

NEVADA IRRIGATION DISTRICT  
BOARD OF DIRECTORS / JOINT POWERS AUTHORITY  
MINUTES

December 9, 2020

The Board of Directors of the Nevada Irrigation District and the Nevada Irrigation Joint Powers Authority convened in regular session via video-teleconference at the District's main office located at 1036 W. Main Street, Grass Valley, on the 9th day of December 2020, at 9:00 a.m.

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

Staff members present included Greg Jones, Interim General Manager; Marvin Davis, Finance Manager/Treasurer; Doug Roderick, Interim Engineering Manager; Adrian Schneider, Senior Engineer; Chip Close, Water Operations Manager; Bob MacDonald, Interim Maintenance Manager; Keane Sommers, Hydroelectric Manager; Shannon Wood, Business Services Technician; Jana Kolakowski, Human Resources Manager; Dustin Cooper, District Counsel; and Kris Stepanian, Board Secretary.

OATHS OF OFFICE – Karen Hull, Director, Division III, and Rich Johansen, Director, Division V

Kris Stepanian, Board Secretary, administered oaths of office.

RESOLUTION OF APPRECIATION PRESENTATION – Scicluna (Res. 2020-24)  
Doug Roderick, Interim Engineering Manager, presented the item.

President Heck made the following changes to the agenda:

- Removed Item 7: Quarterly Investment, Reserves & Short-Term Forecast
- Removed Item 15: AB134 – Ethics Training Workshop
- Moved Item 8: Loma Rica Road DFWLE Project Approval and Budget Rollover to immediately follow Item 3

PUBLIC COMMENT ON ITEMS TO BE BE CONSIDERED IN CLOSED SESSION

- None

The meeting recessed at 9:10 a.m. and reconvened in Closed Session via teleconference at 9:11 a.m.

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Conference with legal counsel – pending litigation was declared at 9:11 a.m. for two cases: (1) (Government Code section 54956.9(d)(1)). State Water Resources Control Board et al. v. Federal Energy Regulatory Commission (9<sup>th</sup> Circuit, Case No. 20-72432); (2) (Government Code section 54956.9(d)(4)). Proceedings relating to State Water Resources Control Board Clean Water Act Section 401 Certification Petition for Reconsideration Proceedings.

**Board Action: Direction was given to Legal Counsel.**

Closed session was declared for public employee performance evaluations at 9:11 a.m., pursuant to (Government Code § 54957). The District met in closed session to conduct performance evaluations for the Interim General Manager and District Secretary.

**Board Action: Performance Evaluations were conducted for the Interim General Manager and District Secretary.**

The meeting reconvened at 10:57 a.m., and Dustin Cooper, District Counsel, reported on actions taken during Closed Session.

PUBLIC COMMENT FOR ITEMS THAT ARE NOT ON THE AGENDA

The following members of the public addressed the Board:

- John Norton, resident of Penn Valley, addressed the Board, congratulating the new Board members and expressed interest in their priorities for 2021

Consent Agenda Items were approved separately.

MINUTES – November 18, 2020, Special Meeting

**Director Bierwagen made a motion to approve as submitted. Director Peters seconded the motion.**

**Motion passed on the following roll call vote:**

<b>Heck, Division I</b>	<b>Aye</b>
<b>Bierwagen, Division II</b>	<b>Aye</b>
<b>Hull, Division III</b>	<b>Aye</b>
<b>Peters, Division IV</b>	<b>Aye</b>
<b>Johansen, Division V</b>	<b>Abstain</b>

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EMPLOYEE RELATIONS – Miller (Res 2020-27 - Resolution of Appreciation – W. Scott Miller)

**M/S/C Bierwagen/Johansen, unanimously approved.**

VALLEY VIEW ACCESS ROAD CONSTRUCTION PROJECT (FATR #2222):

Adrian Schneider, Senior Engineer, presented the item, and a public hearing was conducted.

Public Comment:

- Syd Brown, member of the public

**Adopted Resolution No. 2020-28 (Adopting a Mitigated Negative Declaration, Approve the Project and Mitigation Monitoring and Reporting Program for the Project), authorized the Interim General Manager to execute the appropriate documents, and directed staff to ensure bird nesting is not displaced and is clear before removing any trees. M/S/C Peters/Johansen, unanimously approved.**

LOMA RICA ROAD DISTRICT FINANCED WATERLINE EXTENSION (FATR #2181) PROJECT APPROVAL AND BUDGET ROLLOVER TO 2021

Shannon Wood, Business Services Technician, presented the item.

Public Comment:

- Brent Koegel, resident of Sierra Woodlands Development
- Louise Taylor, President of Wawona Madrona Homeowners Association

**Approved the Loma Rica Road District Financed Waterline Extension Project and Budget Amendments to rollover funds from the 2020 budget to the 2021 budget, as recommended by the Administrative Practices Committee. M/S/C Bierwagen/Johansen, unanimously approved.**

Dustin Cooper, District Counsel, announced that Item 15: AB-1234 – Ethics Training Workshop was postponed until a later date

The meeting recessed at 12:17 p.m. and reconvened at 12:50 p.m.

UPDATES TO DISTRICT POLICY 3035 – INVESTMENTS

Marvin Davis, Finance Manager/Treasurer, presented the item.

Public Comment:

- None

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**Adopted Resolution No. 2020-29 – Investments, as recommended by the Finance Manager/Treasurer, to increase the maximum investment limit from \$50-million to \$75-million. M/S/C Hull/Johansen, unanimously approved.**

2021 INVESTMENT POLICY

Marvin Davis, Finance Manager/Treasurer, presented the item.

Public Comment:

- None

**Adopted Resolution No. 2020-30 - Adopting Investment Policy, in accordance with Investment Policy 3035.18. M/S/C Peters/Hull, unanimously approved.**

QUARTERLY BUDGET VS. ACTUAL REPORT

Marvin Davis, Finance Manager/Treasurer, presented the item.

Public Comment:

- Michael Hill-Weld, member of the public

**Received and filed the quarterly budget vs. actual report for the period ending September 30, 2020. M/S/C Johansen/Hull, unanimously approved.**

DISTRICT POLICY 5300 - STANDING COMMITTEES

Greg Jones, Interim General Manager, presented the item for discussion regarding the possible restructuring and/or eliminating the District's Standing Committee structure. No action was taken.

Public Comment:

- Michael Hill-Weld, member of the public

GENERAL MANAGER SEARCH UPDATE

President Heck provided an update. No action was taken.

WARRANTS/FINANCIALS

Marvin Davis, Finance Manager/Treasurer, presented the item.

Dustin Cooper, District Counsel, clarified that the recommendation is for the Board to approve the check register and receive and file the reports.

**Approved the check register and received and filed the reports. M/S/C Hull/Bierwagen, unanimously approved.**

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### INTERIM GENERAL MANAGER'S REPORT

Greg Jones, Interim General Manager, reported on the following items:

- Precipitation, storage, and conservation updates
- Working with PCWA on Water Sales Agreement - Fall/Winter water sales
- Forest thinning work continuing in Cascade Shores
- Dorsey Drive mainline break repairs complete – thanked staff
- Small fire near Bowman Haypress Intertie on December 8<sup>th</sup> and crews/staff in the area and on the scene
- Finished Bond Refunding – average annual savings of approx. \$225,000
- Warrant Report correction provided to the Board – error in February 2020
- Transition to Bank of the West is underway
- Covid-19 Prevention Plan in process and now under a stay at home order
- Minasian Law Firm (District Counsel) settlement letter
- New website anticipated to go live December 21<sup>st</sup>
- Recreation - No overnight camping
- Combie Phase I is ahead of schedule
- Alta Sierra sub-grade tank in place and the project is moving forward
- Doty North Project update
- Urban and Ag Water Plan update
- Welcome new Board members

### BOARD OF DIRECTORS' ITEMS / REPORTS

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

- Enjoyed her year as Board Chair
- Spoke with SR Jones at LAFCo, and is interested in being LAFCo representative from NID
- Shared that her daughter is expecting a boy at the end of March

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

- Glad to be here and looking forward to working with everyone

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

- Spoke about the need for water
- In the valley, everyone is irrigating to the max &
- Spoke about water districts purchasing and transferring water

### REORGANIZATION OF THE BOARD

- Elect President
- Elect Vice President
- Appoint Kris Stepanian as Secretary

Public Comment:

- None

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**Motion was made by Director Heck to nominate Director Bierwagen as President of the Nevada Irrigation District Board of Directors. Director Johansen seconded the motion. Hearing no other nominations, the vote was unanimous to elect Director Bierwagen as President.**

**Motion was made by Director Hull to nominate Director Peters as Vice President of the Nevada Irrigation District Board of Directors. Director Bierwagen seconded the motion. Hearing no other nominations, the vote was unanimous to elect Director Peters as Vice President.**

**Motion was made by Director Johansen to appoint Kris Stepanian as Secretary to the Board for 2021 (pursuant to Water Code, Sections 21375 and 21376). The motion was seconded by Director Bierwagen, and unanimously approved.**

The meeting recessed at 2:38 p.m. and reconvened as the NID Joint Powers Authority.

NEVADA IRRIGATION DISTRICT JOINT POWERS AUTHORITY –  
REORGANIZATION OF THE BOARD

Public Comment:

- None

**Approved the 2021 elected and appointed positions (pursuant to Water Code, Sections 21375 and 21376). M/S/C Bierwagen/Johansen.**

The NID Joint Powers Authority meeting adjourned, and the NID Board of Directors meeting reconvened at 2:40 p.m.

LOCAL AGENCY FORMATION COMMISSION (LAFCO) – REQUEST FOR  
NOMINATIONS

Greg Jones, Interim General Manager, introduced SR Jones with LAFCo, who provided a brief overview of the item.

Public Comment:

- None

**Director Peters made a motion to nominate Nick Ricki Heck to the Position of Special District Regular Member of the Nevada County Local Agency Formation Commission, and to adopt Resolution No. 2020-31 (Making Nominations to the Nevada County Local Agency Formation Commission for Special District Regular Member). Director Hull seconded the motion, and it was unanimously approved.**

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Public Comment:

- None

**Director Bierwagen made a motion to nominate Rich Johansen to the Position of Special District Alternate Member of the Nevada County Local Agency Formation Commission, and to adopt Resolution No. 2020-32 (Making Nominations to the Nevada County Local Agency Formation Commission for Special District Alternate Member). Director Heck seconded the motion, and it was unanimously approved.**

MEETING ADJOURNED at 3:48 p.m., to reconvene in regular session on Wednesday, January 13, 2021, at 9:00 a.m. at the District's Business Center located at 1036 West Main Street, Grass Valley, California.

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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

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Division II

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Division III

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Division IV

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Division V

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