

NEVADA IRRIGATION DISTRICT

BOARD OF DIRECTORS

MINUTES

May 25, 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 25th day of May 2022, at 9 a.m.

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

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, 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 called for a moment of silence for victims of the recent shooting in Texas.

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 3C - Resolutions Calling for General District Election
- Item 3F - Repealing Declaration of Emergency - River Fire

Public Comment: None

Director Peters motioned for approval of the Consent Agenda, excluding Items 3C and 3F. Director Hull seconded the motion, and it was unanimously approved.

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The following Consent Agenda items were approved:

MINUTES OF THE REGULAR MEETING ON APRIL 19, 2022

Approved the Minutes of the regular meeting on April 19, 2022. M/S/C Peters/Hull, unanimously approved.

MINUTES OF THE REGULAR MEETING ON APRIL 27, 2022

Approved the Minutes of the regular meeting on April 27, 2022. M/S/C Peters/Hull, unanimously approved.

ELIMINATION OF SECTION 6.12 - TERM PAYMENTS FROM NID WATER SERVICE REGULATIONS

Approved the elimination of Section 6.12 - Term Payments from the District's Water Service Regulations as recommended at the NID Board workshop on April 19, 2022. M/S/C Peters/Hull, unanimously approved.

PURCHASE OF 4-WHEEL DRIVE LOADER

Approved the purchase of one new Caterpillar four-wheel-drive construction loader in the amount of \$221,203.42 from Holt of California to replace a Tier zero 1994 loader. M/S/C Peters/Hull, unanimously approved.

NEVADA IRRIGATION DISTRICT BUDGET CALENDAR FY2023

Received and filed Budget Calendar FY2023. M/S/C Peters/Hull, unanimously approved.

AMENDMENT TO MASTER AGREEMENT BETWEEN DISTRICT AND WELLS FARGO

Approved Amendment to Master Agreement for Treasury Management Services between Nevada Irrigation District and Wells Fargo, and authorized the General Manager to execute the appropriate documents. M/S/C Peters/Hull, unanimously approved.

WARRANTS, PROJECT AND FACILITIES REPORT, AND INVESTMENT REPORT

Ratified the issuance of warrants by receiving and filing the check registers, Project and Facility Report, and Investment Transaction Report for the period April 23, 2022, to May 6, 2022. M/S/C Peters/Hull, unanimously approved.

Items pulled from the Consent Agenda for discussion:

RESOLUTIONS CALLING FOR GENERAL DISTRICT ELECTION

Board discussion ensued regarding the election being determined by LOT in the event of a tie vote.

Public Comment: None

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- **Adopted Resolution No. 2022-30 (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/ Hull, unanimously approved.**
- **Adopted Resolution No. 2022-31 (Declaring an Election be Held in its Jurisdiction; Requesting the Board of Supervisors to Consolidate This Election With any Other Election Conducted On Said Date; and Requesting Election Services by the County Clerk – County of Placer). M/S/C Peters/ Hull, unanimously approved.**

REPEALING DECLARATION OF EMERGENCY - RIVER FIRE

Greg Jones, Assistant General Manager, presented the item.

Public Comment: None

Adopted Resolution No. 2022-32 - Repealing the Declaration of Emergency for the River Fire, and directed the General Manager to take appropriate actions to implement this resolution. M/S/C Peters/Hull, unanimously approved.

GENERAL ORDERS

RESOLUTION IMPLEMENTING DROUGHT EMERGENCY RESPONSE TO STAGE 2 DROUGHT CONTINGENCY PLAN LEVELS

Chip Close, Water Operations Manager, presented the item.

Board discussion ensued regarding conservation and possible incentive programs, flexible voluntary reductions, maintaining infrastructure, water sales, how to measure twenty percent reduction, and messaging.

Public Comment: None

Director Johansen made a motion to adopt Resolution No. 2022-29 - Enacting Drought Contingency Plan Stage II Measures and Enhancing Conservation Measures in accordance with Governor Newsom’s Executive Order N-7-22, amended as follows:

- **Add to Page 7, Item C, last sentence – “or if hardship is experienced and original allotment is required prior to drought being lifted.”**

Director Hull seconded the motion.

Motion passed on the following roll call vote:

Heck, Division 1	Aye
Bierwagen, Division 2	Aye
Hull, Division 3	Aye
Peters, Division 4	No
Johansen, Division 5	Aye

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The meeting recessed at 10:02 a.m. and reconvened at 10:10 a.m.

GENERAL MANAGER'S REPORT

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

- Plan for Water Workshop Meetings in July are scheduled to occur at The Gold Miner's Inn on July 12th and July 26th
- Placer County Ag Tour is on June 8th, which is the same day as the NID Board meeting – discussion ensued regarding participating in future years
- Requesting rescheduling of July 13th Administrative Hearing meeting, as it conflicts with the July 13th NID regular Board meeting

BOARD OF DIRECTORS' ITEMS / REPORTS

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

- Attended a meeting with Lake Wildwood, and thanked Chip Close, Water Operations Manager, and Thor Larsen, Water Resource Superintendent, for their participation
- PG&E residential generator battery rebate program underway – applications available online
- Commented on California's plan to pay farmers to grow less to save water
- Spoke about grant programs for projects

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

- Attended and spoke at the following meetings and shared highlights:
 - o Greenhorn Firewise Community meeting
 - o Greater Cement Hill Neighborhood Association meeting

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

- Customer inquiries about ownership of a bridge on a private road
- Met with a property owners' association about managing water flows on a private canal

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

- Attended a Rural Lincoln Municipal Advisory Committee meeting
- Suggested revisiting the Regional Supply Project and bringing water to Thermalands in Placer County

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

- Met with a constituent on issues similar to those described by Director Hull in her report noted above

PUBLIC COMMENT ON ITEMS TO BE CONSIDERED IN CLOSED SESSION

-None

The meeting recessed at 10:20 a.m. and reconvened at 10:25 a.m. in Closed Session.

Closed Session Workshop with Legal Counsel was declared at 10:25 a.m. concerning the following topics:

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1. Existing Litigation (Government Code § 54956.9(d)(1).) All pending litigation in which Nevada Irrigation District is a named party.
2. Conference With Real Property Negotiators (Government Code §54956.8) Nevada Irrigation District's negotiators, the General Manager, and District Counsel, to Discuss Terms and Conditions of Payment of a Potential 2022 Water Transfer or Surplus Water Sale with Potential Purchasers Located Downstream of Nevada Irrigation District, including South Sutter WaterDistrict.
3. Anticipated Litigation (Government Code § 54956.9(d)(2) or (d)(3).) Significant exposure to litigation; one potential case.

Board Action: None

MEETING ADJOURNED at 11:40 a.m., to reconvene in regular session on Wednesday, June 8, 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