



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

AGENDA

THE NEVADA IRRIGATION DISTRICT BOARD OF DIRECTORS WILL MEET IN REGULAR SESSION VIA VIDEO-TELECONFERENCE AT 9:00 A.M. ON MAY 13, 2020

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

We encourage Board members and participants to join the meeting 10 minutes early. Note that we will use Zoom to share slides and other information during the meeting. 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

To join the meeting from your computer, tablet or smartphone at
<https://us02web.zoom.us/j/85672699847>

To join the conference call:
(669) 900-6833 or (346) 248-7799
Webinar ID: 856 7269 9847

One-tap access: [+16699006833](tel:+16699006833),[,85672699847#](tel:+16699006833)

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.

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.

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CALL THE MEETING TO ORDER

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SPECIAL ORDERS:

9:05 A.M. - SCHOLARSHIP AWARDS: Presentation of the Nevada Joint Union High School District – 2020 NID Scholarship Awards

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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 April 22, 2020
2. [Access Easement Exchange with Sierra Pacific Land & Timber \(SPLT\)](#): Approve 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
3. [Federal Surplus Personal Property Donation Program](#): Adopt 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
4. [Adopt Resolution No. 2020-10](#) (Calling General Election and Requesting the Board of Supervisors Consolidate with any other Election called on Said Date – County of Nevada)

[Adopt Resolution No. 2020-11](#) (Calling General District Election, Requesting the Board of Supervisors Consolidate with any other Election called on Said Date and Requesting Election Services by the County Clerk – County of Placer)
5. [Resolution of Appreciation](#): Adopt Resolution No. 2020-12 (Resolution of Appreciation Upon Retirement – Brian Morris)

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GENERAL ORDERS:

6. [Doty North Canal Siphon #1 Replacement Project \(FATR #1031\)](#): Conduct a Public Hearing; after hearing testimony, consider adopting Resolution No. 2020-13 (Adopting a Mitigated Negative Declaration, Approve the Project and Mitigation Monitoring and Reporting Program for the Project), and authorize the General Manager to execute the appropriate documents
7. [Hemphill Diversion Structure Project \(FATR #7032\) California Environmental Quality Act \(CEQA\) Services Consulting Contract](#): 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

8. Approve [Warrants](#)
9. [Financial Market Analysis and Debt Issuance Opportunities](#): Receive a presentation and provide direction as appropriate

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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.

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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 ANY ITEM TO BE CONSIDERED IN CLOSED SESSION

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TIME CERTAIN – 1:00 p.m. – CLOSED SESSION:

Closed Session Conference With Labor Negotiators (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

Closed Session Conference with Real Property Negotiators (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.

Closed Session Conference with Legal Counsel. Existing Litigation (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.

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ADJOURN

The next meeting of the Board of Directors will be held on **May 27, 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. 2020-14

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, on May 8, 2020. This agenda has also been posted on the District's web site (www.nidwater.com).