

# NEVADA IRRIGATION DISTRICT

## BOARD OF DIRECTORS

### MINUTES

February 27, 2019

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 February 2019, at 9:00 a.m.

Present were W. Scott Miller, President (Division III); Ricki Heck, Vice President (Division I); and Directors Chris Bierwagen (Division II); Laura L. Peters (Division IV); and Nick Wilcox (Division V).

Staff members present included Remleh Scherzinger, General Manager; Greg Jones, Assistant General Manager; Gary King, Engineering Manager; Chip Close, Water Operations Manager; Jacqueline Longshore, Maintenance Manager; Keane Sommers, Hydroelectric Manager; Monica Reyes, Recreation Manager; Marvin Davis, Finance Manager; Jana Kolakowski, Human Resource Manager; Susan Lauer, Communication Specialist; Dustin Cooper, District Counsel; and Kris Stepanian, Board Secretary.

#### PUBLIC COMMENT

The following members of the public addressed the Board:

- Mikos Fabersunne, resident of Nevada City, addressed the Board regarding recent District correspondence with FERC and the State Water Board pertaining to the Yuba Bear license
- Yara Pasner, resident of Penn Valley, addressed the Board regarding documenting committee meeting minutes the same as Board meetings
- Tracie Sheehan with Foothill Water Network, addressed the Board regarding the Yuba Bear license and the March 6<sup>th</sup> comment period deadline, and provided a copy of NID's letter to FERC
- Michael Hill-Weld, resident of Division 1, addressed the Board regarding the NID letter to FERC pertaining to the Yuba Bear license
- Dianna Suarez, resident of Colfax, addressed the Board requesting that the District temporarily cease spending on Centennial Reservoir
- Pamela Osgood, resident of Grass Valley, addressed the Board regarding spending on Centennial Reservoir and the Raw Water Master Plan Update
- David Howland, addressed the Board regarding Proposition 265, and public notice when terrestrial weed management is taking place
- Shirley Osgood, addressed the Board regarding water rates increases
- Debbie Totoonchie, Manager of Nevada County Farm Bureau, addressed the Board requesting that they look to the future for additional water storage & hydroelectric power
- Mike Pasner, owner of Indian Springs Organic Farm in Penn Valley, addressed the Board regarding the Maintenance Manager, Jacqueline Longshore's recent

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attendance at the Weed Science Society Conference, copper-based herbicides in canals and weed management

- Joe Welhoff, member of the public, addressed the Board regarding water rate increases
- Syd Brown, resident of Nevada City, addressed the Board requesting that the District curtail all expenses related to the Centennial Reservoir

MINUTES – February 13, 2019, 2019 Regular Meeting

**Approved the minutes of the regular meeting on February 13, 2019, as submitted. M/S/C Wilcox/Bierwagen, unanimously approved.**

REVISIONS TO SECTIONS 4.06.07, 6.01.01 AND 7.02 OF THE RULES AND REGULATIONS

**Approved revisions, as recommended by the Water & Hydroelectric Operations Committee. M/S/C Wilcox/Bierwagen, unanimously approved.**

COMBIE PHASE I CANAL REPLACEMENT PROJECT – APPROVAL OF CONSTRUCTION CONTRACT (FATR# 6746)

Doug Roderick, Senior Engineer, presented the item. Chris Rowe, Project Manager, with Steve P. Rados, Inc. provided a brief history of the corporation.

**Awarded a construction contract to Steve P. Rados, Inc. in the amount of \$19,619,000, and authorized the General Manager to execute the appropriate documents. M/S/C Wilcox/Heck, unanimously approved.**

DISTRICT POLICY 6685 – CANAL ENCASEMENTS

**Director Wilcox made a motion to approve Resolution 2019-06 (Establishing District Policy 6685 – Canal Encasements), as amended at section 6685.3 of the policy to replace the words “such as” with “can include”, and will then read as follows**

**6685.3 Factors used to determine the need for encasement(s) in a development area can include location and size of buildings, parking lots, roads and other improvements within proximity of a canal; the canal size; the type of downstream water use; the nature of the development; and the use of hazardous materials within the development.**

**Director Bierwagen seconded the motion.**

The meeting recessed at 10:25 a.m. and reconvened at 10:34 a.m.

Public Comment:

- Dianna Suarez, resident of Colfax
- Yara Pasner, resident of Penn Valley
- Mike Pasner, resident of Penn Valley

**The motion failed on the following roll call vote:**

<b>Heck, Division I</b>	<b>No</b>
<b>Bierwagen, Division II</b>	<b>Aye</b>
<b>Miller, Division III</b>	<b>Abstain</b>
<b>Peters, Division IV</b>	<b>No</b>
<b>Wilcox, Division V</b>	<b>Aye</b>

WARRANTS/FINANCIALS

Marvin Davis, Finance Manager/Treasurer, presented the item.

Public Comment:

- Dianna Suarez, resident of Colfax

**Approved as submitted. M/S/C Wilcox/Heck, unanimously approved.**

GENERAL MANAGER'S REPORT

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

- Storage and Precipitation update
- Conservation update
- Snow Pack Report
- Bowman Transmission line currently off-service and crews are working on repairs
- Headgate to Dutch Flat Flume damaged; Drum Afterbay Update provided by Keane Sommers, Hydroelectric Manager
- Sierra Nevada Conservancy has identified NID's Scotts Flat Fire Fuels Project Phase 4 as their preferred project
- District to bank with Tri Counties Bank beginning April 1<sup>st</sup> - anticipated savings of approximately \$100,000
- Attended meeting with Stephanie Ortiz, Dean/CEO at Sierra College regarding training program and Gillette orchard possibility
- Attended meeting with Angela Avery, CEO with Sierra Nevada Conservancy
- Attending meeting on February 28<sup>th</sup> with Allison Lehman, CEO of County of Nevada regarding Broadband rollout
- Requests to committees regarding:
  - o Board Minutes Policy – Administrative Practices Committee
  - o Procurement Policy – Engineering Committee
  - o Consulting Agreement Template – Engineering Committee
- Ironhorse/Armstrong Project is out to bid
- Lake of the Pines to Alta Sierra pressure control station update
- Obtained easement from Biznet and Brady for Meade Canal
- Raw Water Master Plan – 2 people coming in to discuss the M50, President elect of AWWA, March 12, 2019 for the next Water & Hydro Operations Committee meeting
- Combie Sediment Removal update
- Bowman Canal Lining Project bids received and to Board at end of March
- Greenhorn Sediment DEIR going out beginning of April

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- Publics' request to address letter sent to FERC – Update will be provided to Board in Closed Session at next meeting

#### BOARD OF DIRECTORS' ITEMS / REPORTS

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

- Requested an update regarding the Scotts Flat and Cascade Shores special fire access

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

- Attended Lincoln Municipal Advisory Committee meeting
- Attended Chamber mixer at the Placer County Farm Bureau office
- Attending Placer County Farm Bureau dinner on February 28<sup>th</sup>
- Attended meeting with Placer County Conservation Program and shared highlights

#### PUBLIC COMMENT ON ANY ITEM TO BE CONSIDERED IN CLOSED SESSION

- Tracie Sheehan with Foothill Water Network, addressed the Board regarding closed session item pertaining to property acquisition
- Dianna Suarez, resident of Colfax, addressed the Board regarding closed session item pertaining to property acquisition

Meeting recessed at 11:40 a.m. and reconvened at 11:50 a.m.

#### WORKSHOP – UNDERSTANDING THE BROWN ACT

John Dietrich, Partner with Atkinson, Andelson, Loya, Ruud & Romo, a Professional Law Corporation, led the workshop.

Meeting recessed at 1:30 p.m. and reconvened in Closed Session at 1:35 p.m.

CLOSED SESSION was declared at 1:35 p.m. pursuant to Government Code Section 54956.8 to confer with Real Property Negotiators Scherzinger and/or District Counsel regarding price and terms of payment; the properties subject to negotiation are Nevada County Assessor's Parcel Number 028-310-002 and Placer County Assessor's Parcel Number 071-080-019.

**Board Action: Direction was given to real property negotiators.**

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Was declared at 1:35 p.m. pursuant to (Government Code § 54956.9(d)(1).) The Board of Directors of the Nevada Irrigation District conducted a closed session workshop with District Legal Counsel to receive information on the status of all existing litigation affecting the District.

**Board Action: Direction was given to legal counsel.**

Meeting recessed at 3:20 p.m. and reconvened at 3:25 p.m. in Closed Session.

MEETING RECONVENED in regular session at 4:15 p.m.

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President Miller reported on Board actions taken during Closed Session.

MEETING ADJOURNED at 4:15 p.m., to reconvene in regular session on March 13, 2019, at 9:00 a.m. at the District's main office located at 1036 W. Main Street, Grass Valley, California.

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Board Secretary

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

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Director  
Division I

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Division II

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Division III

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Division IV

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Division V