

NEVADA IRRIGATION DISTRICT

BOARD OF DIRECTORS

MINUTES

May 13, 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 13th day of May 2020, at 9:00 a.m.

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

Staff members present included Remleh Scherzinger, General Manager; Greg Jones, Assistant General Manager; Marvin Davis, Finance Manager/Treasurer; Doug Roderick, Engineering Manager; Chip Close, Water Operations Manager; Jacqueline Longshore, Maintenance 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.

SCHOLARSHIP AWARDS

Jana Kolakowski, Human Resources Manager, presented the Nevada Joint Union High School District – 2020 NID Scholarship Awards.

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 Bear River Park

The following items were pulled from the Consent Agenda for discussion:

- Item 3 - Federal Surplus Personal Property Donation Program
- Item 4 - Adopting Resolutions for Nevada and Placer County Elections

MINUTES – April 22, 2020, Regular Meeting

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

ACCESS EASEMENT EXCHANGE WITH SIERRA PACIFIC LAND & TIMBER (SPLT

Approved the exchange of access road easements between SPLT and Nevada Irrigation District, and authorize the General Manager to execute the appropriate documents, as recommended by the Administrative Practices Committee. M/S/C Wilcox/Bierwagen, unanimously approved.

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EMPLOYEE RELATIONS – MORRIS RETIREMENT (RES. NO. 2020-12)

Adopted Resolution No. 2020-12 (Resolution of Appreciation Upon Retirement – Brian Morris). M/S/C Wilcox/Bierwagen, unanimously approved.

FEDERAL SURPLUS PERSONAL PROPERTY DONATION PROGRAM

Remleh Scherzinger, General Manager, responded to Board questions on the item.

Public Comment:

None

Adopted Resolution No. 2020-09 – Approving the Application and Participation in U.S. General Services Administrative Federal Surplus Personal Property Donation Program, as recommended by the Administrative Practices Committee. M/S/C Peters/Bierwagen, unanimously approved.

ELECTIONS (Res. 2020-10 and Res. 2020-11)

Kris Stepanian, Board Secretary, responded to Board questions on the item.

Public Comment:

None

Adopted Resolution No. 2020-10 (Calling General District Election, and Requesting the Board of Supervisors to Consolidate with Any Other Election Called on Said Date – County of Nevada). M/S/C Peters/Bierwagen, unanimously approved.

Adopted Resolution No. 2020-11 (Declaring an Election Be Held in its Jurisdiction; Requesting The Placer County Board of Supervisors to Consolidate with Any Other Election Conducted On Said Date, and Requesting Election Services by The County Clerk – County of Placer). M/S/C Peters/Bierwagen, unanimously approved.

DOTY NORTH CANAL SIPHON #1 REPLACEMENT PROJECT (FATR #1031)

Doug Roderick, Engineering Manager, presented the item and conducted a Public Hearing.

Public Hearing:

- Syd Brown, resident of Nevada City
- Mikos Fabersunne, member of the public

Adopted Resolution No. 2020-13 (Adopting a Mitigated Negative Declaration, Approve the Project and Mitigation Monitoring and Reporting Program for the Project), and authorized the General Manager to execute the appropriate documents. M/S/C Peters/Wilcox, unanimously approved.

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The meeting recessed at 10:07 a.m. and reconvened at 10:12 a.m.

HEMPHILL DIVERSION STRUCTURE PROJECT (FATR #7032) CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) SERVICES CONSULTING CONTRACT

Tonia Tabucchi Herrera, Senior Engineer, presented the item.

Public Comment:

- James Haufler, member of the public

Director Wilcox made a motion to award a consulting contract to ECORP Consulting, Inc. for CEQA services for the Hemphill Diversion Structure Project in the amount of \$299,493, approve a budget amendment in the amount of \$100,000, and authorize the General Manager to execute the appropriate documents. Director Miller 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

WARRANTS/FINANCIALS

Marvin Davis, Finance Manager, presented the item.

Public Comment:

None

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

The meeting recessed at 11:06 a.m. and reconvened at 11:14 a.m.

FINANCIAL MARKET ANALYSIS AND DEBT ISSUANCE OPPORTUNITIES

Marvin Davis, Finance Manager/Treasurer, introduced Robert Porr with Fieldman, Rolapp, and Associates, Inc., who provided a presentation.

President Heck confirmed Board consensus to direct staff to proceed with a refunding proposal for the 2011 bonds and to explore further debt.

The General Manager's Report and Board of Directors' Items / Reports were pulled from the agenda due to time constraints.

PUBLIC COMMENT ON ANY ITEM TO BE CONSIDERED IN CLOSED SESSION

None

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The meeting recessed at 12:56 p.m. and reconvened in Closed Session at 1:12 p.m.

CLOSED SESSION CONFERENCE WITH LABOR NEGOTIATORS was declared at 1:12 p.m., pursuant to Government Code § 54957.6; District Representatives: Remleh Scherzinger, General Manager, Greg Jones, Assistant 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 was given to labor negotiators.

CLOSED SESSION CONFERENCE WITH REAL PROPERTY NEGOTIATORS was declared at 1:12 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; Remleh Scherzinger, 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 was given to real property negotiators.

CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL PERTAINING TO EXISTING LITIGATION was declared at 1:12 p.m., pursuant to Government Code § 54956.9(d)(1)). Three Cases.

- (1) *Nevada Irrigation District*. Federal Energy Regulatory Commission. Docket No. P-2266 – 102.
- (2) *Water Audit California v. Nevada Irrigation District*, Placer County Superior Court, Case No. SCV0044119.
- (3) *Bonnie Kessner v. City of Santa Clara et al.*, Santa Clara County Superior Court, Case No. 20364054.

Board Action: Direction was given to legal counsel.

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MEETING ADJOURNED at 2:45 p.m., to reconvene in regular session on Wednesday, May 27, 2020, at 9:00 a.m. via video-conference 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