



NEVADA IRRIGATION DISTRICT

Nevada Irrigation District Boardroom - 1036 W. Main Street, Grass Valley, CA 95945

BOARD OF DIRECTORS AT 9:00 AM ON FEBRUARY 12, 2025

AGENDA

Ricki Heck, President - Division I
Chris Bierwagen, Vice President - Division II
Brad Fowler - Division III
Earl Stephens - Division IV
Rich Johansen - Division V

ZOOM WEBINAR

To participate via Zoom, click the following: <https://us02web.zoom.us/j/88440091320>

To join audio using telephone: (669) 900-6833 or (669) 444-9171 or (253) 205-0468

Webinar ID: **884 4009 1320**

Phone one -tap:+16694449171,,88440091320# US or +16699006833,,88440091320# US

1. **STANDING ORDERS**

- Call the Meeting to Order
- Pledge of Allegiance
- Roll Call

2. **PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA**

*Please limit comments to three (3) minutes per person

3. **SPECIAL ORDERS**

3.A Resolution of Appreciation Upon Retirement for Doug Roderick (Resolution No. 2025-03)

3.B Investment Portfolio Review

Receive a presentation from PFM Asset Management for the Investment Performance Review for the Quarter ended December 31, 2024

[3B-Final](#)

4. **CONSENT AGENDA**

4.A Approve the Minutes from the regular meeting on January 22, 2025
[4A-Final](#)

4.B FY2026 Budget Calendar
Receive and file the FY2026 Budget Calendar
[4B-Final](#)

4.C Warrants and Investment Report
Ratify the issuance of warrants by receiving and filing the check registers and the Investment Transaction Report for the period January 11th 2025 through January 31st, 2025
[4C-Final](#)

5. **GENERAL ORDERS** includes those items of regular District business which have not been referred to a Board committee and which will be presented with a recommendation or for consideration by the General Manager or District staff.

5.A 2025 Capital Budget Amendment and Equipment Purchase for Deer Creek Powerhouse Excitation Upgrade Project No. 2395
Adopt a Resolution:

- Amending the 2025 Annual Budget in the amount of \$95,000 to carry forward unspent appropriations from the 2024 Annual Budget encumbered for the Deer Creek Powerhouse Excitation Upgrade Project in Fund 55
- Approving a sole-source purchase from Basler Electric Company for a new excitation system and excitation transformer needed for the Project in the amount of \$156,966, that will be paid for using the amended budget in Fund 55 for the Project as described above

[5A-Final](#)

5.B 2025 Capital Budget Amendment - Dutch Flat No. 2 Powerhouse Standby Generator Breaker Upgrade (Project #2483)
Adopt a Resolution approving an Amendment to the FY 2025 Capital Budget in the amount of \$23,135, to carry forward unspent appropriations from the FY2024 Capital Budget encumbered for the Dutch Flat No. 2 Powerhouse Standby Generator Upgrade (Project #2483) in Fund 55
[5B-Final](#)

5.C Continued Water Shortage Emergency
Adopt a resolution continuing all water supply emergency measures in response to PG&E's ongoing water supply infrastructure emergency
[5C-Final](#)

5.D Local Agency Formation Commission (LAFCo) - Request for Nominations
Consider nominations for two separate vacancies, and if appropriate, adopt the following resolutions under two separate motions:

- Adopt a Resolution - Making Nominations to the Nevada County Local Agency Formation Commission for Special District Regular Member
- Adopt a Resolution - Making Nominations to the Nevada County Local Agency Formation Commission for Special District Special Member

[5D-Final](#)

6. WORKSHOP

6.A Golden Mussel Workshop
[6A-Final](#)

7. GENERAL MANAGER'S REPORT: The General Manager will provide a report on current activities within the District of interest to the public and the Board. Items to be discussed by the General Manager will be conditions of current water supply and water sales, legislative or regulatory items of interest not yet requiring action, and public affairs activities occurring within the District directly or indirectly involving District operations

8. BOARD OF DIRECTORS ITEMS / REPORTS:

Directors may provide brief reports on meetings, conferences, and seminars attended by the Directors of interest to the District and the public. Directors may also report on community comments and activities of interest.

9. PUBLIC COMMENT ON ITEMS TO BE CONSIDERED IN CLOSED SESSION

10. CLOSED SESSION WORKSHOP WITH LEGAL COUNSEL WILL BE HELD CONCERNING THE FOLLOWING TOPICS:

EXISTING LITIGATION (Government Code § 54956.9(d)(1).) All pending litigation in which Nevada Irrigation District is a named party, including without limitation:

- a. Westcon Construction Inc. v. Nevada Irrigation District, Nevada County Superior Court, Case No. CU0001475
- b. Michael Rainey and Emerson Pachaud v. Nevada Irrigation District, Nevada County Superior Court, Case No. CU19-084309.
- c. Nevada Irrigation District v. Eileen Sobek et.al., United States Court for the Eastern District of California, Case No. 2:21-CV-00851.
- d. Nevada Irrigation District v. State Water Resources Control Board et al. Sacramento County Superior Court, Case No. 34-2020-80003544
- e. California State Water Resources Control Board v. Federal Energy Regulatory Commission; and Nevada Irrigation District, et.al., Respondent/Intervenor, United States Court of Appeal for the Ninth Circuit Court, Case No. 20-72432, consolidated with Nos. 20- 72452, 20-72782, 20-72800, 20-72958, 20-72973.
- f. Nevada Irrigation District v. Federal Energy Regulatory Commission, United States Court of Appeal for the District of Columbia Circuit, Case No. 23-1342.
- g. In re Petition for Releases from Priority of State-Filed Applications 5633 and 5634 in Favor of Water Right License 11120 (Application 10221) of South Sutter Water District
- h. Bay-Delta Proceedings, including the Delta Conveyance Project, the associated environmental document and change petition before the State Water Resources Control Board and the planned update to the Bay-Delta Water Quality Control Plan
- i. California Public Utilities Commission Proceeding A-22-09-018, Application of PG&E and Pacific Generation LLC for Approval to Transfer Certain Generation Assets, for a Certificate of Public Convenience and Necessity, for Authorization to File Tariffs and for Related Determinations
- j. Placer County Water Agency v. Pacific Gas and Electric Company, Sacramento County Superior Court Case No. 34-2023-00332647.
- k. Tim Crough v. Nevada Irrigation District - Nevada Co. Superior Court: CU21-085299
- l. Vincent Cauchi v. Nevada Irrigation District - Placer Co. Superior Court: S-CV-0046749.

ANTICIPATED LITIGATION (Government Code § 54956.9(d)(2) or (d)(3).) Significant exposure to litigation; two potential cases.

11. ADJOURN

The next regular meeting of the Board of Directors will be held on February 26, 2025 at 9:00 a.m. at the District's Business Center located at 1036 West Main Street, Grass Valley, California.

SUMMARY OF ITEMS ON THE BOARD OF DIRECTORS' AGENDAS

CONSENT AGENDA: The Consent Agenda consists of those items which are routine, and it is approved by one motion of the Board adopting the Consent Agenda and authorizing the appropriate actions. Should any member of the Board, staff, or public wish to discuss any item appearing thereon, the item should be removed from the Consent Agenda and discussed immediately after the approval of the Consent Agenda.

***PUBLIC COMMENT:** Members of the public shall be allowed to address the Board of Directors on items which are of interest to the public and which are within the jurisdiction of the Board, before or during the Board's consideration of the item; however, no action shall be taken on any item not appearing on the agenda unless otherwise authorized by the Board pursuant to Government Code Section 54954.2(b). The Board limits public comment time.

GENERAL ORDERS: General Orders include those items of regular District business which have not been referred to a Board committee and which will be presented with a recommendation or for consideration by the General Manager or District staff.

GENERAL MANAGER'S REPORT: The General Manager will provide a report on current activities within the District of interest to the public and the Board. Items to be discussed by the General Manager will be conditions of current water supply and water sales, legislative or regulatory items of interest not yet requiring action, and public affairs activities occurring within the District directly or indirectly involving District operations.

Any matters requiring immediate action by the Board of Directors, which have not been placed on the Agenda, shall be taken up under the heading of General Manager's Report after all other matters are considered. The Board shall cause such matters to be placed on the Agenda for future meetings of the Board unless the matter requires immediate action by the Board, in which case the Board may take action as set forth in the Government Code.

BOARD OF DIRECTORS' ITEMS / REPORTS: Directors may provide brief reports on meetings, conferences, and seminars attended by the Directors of interest to the District and the public. Directors may also report on community comments and activities of interest.

The Boardroom is accessible to persons with disabilities. Requests for Assistive Listening Devices or other considerations should be made 72 hours in advance of the meeting through the Board Secretary's Office at (530) 273-6185.

In accordance with Government Code Section 54957.5(b)(2), copies of the Agenda, and any writings in connection with open session agenda items, are available for public inspection during normal business hours at the office of the Board Secretary located at 1036 West Main Street, Grass Valley, CA.

This agenda has been posted at the District's Business Center at 1036 West Main Street, Grass Valley, California in the Main Lobby, the Boardroom Lobby, and the outdoor bulletin board of the East Annex in compliance with the Ralph M Brown Act. This agenda has also been posted on the District's web site (www.nidwater.com).