



1036 West Main Street, Grass Valley, CA 95945
Telephone: (530) 273-6185 / Facsimile: (530) 271-6838
Web Site: www.nidwater.com

Ricki Heck, President of the Board - Division I
Chris Bierwagen, Vice President – Division II
W. Scott Miller – Division III
Laura L. Peters – Division IV
Nick Wilcox – Division V

AMENDED AGENDA

THE NEVADA IRRIGATION DISTRICT BOARD OF DIRECTORS AND THE NEVADA IRRIGATION DISTRICT JOINT POWERS AUTHORITY WILL MEET IN SPECIAL SESSION VIA VIDEO-TELECONFERENCE AT 9:00 A.M. ON NOVEMBER 18, 2020

Note: Pursuant to the Governor’s Executive Order N-29-20, and given the state of emergency regarding the threat of COVID-19, this meeting will occur via video-teleconference using Zoom.

The public is invited to attend this meeting online or via phone. Use the link below to join Zoom. If your computer has a microphone, it should be possible to both listen to and participate in the meeting through Zoom. If you do not have a microphone or a headset with a microphone that plugs into your computer via USB port, you will need to call the toll-free telephone conference line to listen and comment, although you still should be able to view the meeting materials on Zoom. Please do not simultaneously use a microphone through Zoom and the telephone conference line, as it results in audio problems for all participants.

Meeting Information

Please click the following to join the webinar:

<https://us02web.zoom.us/j/82638660680>

To join audio using telephone, dial
(669) 900-6833 or (346) 248-7799 or (253) 215 8782

Webinar ID: 826 3866 0680

iPhone One-tap access: US: +16699006833,,82638660680# or +12532158782,,82638660680#

Public Comment: The Board Chair will call for public comment throughout the meeting. To provide public comment when prompted, Press *9 to raise your hand. Pressing *9 again will lower your hand.

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Please Note:

District Policy 2200 strictly prohibits employees, consultants, visitors or anyone else on District premises or engaged in a District-related activity, from behaving in a violent or threatening manner; this includes bullying or unreasonable behavior that demeans, intimidates or humiliates others, and causes disruptions in the boardroom.

District Board Policy 5030 states that disruption of any of the meetings of the Board of Directors shall not be permitted. Disruptive conduct includes the use of personal electronic devices, such as cell phones, tablets or other electronic devices.

CALL THE MEETING TO ORDER

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PLEDGE OF ALLEGIANCE

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PUBLIC COMMENT ON ITEMS TO BE CONSIDERED IN CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Government Code section 54956.9(d)(1). State Water Resources Control Board et al. v. Federal Energy Regulatory Commission (9th Circuit, Case No. 20-72432).

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant Exposure to Litigation pursuant to Government Code section 54956.9(d)(2). One Case.

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Government Code section 54956.9(d)(1)). Water Audit California v. Nevada Irrigation District, Placer Co. Superior Court Case No. SVC-44119.

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SPECIAL ORDERS:

RESOLUTION OF APPRECIATION:

- Nick Wilcox, Director Division V (Resolution No. 2020-22)

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PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA *

Please limit comments to three (3) minutes per person

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CONSENT AGENDA

1. Approve the Minutes of the regular meeting on October 28, 2020
2. Approve the Minutes of the special meeting on November 2, 2020
3. Resolution of Appreciation: Adopt Resolution No. 2020-24 (Resolution of Appreciation Upon Retirement – Barry S. Scicluna)
4. Resolution of Appreciation: Adopt Resolution No. 2020-25 (Resolution of Appreciation Upon Retirement – Paul L. Sokoloff)
5. 2021 Recreation Rates: Approve a 5% increase in Recreation rates and the addition of a Senior Discount (62+), as recommended by the Administrative Practices Committee
6. Temporary Service Location (TSL) Agreement – Hubbard: Approve Agreement for Temporary Water Service and Contribution for Future Treated Water Main Extension with Phillip & Penelope Hubbard as recommended by the Variance Screening Committee

7. 2020A Revenue Bonds – Underwriter Purchase Contract: Adopt NID Resolution No. 2020-26 and NID Joint Powers Authority Resolution 2020-02 - Authorizing the Negotiated Sale of Revenue Bonds, Authorizing the Execution and Delivery of a Purchase Contract and Approving Certain Other Matters, and authorize the Interim General Manager to execute the appropriate documents

GENERAL ORDERS

8. Scotts Flat Spillway – Physical Hydraulic Modeling (Sole Source): Approve Task Order 3 in the amount of \$374,540 with HDR to perform physical hydraulic modeling for Scotts Flat Spillway and authorize the Interim General Manager to execute the necessary documents
9. Doty North Canal Siphon #1 Replacement Project (FATR #1031): Award a construction contract with Westcon Construction Corp in the amount of \$482,750.00 and authorize the Interim General Manager to execute the appropriate documents
10. General Manager Search Firm Selection: Award a consulting contract in the amount of \$23,500 to Bob Murray & Associates, as the recruitment firm for the General Manager position, and authorize the Interim General Manager to execute the appropriate documents, as recommended by the General Manager Search Ad Hoc Committee
11. Water Planning Projections (FATR #1041): Receive a presentation from staff and HDR consultants regarding the Water Planning Projections presented in the supply and demand technical memoranda and file associated Technical Memorandums
12. Approve Warrants

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INTERIM GENERAL MANAGER'S REPORT:

The Interim 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 Interim 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.

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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.

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PUBLIC COMMENT ON ITEMS TO BE CONSIDERED IN CLOSED SESSION

CLOSED SESSION will be declared pursuant to Government Code Section 54956.9 to confer with District Counsel regarding pending litigation – Foxtail Drive, Nevada County

ADJOURN

The next meeting of the Board of Directors will be held on **December 9, 2020, at 9:00 a.m.** at the District's Business Center located at **1036 West Main Street, Grass Valley, California**

Next NID Resolution No. 2020-27

Next NID Ordinance No. 2020-01

A 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, by 8:59 a.m. on November 17, 2020. This agenda has also been posted on the District's web site (www.nidwater.com).