebeck, Division IV	-	Aye
Wilcox, Division V	-	Aye

Board Direction was given staff, to be completed prior to filing the court paperwork:

- Work on second parallel track negotiation for the two property owners
- Research window of opportunity to rescind or find a way outside of the railroad commission order
- Report back to the Board

Director Drew left the meeting at 1:10 p.m. and returned at 1:12 p.m.

LOMA RICA RESERVOIR 24-INCH PIPE REHABILITATION PROJECT (#1079)

Gary King, Engineering Manager, presented the item.

Awarded contract to Lorang Brothers Construction for the Loma Rica Reservoir 24-inch Pipe Rehabilitation Project in the amount of \$416,000, and authorized the General Manager to execute the necessary documents. M/S/C Morebeck/Drew, unanimously approved

GENERAL MANGER'S REPORT

Remleh Scherzinger, General Manager, reported on the following items:

- Precipitation and storage report
- Donation made of old meters to Circle Oaks County Water District in Napa, CA
- Completing Table Meadows Option 3
- Rodeo Flat Pump Station
- Roadways at Lodestar/Conestoga BEP (Backbone Extension Project)
- Rattlesnake BEP (Backbone Extension Project)
- Headquarters facility expansion Phase 4 – solar complex
- Talking with County about Community Development Block Grants
- Attended Brown Act Workshop
- Presented at The Rotary Club of Grass Valley
- The World Bank with the Peruvian Contingent was on site looking at flood control activities and District facilities

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- State Water Resource Control Board staff and Regional Water Quality Control Board staff was onsite to look at and discuss the Centennial Reservoir and Combie Mercury Project
- Presented at ACWA (Association of California Water Agencies) Region 3 & 4 Joint Program about headwaters
- Reported that the District is unaware of any JPA activities and would not participate in any JPA activities
- Legislation updates
 - SB-623 – Disadvantaged Communities Funding Proposal
 - AB-1668 – Long-term Conservation Language
 - SB-5 – Parks and Water Bond
- ACWA presenting their Water Storage Integration Study at upcoming Board meeting
- Communications Specialist position update

BOARD MEMBER ITEMS/REPORTS:

Director Drew reported on the following items:

- Study of the Bear River indicates that it would now be dry if not for PG&E and NID system

Director Morebeck reported on the following items:

- Attended the Brown Act Workshop

Director Weber reported on the following items:

- Scotts Flat Dam access closure

Director Miller reported on the following items:

- Headwaters ACWA (Association of California Water Agencies) Conference

President Wilcox reported on the following items:

- ACWA's Integration Storage Report

BOARD OF DIRECTORS' MEETING SCHEDULE

Cancelled Board of Directors' meetings of November 22, 2017 and December 27, 2017. M/S/C Drew/Weber, unanimously approved

PUBLIC COMMENT ON ANY ITEM TO BE CONSIDERED IN CLOSED SESSION

- Syd Brown, resident of Nevada City, addressed the Board regarding video recording

Meeting recessed at 1:48 p.m. and reconvened at 1:55 p.m.

CLOSED SESSION was declared at 1:55 p.m., pursuant to Government Code Section 54956.9. Nevada Irrigation District's Petition for Assignment of Water Rights for Centennial Reservoir and the Protest by South Sutter Water District to that Petition pending before the State Water Resources Control Board.

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CLOSED SESSION was declared at 1:55 p.m., pursuant to Government Code Section 54956.8 to confer with Real Property Negotiators Scherzinger, Sommers, and/or District Counsel regarding price and terms of payment for acquisition and sale of rights in real property; properties subject to negotiations:

- South Yuba Canal, Chalk Bluff Canal, Deer Creek Powerhouse; flowage/wheeling rights in Drum Canal, Bear River Canal, Wise Canal, and South Canal (all owned by PG&E)
- Flowage Rights in Bowman-Spaulding Canal, Fall Creek Flume, Dutch Flat Flume, and Chicago Park Flume; right to storage in Rollins Reservoir (all owned by NID)

Persons with whom negotiations will be conducted: PG&E Management

MEETING RECONVENED in regular session at 2:19 p.m.

The Board came out of closed session, and Board Secretary reported on actions taken in closed session as follows: Direction was given to legal counsel and real property negotiators.

MEETING ADJOURNED at 2:20 p.m. to reconvene in regular session on September 27, 2017, at 9:00 a.m. at the District's main office located at 1036 W. 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.

Director
Division I

Division II

Division III

Division IV

Division V
