



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
AT 9:00 A.M. ON OCTOBER 21, 2021**

Pursuant to Governor Newsom's Executive Order pertaining to the convening of public meetings, AB 361 and Government Code section 54953, paragraph (e), and given the state of emergency regarding the COVID-19 pandemic, the District's Board room is currently closed to the public. This meeting will be made available for public participation via Zoom.

Please click the following to join the webinar: <https://us02web.zoom.us/j/89184559924>

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

Webinar ID: 891 8455 9924

Or One tap mobile: US: +16699006833,,89184559924# or +12532158782,,89184559924#

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: 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.

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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.

CALL THE MEETING TO ORDER

- Pledge of Allegiance
- Roll Call

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PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA *

Please limit comments to three (3) minutes per person

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SPECIAL ORDERS – *Time Certain at 9:05 a.m.*

Redistricting Update - Provided by Redistricting Partners

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CONSENT AGENDA

1. Approve [the Minutes](#) of the regular meeting on September 22, 2021
2. Approve [the Minutes](#) of the special meeting on September 23, 2021
3. [AB 361 Compliance - Brown Act/Covid-19 Teleconference and Remote Meeting Requirements](#): Adopt Resolution No. 2021-32 (Authorizing Remote Meetings Consistent with AB 361)
4. [Application for Annexation – Placer County, Haven Hill Water Association \(10 properties\)](#): Adopt Resolution No. 2021-34 (Making Application for Annexation of Land to Nevada Irrigation District - Unincorporated Placer County)
5. [French Dam Upgrades Project \(Project #2360\)](#): Ratify the Change Order 3 with Glissman Excavating in the amount of \$94,454.90 and authorize the General Manager to execute the appropriate documents
6. [Chicago Park Power House Access Road \(Project #6877\)](#): Adopt Resolution No. 2021-35 (Appointment of Real Property Negotiator, Identification of Property, and Identification of With Whom the Negotiator is Authorized to Negotiate), to appoint the General Manager, or designee, as the District's real property negotiator relative to the negotiation of a permanent easement (Placer County APNs 063-150-014, 063-150-008, 063-320-001, and 063-320-002)
7. [FY2021 Financial Audit Services](#): Award a contract in the amount of \$53,200 with MUN CPAs & Associates, LLP for the fiscal year 2021 financial audit services, and authorize the General Manager to extend the agreement covering additional years
8. [Warrants, Projects & Facilities, Investment Report](#): Approve the Check Register, and receive and file the Project & Facility and Investment Transaction Reports for the period ending September 27, 2021

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GENERAL ORDERS

9. [Plan for Water Update and Public Outreach Process](#): Receive an update on Plan for Water Process and provide input regarding the [Plan for Water's public outreach process](#)

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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.

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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.

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PUBLIC COMMENT ON ITEMS TO BE CONSIDERED IN CLOSED SESSION

CLOSED SESSION REAL PROPERTY NEGOTIATIONS (Government Code 54956.8) Placer County APNs 063-150-008, 063-150-014, 063-320-001 and 063-320-002. Negotiating Parties: Nevada Irrigation District by and through Jennifer Hanson, and Theodore Back and Ruth Graupmann or their authorized representatives. Under negotiation: Price, and terms and conditions of payment and sale.

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. One Case: (Government Code section 54956.9(d)(1)). Nevada Irrigation District v. Lake of the Pines Ranchos Community Services District

CLOSED SESSION WORKSHOP WITH LEGAL COUNSEL WILL BE HELD CONCERNING THE FOLLOWING TOPICS:

- (a) EXISTING LITIGATION** (Government Code § 54956.9(d)(1).) All pending litigation in which Nevada Irrigation District is a named party.
- (b) CONFERENCE WITH REAL PROPERTY NEGOTIATORS** (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.
- (c) ANTICIPATED LITIGATION** (Government Code §54956.9(d)(2) or (d) (3).) Significant exposure to litigation; two potential cases.

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ADJOURN

The next regular meeting of the Board of Directors will be held on **October 27, 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. 2021-36
Next NID Ordinance No. 2021-01

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 October 15, 2021. This agenda has also been posted on the District's web site (www.nidwater.com).