

NEVADA IRRIGATION DISTRICT

BOARD OF DIRECTORS

MINUTES

July 8, 2020

The Board of Directors of the Nevada Irrigation District convened in regular session via video-teleconference at the District's main office located at 1036 W. Main Street, Grass Valley, on the 8th day of July 2020, at 9:00 a.m.

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

Present via video-teleconference was Chris Bierwagen, Vice-President (Division II).

Staff members present included Greg Jones, Interim General Manager; Marvin Davis, Finance Manager/Treasurer; Chip Close, Water Operations Manager; Keane Sommers, Hydroelectric Manager; Monica Reyes, Recreation Manager; Jana Kolakowski, Human Resources Manager; Dustin Cooper District Counsel; Andrew McClure, District Counsel; and Kris Stepanian, Board Secretary.

EMPLOYEE RELATIONS – Service Awards

The following Employees were recognized for their length of service with the District.

| <u>Employee</u> | <u>Title</u> | <u>Hire Date</u> |
|------------------------|------------------------------------|------------------|
| <u>30 Years</u> | | |
| Dean Rutter | Hydro Maintenance Tech I | 05/13/1990 |
| Kenneth C. Hart | Senior Hydro Plant Operator | 06/04/1990 |
| <u>25 Years</u> | | |
| Douglas R. Andrews | Maintenance Supervisor | 05/08/1995 |
| <u>20 Years</u> | | |
| William D. Barker | Water Distribution Operator II | 02/07/2000 |
| <u>15 Years</u> | | |
| Todd M. Williams | Hydro Plant Operator II | 03/07/2005 |
| Andrew P. Rutter | Senior Welder | 04/18/2005 |
| Thor G. Larsen | Water Resources Superintendent | 06/21/2005 |
| <u>10 Years</u> | | |
| Robert Page | Senior Water Distribution Operator | 04/12/2010 |
| Joan Tortorici | Buyer | 05/24/2010 |

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PUBLIC COMMENT FOR ITEMS THAT ARE NOT ON THE AGENDA

The following members of the public addressed the Board:

- Dianna Suarez, resident of Colfax, addressed the Board regarding the public's right to free speech

MINUTES – June 19, 2020, Special Meeting

Public Comment:

- Syd Brown, member of the public

Approved as amended, correcting the next meeting date to June 24, 2020, on Page 56. M/S/C Peters/Wilcox, unanimously approved.

MINUTES – June 24, 2020, Regular Meeting

Approved as submitted. M/S/C Bierwagen/Peters, unanimously approved.

SCOTTS FLAT LAKE QUIET HOURS REQUEST

Greg Jones, Interim General Manager, presented the item.

Public Comment:

- Chris Donahue, member of the public
- Sonja Goetsch-Avila, resident of Nevada City
- JT Kohler, member of the public
- David Coehen, resident of Nevada City
- Kyla Roessler, resident of Nevada City
- Max (no last name provided), resident of Nevada City
- Cameron Cox, member of the public
- Brad Reynolds, member of the public

President Heck received Board consensus to refer the request from local residents regarding Scotts Flat Lake quiet hours to the Maintenance and Resource Management Committee.

IMPLEMENTATION COSTS AND FORWARD PLANNING RELATED TO NEW FERC LICENSE FOR YUBA-BEAR PROJECT (FERC NO. 2266)

Keane Sommers, Hydroelectric Manager, presented the informational item.

Public Comment:

- John Norton, resident of Division 5
- Traci Sheehan, with Foothills Water Network

Board Action: None – Informational Item.

The meeting recessed at 10:23 a.m. and reconvened at 10:33 a.m.

WATER RATES COMMITTEE MEMBERSHIP CHANGE

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Ricki Heck, Board President, presented the item.

Public Comment:

- None

Director Wilcox made a motion to pull and table the item indefinitely. The motion died for lack of a second.

Director Miller made a motion to change the Water Rates Committee members to include Director Bierwagen in place of Director Wilcox. Director Peters seconded the motion.

Motion passed on the following roll call vote:

| | |
|------------------------|-----|
| Heck, Division I | Aye |
| Bierwagen, Division II | Aye |
| Miller, Division III | Aye |
| Peters, Division IV | Aye |
| Wilcox, Division V | No |

Director Bierwagen left the meeting at 10:54 a.m. and reconvened at 10:57 a.m.

WATER 2020 COST OF SERVICE BOARD DIRECTION

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

Director Bierwagen left the meeting at 11:57 a.m. and returned at 12:01 p.m.

Public Comment:

- John Norton, resident of Division 5
- Michael Hill-Weld, member of the public

Direction was given to staff and Water Rates Committee to explore Option 1-C (Hybrid Approach) to allocate costs among the District's customer base. M/S/C, Bierwagen/Peters, unanimously approved.

Direction was given to staff and Water Rates Committee to explore a potential increase to cost recovery, to explore the appropriate and sustainable level of Hydro revenue transfer in's for use as a water rates subsidy, and to explore the potential use of property tax proceeds as debt service. M/S/C Peters/Miller, unanimously approved.

WARRANTS/FINANCIALS

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

Public Comment:

- None

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

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INTERIM GENERAL MANAGER'S REPORT

Greg Jones, Interim General Manager, reported on the following items:

- Bowman Lake precipitation gauge at 48.89" - 70% of average
- 250,498 acre-feet in storage – 105% of 7-year average and 93% of capacity
- 2020 Conservation compared to 2013 is at 14%
- Newtown Reservoir Sediment Removal Project update
- Hwy 174 Pipeline Relocation Project with Cal Trans is complete
- Iron Horse District Financed Waterline Extension is complete
- Table Meadow Phase II District Financed Waterline Extension update
- Hayt Canal Siphon Replacement update
- Lidster Avenue & Country Club Terrace water main update
- Potential Watershed Grants update
- Recreation re-opening update
- Bowman annual outage completed
- 2021 Budget process underway
- Water Rates Committee meetings
- Status of acquisition from PG&E of Deer Creek Canal and Powerhouse
- Status of E. George to Lake Wildwood Backbone Extension Project

BOARD OF DIRECTORS' ITEMS / REPORTS

Director Bierwagen, Division II, reported on the following items:

- Anticipates to be unavailable for meetings next week

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

- Cautioned of pushing boundaries with Closed Session items

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

- Reported that she and Director Bierwagen spent several hours with Andy Fecko, General Manager of Placer County Water Agency last week

PUBLIC COMMENT ON ITEMS TO BE CONSIDERED IN CLOSED SESSION

- Jason Horst, attorney for Forest Trails Alliance, experienced technical difficulties while attempting to make public comment on the Scotts Flat Trails item. Therefore, he submitted his public comment via email to the Interim General Manager, which was shared with the Board of Directors during Closed Session and announced in Open Session when meeting reconvened by District Counsel.

The meeting recessed at 12:21 p.m. and reconvened in Closed Session at 12:35 p.m.

Closed Session Conference with Labor Negotiators, was declared at 12:35 p.m., pursuant to Government Code § 54957.6. District Representatives: Greg Jones, Interim General Manager, Jana Kolakowski, Human Resources Manager, Jackson Lewis, P.C., and Minasian, Meith, Soares, Sexton & Cooper, LLP, District Counsel; Employee Organization: American Federation of State, County, and Municipal Employees (AFSCME) Local 146

Board Action: Direction given to labor negotiators.

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Closed Session Conference with Real Property Negotiators, was declared at 12:35 p.m., pursuant to 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

Board Action: Direction given to real property negotiators.

Conference with Legal Counsel – Anticipated Litigation, was declared at 12:35 p.m., pursuant to Government Code Section 54956.9 (d)(2) to confer with District Counsel regarding threatened litigation. One Case. Cancellation of Land Tenure Agreement – Scotts Flat Trail

Board Action: Direction was given to legal counsel.

Closed Session Public Employee Appointment/Employment was declared at 12:35 p.m., pursuant to Government Code § 54957(b)(1).) General Manager

Board Action: Direction was given to staff.

The meeting recessed at 3:05 p.m. and reconvened in Open Session at 3:10 p.m.

Director Bierwagen left the meeting.

District Counsel provided announcements from Closed Session.

MEETING ADJOURNED at 3:12 p.m. to reconvene in regular session on Wednesday, July 22, at 9:00 a.m. at the District’s Business Center located at 1036 West 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.

Division I

Division II

Division III

Division IV

Division V
