



1036 West Main Street, Grass Valley, CA 95945
Telephone: (530) 273-6185 / Facsimile: (530) 271-6838
Web Site: www.nidwater.com

Ricki Heck, President of the Board - Division I
Chris Bierwagen, Vice President – Division II
W. Scott Miller – Division III
Laura L. Peters – Division IV
Nick Wilcox – Division V

AGENDA

**THE NEVADA IRRIGATION DISTRICT BOARD OF DIRECTORS
WILL MEET IN REGULAR SESSION VIA VIDEO-TELECONFERENCE
AT THE DISTRICT’S BOARD ROOM LOCATED AT
1036 WEST MAIN STREET, GRASS VALLEY
AT 9:00 A.M. ON AUGUST 26, 2020**

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/85786204533>

To join audio using telephone:

(669) 900-6833 or (346) 248-7799 or (253) 215 8782

Webinar ID: 857 8620 4533

iPhone One-tap access: US: +16699006833,,85786204533# or +13462487799,,85786204533#

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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PLEDGE OF ALLEGIANCE

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PUBLIC COMMENT ON ITEMS TO BE BE CONSIDERED IN CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Government Code § 54956.9). *South Yuba River Citizens League et al. v. Federal Energy Regulatory Commission* (9th Circuit, August 17, 2020)

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Government Code § 54956.9(d)(4). One case: Issuance of Purported 401 Water Quality Certification for Yuba-Bear Project by State Water Resources Control Board

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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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CONSENT AGENDA

- 1. Approve [the Minutes](#) of the regular meeting on August 12, 2020

GENERAL ORDERS

- 2. [Quarterly Budget vs. Actual Report](#): Receive and file the quarterly budget vs. actual report for the period ending June 30, 2020
- 3. [Quarterly Investment, Reserves & Short-Term Forecast](#): Receive and file the quarterly investment, reserve, and short-term cash forecast report for the period ending June 30, 2020
- 4. [Water Planning Projections \(FATR# 1041\)](#): Receive a presentation from staff and HDR consultants regarding the Water Planning Projections presented in the supply and demand projection technical memorandums and release the technical memorandums for public comment
- 5. [Water Rates Committee Recommendation](#): Receive and adopt a rate-setting recommendation as set forth by the Water Rates Committee
- 6. Approve [Warrants](#)

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INTERIM GENERAL MANAGER'S REPORT:

The Interim 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 Interim 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 BE CONSIDERED IN CLOSED SESSION

CLOSED SESSION CONFERENCE with Real Property Negotiators (Government Code § 54956.8): Property: FERC Project Nos. 6028 and 6061, located in Nevada and Sierra Counties. Agency negotiator: Keane Sommers, Hydroelectric Manager; Greg Jones, Interim General Manager Negotiating parties: Haypress, LLC and Nevada Irrigation District Under negotiation: Instruction to negotiators concerning price and terms and conditions of acquisition

CLOSED SESSION will be declared pursuant to Government Code Section 54956.9 to confer with District Counsel regarding pending litigation – Claim: Crough

CLOSED SESSION PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT (Gov. Code § 54957(b)(1).) General Manager

ADJOURN

The next meeting of the Board of Directors will be held on **September 9, 2020, at 9:00 a.m.** at the District's Business Center located at **1036 West Main Street, Grass Valley, California**

Next NID Resolution No. 2020-20

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 August 21, 2020. This agenda has also been posted on the District's web site (www.nidwater.com).