

NEVADA IRRIGATION DISTRICT

BOARD OF DIRECTORS

MINUTES

May 22, 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 22nd day of May 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; Marvin Davis, Finance Manager; Keane Sommers, Hydroelectric Manager; Monica Reyes, Recreation Manager; Jana Kolakowski, Human Resources 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:

- Traci Sheehan with Foothills Water Network addressed the Board regarding recent water rights application

President Miller pulled the following items from the Consent Agenda for discussion:

Item 5: New Confidential Unit Classifications

Item 6: Association of California Water Agencies (ACWA) – Nomination for Region

Item 7: Quarterly Budget vs. Actual Report

Item 8: Quarterly Investment, Short-Term Forecast & Reserves

MINUTES – April 10, 2019, Regular Meeting

Approved the minutes of the regular meeting on April 10, 2019, as submitted.

M/S/C Heck/Miller, unanimously approved.

MINUTES – April 24, 2019, Regular Meeting

Approved the minutes of the regular meeting on April 24, 2019, as submitted.

M/S/C Heck/Miller, unanimously approved.

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RESOLUTION OF APPRECIATION

Adopted Resolution No. 2019-07 (Resolution of Appreciation Upon Retirement – Steve Barney). M/S/C Heck/Miller, unanimously approved.

RESOLUTION OF APPRECIATION

Adopted Resolution No. 2019-08 (Resolution of Appreciation Upon Retirement – Mark Volheim). M/S/C Heck/Miller, unanimously approved.

NEVADA IRRIGATION DISTRICT INTERNAL COMPLIANCE PROGRAM 2018 COMPLIANCE RISK ASSESSMENT SUMMARY REPORT AND SELF CERTIFICATION

Received and filed the 2018 Risk Assessment Report and Annual Self-Certification Summary, prepared in accordance with the Nevada Irrigation District Internal Compliance Program, as recommended by the Water and Hydroelectric Operations Committee. M/S/C Heck/Miller, unanimously approved.

NEW CONFIDENTIAL UNIT CLASSIFICATIONS

Jana Kolakowski, Human Resources Manager, presented the item.

Approved the job descriptions and updates to the Unrepresented Employee Benefits and Compensation Plan, as recommended by the Administrative Practices Committee. M/S/C Heck/Wilcox, unanimously approved.

ASSOCIATION OF CALIFORNIA WATER AGENCIES (ACWA) – NOMINATION FOR REGION 3

Remleh Scherzinger, General Manager, presented the item.

Adopted Resolution No. 2019-09 (Placing in Nomination Remleh Scherzinger as a Member of the Association of California Water Agencies – Region 3). M/S/C Heck/Wilcox, unanimously approved.

QUARTERLY BUDGET VS. ACTUAL REPORT

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

Received and filed the Quarterly Budget vs. Actual Report for the period ending March 31, 2019. M/S/C Heck/Bierwagen, unanimously approved.

QUARTERLY INVESTMENT, SHORT-TERM FORECAST & RESERVES

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

Received and filed the Quarterly Investment, Short-Term Cash Forecast, and Reserve Report for the period ending March 31, 2019. M/S/C Heck/Peters, unanimously approved.

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REQUEST FOR PROPOSALS (RFP) FOR THE PUBLIC OUTREACH PROCESS DESIGN SERVICES FOR THE RAW WATER MASTER PLAN (RWMP) UPDATE (FATR #1041)

Greg Jones, Assistant General Manager, presented the item.

Public Comment:

- Traci Sheehan with Foothills Water Network
- Ashley Overhouse with South Yuba River Citizens League
- Yara Pasner, resident of Penn Valley

Approved the RFPs for the Public Outreach Process Design Services for the RWMP Update, as developed in the Water and Hydroelectric Operations Committee and recommended for Board approval, and authorized the General Manager to execute the necessary documents. M/S/C Bierwagen/Heck, unanimously approved.

SENATE BILL 474

Dustin Cooper, District Counsel, presented the item.

Public Comment:

- Syd Brown, member of the public

Director Wilcox made a motion to adopt Resolution No. 2019-10 - Adopting an Oppose Unless Amended Position on any Pending Legislation That Would Amend the Feigenbaum Act in a way That may, in the Discretion of the General Manager, Negatively Impact Nevada Irrigation District. Director Bierwagen 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	No
Wilcox, Division V	Aye

MABEN CANAL ENCASEMENT PROJECT – PHASE III (FATR #8099-3)

Gary King, Engineering Manager, presented the item.

Awarded a construction contract to T&S Contractors in the amount of \$849,677, and authorized the General Manager to execute the necessary documents. M/S/C Wilcox/Miller, unanimously approved.

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LOMA RICA RESERVOIR CLEANING PROJECT (FATR #2090)

Gary King, Engineering Manager, presented the item.

Public Comment:

- Syd Brown, resident of Nevada City

Awarded a construction contract to Koch & Koch for the Loma Rica Reservoir Cleaning Project in the amount of \$264,094, and authorized the General Manager to execute the necessary documents. M/S/C Wilcox/Heck, unanimously approved.

NEWTOWN RESERVOIR CLEANING PROJECT – BYPASS PIPELINE (FATR #6958)

Gary King, Engineering Manager, presented the item.

Awarded a construction contract to Hansen Bros. Enterprises for the Newtown Reservoir Cleaning (Bypass Pipeline Installation) Project in the amount of \$345,868, approved a budget amendment in the amount of \$150,410, and authorized the General Manager to execute the necessary documents. M/S/C Wilcox/Peters, unanimously approved.

WARRANTS/FINANCIALS

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

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

MEETING RECESSED at 11:50 a.m. and reconvened at 12:05 p.m.

GENERAL MANAGER'S REPORT

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

- Storage and Precipitation update
- Conservation update
- Annual Quality Report is out, and there were no violations
- Attended ACWA (Association of California Water Agencies) Conference and shared highlights, including District to host ACWA Region 3 tour in October
- CABY JPA Board approved the acquisition of a contract for a Program Manager tasked with running the JPA
- RWMG (Regional Water Management Group) update
- MCWRA (Mountain Counties Water Resource Authority) hiring a legislative advocate
- Shared highlights from a recent meeting with USFS (U.S. Forest Service)
- Proposed revised 2019 budget item scheduled for the Board on July 24, 2019
- Low-Income Rate Assistance Policy item scheduled for the Board on July 24, 2019
- ACWA Committees – Provided to Board
- Combie Mercury Sediment Removal Project update
- Draft ODSP (Owner's Dam Safety Program) Audit is almost complete
- Engineering efficiencies request for proposal is out
- Greenhorn DEIR closed on May 16, 2019, meeting held on May 8, 2019
- Lake Wildwood to E. George Pipeline update – letter sent out to residents

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- Combie Phase I update
- Rollins HBV update
- Boreham Mine/Gayle Lane work is moving forward
- Doty – North work requiring CEQA and significant permitting, anticipated delayed until 2020
- Updating 1997 map
- Water Audit CA threat of lawsuit pertaining to Hemphill Project
- Letter from Mr. Nelson regarding Wildwood Business Center II

BOARD OF DIRECTORS' ITEMS / REPORTS

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

- Expressed appreciation for Resolutions being accessible on the website
- Attended ACWA Conference and shared highlights
- Expressed 100% for protection of area of origin water rights

Director Miller, Division III, reported on the following items:

- Low-Income Assistance Program

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

- Contacted Nevada County Sr. Services to see how to qualify seniors for Low-Income Assistance Program
- Fire season was declared May 20, 2019, and an informational item coming to the Board

Director Wilcox, Division V, reported on the following items:

- Vacation in Alaska and shared highlights

PUBLIC COMMENT ON ANY ITEM TO BE CONSIDERED IN CLOSED SESSION

- None

The meeting recessed at 12:40 p.m., and reconvened at 12:50 p.m. in Closed Session.

CLOSED SESSION was declared at 12:50 p.m. pursuant to Government Code Section 54956.9 to confer with District Counsel regarding pending litigation – Claim: District vehicle accident, Nevada County.

Board Action: Claim rejected. M/S/C Wilcox/Heck, unanimously approved.

CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL - Anticipated Litigation. Significant Exposure to litigation was declared at 1:00 p.m. pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: one case. Potential litigation involving 401 Water Quality Certification issues relating to Yuba Bear Project

Board Action: Direction was given to legal counsel.

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MEETING ADJOURNED at 2:15 p.m., to reconvene in regular session on Wednesday, June 26, 2019, at 9:00 a.m. at the District's Business Center located at 1036 West Main Street, Grass Valley, California. The Wednesday, June 12, 2019 meeting of the Board of Directors has been canceled.

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

