

NEVADA IRRIGATION DISTRICT

BOARD OF DIRECTORS

MINUTES

March 23, 2022

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 23rd day of March 2022, at 9 a.m.

Present were Chris Bierwagen, President (Division II); Karen Hull, Vice President (Division III); and Directors Ricki Heck (Division I); Laura L. Peters (Division IV); and Rich Johansen (Division V).

Staff members present included Jennifer Hanson, General Manager; Greg Jones, Assistant General Manager; Doug Roderick, Engineering Manager; Chip Close, Water Operations Manager; Keane Sommers, Hydroelectric Manager; Steve Prosser, Maintenance Manager; Monica Reyes, Recreation Manager; Naomi Schmitt, Interim Human Resources Manager; Dustin Cooper, District Counsel; and Kris Stepanian, Board Secretary.

STANDING ORDERS

- Call to Order: President Bierwagen called the meeting to order
- President Bierwagen led the Pledge of Allegiance
- Roll Call: 5 Members Present

President Bierwagen pulled the following items from the agenda:

- Item 9: Job Description and Staffing Changes
- Item 10: Position/Compensation Schedule – 2022 and Requirement for Publicly Available Pay Schedule

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

- None

CONSENT AGENDA

President Bierwagen pulled the following items from the Consent Agenda for discussion at the request of members of the Board:

- Item 3: Hemphill Movie
- Item 4: Rio Bravo Purchase & Sale Agreement
- Item 6: Rescinding Standing Committee Related Policies
- Item 7: Updating District Policy 5060 - Minutes of Board Meetings
- Item 8: Warrants, Projects and Facilities Report, and Investment Report

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Public Comment: None

Director Hull motioned for approval of Items 1, 2, and 5 of the Consent Agenda. Director Johansen seconded the motion, and it was unanimously approved.

The following Consent Agenda items were approved:

MINUTES – March 8, 2022, Special Meeting

Approved the Minutes of the special meeting on March 8, 2022. M/S/C Hull/Johansen, unanimously approved.

AB 361 COMPLIANCE – BROWN ACT/COVID-19 TELECONFERENCE AND REMOTE MEETING REQUIREMENTS

Adopted Resolution 2022-14 - Re-Authorizing Remote Meetings Consistent with AB 361. M/S/C Hull/Johansen, unanimously approved.

DISTRICT POLICY 3035 – INVESTMENTS

Adopted Resolution No. 2022-15 - Updates to Administrative Policy 3035 – Investments. M/S/C Hull/Johansen, unanimously approved.

Items pulled from the Consent Agenda for Discussion:

HEMPHILL MOVIE

Greg Jones, Assistant General Manager, clarified that Gold Country Images made the request, not Friends of Auburn Ravine, as stated in the staff report.

Board discussion ensued regarding the differences between contributions and purchases. Jennifer Hanson, General Manager, confirmed there would be a license agreement to allow the District rights to utilize the video how it sees fit.

Public Comment: None

Approved funding of \$5,000 for a movie production of the Hemphill Dam. M/S/C Peters/Johansen, unanimously approved.

RIO BRAVO PURCHASE & SALE AGREEMENT

Greg Jones, Assistant General Manager, presented the item, clarifying the agreement allows the District to take materials to the site as it determines, and expressed that removing bio-mass materials from District-owned properties to another location is a value to the community and the District.

Public Comment: None

Approved the High Hazard Zone Fuel Purchase and Sale Agreement with Rio Bravo and authorized the General Manager, or designee, to execute the appropriate documents. M/S/C Heck/Peters, unanimously approved.

RESCINDING STANDING COMMITTEE RELATED POLICIES

Director Peters made a motion to table the item and bring it back as a comprehensive item that includes any other policies that refer to standing committees. Motion died for lack of a second.

Board discussion ensued regarding updating other District policies that refer to standing committees and creating a new policy for ad hoc committees.

Public Comment:

- Michael Hill-Weld, member of the public, spoke in support of an ad hoc committee policy that supports conforming to the Brown Act and urged the Board to include details in the policy pertaining to notification, membership, agendas, and minutes.

Adopted Resolution No. 2022-16 - Rescinding Standing Committee Related Policies, as amended to include removing any references to standing committees in the District's policies, and directed staff to bring a new ad hoc policy to the Board for consideration. M/S/C Peters/Johansen, unanimously approved.

UPDATING DISTRICT POLICY 5060 - MINUTES OF BOARD MEETINGS

Board discussion ensued regarding other policies that would need to be updated should this item be approved, video retention timeframe, public records requests, public transparency, risk and costs associated with retaining meeting video for an extended period of time, and ADA compliance.

Public Comment: None

Adopted Resolution No. 2022-17 - Updating Administrative Policies Pertaining to Minutes of Board Meetings, with the following amendments:

- **Section 5060.1.2 to reflect that video recordings will be posted to the District's website, and retention of video and supporting materials will align with the District's retention policy.**
- **Update Policy 4050 – Members of the Board of Directors to strike the word “action” from “action minutes”**

Staff is directed to bring Policy 1060 – Records Retention to the Board for review at an upcoming meeting. M/S/C Johansen/Hull unanimously approved.

WARRANTS, PROJECTS AND FACILITIES REPORT, AND INVESTMENT REPORT

Jennifer Hanson, General Manager, presented the item, explaining some of the recent updates made to financial reports. Updates made will help provide a more accurate picture of the District's financials and improve department efficiencies.

Public Comment: None

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Ratified the issuance of warrants by receiving and filing the check registers, Project and Facility Report, and Investment Transaction Report for the period February 19 to March 4, 2022. M/S/C Hull/Heck, unanimously approved.

President Bierwagen reversed the order of the following agenda items:

- Item 11: District Financed Waterline Extension Program
- Item 12: Temporary Service Location Program

GENERAL ORDERS

TEMPORARY SERVICE LOCATION (TSL) PROGRAM

Doug Roderick, Engineering Manager, and Shannon Wood, Business Services Technician, presented the item.

Board discussion ensued regarding the basing calculation on lot size, rationale for paying upfront for relocation of meter, how payment is made, and property owner responsibilities.

Board consensus was reached to continue TSL connections, and staff was directed to bring forward policy modifications removing prepayment of the treated water main contribution as well as the meter relocation, but will modify the agreement that will be recorded against the property requiring payment in the future when the line is installed. A separate item to review the overall District financing will be brought to the Board for review at a future date.

Public Comment: None

The meeting recessed at 10:28 a.m. and reconvened at 10:37 a.m.

DISTRICT FINANCED WATERLINE EXTENSION PROGRAM

Doug Roderick, Engineering Manager, and Shannon Wood, Business Services Technician, presented the item sharing the history of the program and current program highlights.

Board discussion ensued regarding capacity charges, financing and management of loans, fire hydrants, program benefits, alternatives presented, and possible considerations to those already in the pipeline.

Board consensus was reached directing staff to bring more information, ideas, and alternatives to the Board at a future meeting, including alternative financing and grant money options

Public Comment:

- Nancy Weber, a past NID Board member, provided additional background, expressed her support of the program, and urged the Board to not only look at

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the program from a budgetary viewpoint, but to also consider what the District can do to provide service to those in need while looking at all possibilities

- Glenn Freitas, resident of Maranatha Place, addressed the Board regarding their need for water, provided history about the Maranatha DFWLE Project, urged the Board to continue to support the program, and asked that the Board move the Maranatha DFWLE Project up in the queue
- John Tedlock, resident of Harris Road, addressed the Board regarding drought, insurance and safety, additional reasons and benefits of potable water, and environmental concerns
- Linda Fischer, resident of Maranatha Place and NID raw water user, addressed the Board regarding the need for potable water

The meeting recessed at 12:15 p.m. and reconvened at 12:45 p.m.

CONFERENCE PARTICIPATION

Jennifer Hanson, General Manager, presented the item.

Public Comment: None

Following Board discussion regarding the upcoming ACWA Spring Conference and CSDA's offered events, including Special District Leadership Academy, Board consensus was reached that each Board member shall spend their share budgeted for conferences as they see fit.

DRAFT REVISION OF DISTRICT POLICY 3100 - BUDGET AMENDMENTS

Jennifer Hanson, General Manager, presented the item.

Public Comment: None

Board direction was given to staff to bring the proposed revisions to District Policy 3100 – Budget Amendment Authority Levels to the Board for adoption at an upcoming meeting.

USFS OWNED CAMPGROUNDS

Jennifer Hanson, General Manager, presented the item.

Public Comment:

- Rachel Hutchinson with Tahoe National Forest commented on allowing the team to continue negotiations, FERC licensing, concerns of increased vandalism and fire risk if non-operational in 2022, cost breakdown, deadline to resolve by April 8, 2022, and opening facilities in 2022

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- Hardy Bullock, District 5, Nevada County Supervisor, expressed his appreciation for the discussion, noted Nevada County's newly adopted recreational priority and availability to participate if needed

Board discussion ensued, and input was provided regarding cost, benefits, risk, liability, fire, and response timing.

GENERAL MANAGER'S REPORT

Jennifer Hanson, General Manager, reported on the following items:

- Attended South County Municipal Advisory Committee meeting
- Water Report was provided by Chip Close, Water Operations Manager
- River Fire update was provided by Greg Jones, Assistant General Manager

BOARD OF DIRECTORS' ITEMS / REPORTS

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

- Attended a local Fire Response round-table meeting and shared highlights
- Commented on Drought Declaration, forecasting, and conservation

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

- Attended Lincoln Rural Municipal Advisory Committee meeting
- Requested clarification of Hydroelectric Department's proposed South Yuba Powerhouse staffing and positions and comprehensive plan
- Requested status on request for list of task orders for work completed under the HDR contract for the Centennial Dam to potentially bring that work into the Plan for Water Process
- Complimented NID Customer Service staff

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

- Visited Mendocino, where restaurants are adding a 3% surcharge for water since wells have gone dry, and they are porting water
- Inquired about Plan for Water methodology for Strategic Planning Phase to help eliminate some concerns, including location for those meetings to allow for in-person public participation

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

- Commented on the drought and the need to capture more water:
 - o Observed in January, the abundance of water going down the Bear River and Rollins Dam was not spilling
 - o Confirmed NID Hydro was generating power and releasing water so dam would not spill
 - o From January through February, approximately 100,000 acre-feet of water was released from Rollins and went down the Bear River, in part because PG&E released water to work on the dam

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- Unique situation with the Bear River and the runoff that occurs
- He has observed Rollins Reservoir since it was built, and the spilling of water that goes down through the Bear River in a wet year is phenomenal
- Was told by the previous General Manager that there is enough water in a dry year to fill Centennial Reservoir and six times that in a wet year
- Shared an excerpt from Doug LaMalfa's article published in The Union on March 15th. *Combating California's Water Crisis*, which states that federal officials announced last week no water would be delivered to many California farmers this year, and instead of trying to conserve water for beneficial use, like growing food or for basic drinking water, our state is continuing large unneeded releases of freshwater directly out to sea unused
- Expressed frustration this is happening on the Bear River, specifically because of the nature of the Bear River
- Campaigning on this issue and to continue to support water storage, adding that if we had even half of that water storage today, we would not be talking about drought

MEETING ADJOURNED at 2:58 p.m., to reconvene in regular session on Wednesday, April 13, 2022, at 9:00 a.m. at the District's Business Center located at 1036 West Main Street, Grass Valley, California.

Submitted By

Kris Stepanian, Board Secretary