

**Minutes of Meeting  
Held  
January 25, 2022**

President Bransford called the meeting of the Glenn-Colusa Irrigation District Board of Directors to order at 9 a.m. with the flag salute. The meeting was held at the Glenn-Colusa Irrigation District Board Room, 344 East Laurel Street, Willows, California and via teleconference.

**Present:**

Donald R. Bransford, President, Division 4  
Peter Knight, Vice-President, Division 1  
John Amaro, Director, Division 2  
Logan Dennis, Director, Division 3  
Blake Vann, Director, Division 5

**Absent:**

None.

**Staff Present:**

Thaddeus L. Bettner, General Manager  
Louis Jarvis, Finance Director  
Kayla Mendonca, Executive Assistant  
Jered Shipley, Water Operations Superintendent  
Jeremy Richardson, Acting Maintenance Superintendent  
Holly Dawley, Water Resources Manager  
Karen Alves, Administrative Services Manager  
Ali Stevens, Somach Simmons & Dunn (via teleconference)  
Andy Hitchings, Somach Simmons & Dunn (via teleconference)

**Others Present:**

Kelly Ornbaun, landowner  
Lenora Kitts, landowner

**Public Participation**

Landowner Kelly Ornbaun addressed the Board thanking all staff who are retiring and have already retired. He also explained that it would be helpful to landowners and water users if the District provided information in the newsletter about new employees, including a photo and biography.

He also spoke about the Prop. 218 assessment process explaining that he does not want increased taxes on land as he has several acres of unusable land. He asked what happens if the 218 process does not pass, and staff explained that they would need to re-evaluate and develop a new plan moving forward. He also said we need unity throughout the District and that Director area meetings are helpful to spread information and offer a chance for landowners to ask questions.

Landowner Lenora Kitts explained that she understands that votes may be changed up until the time of the Hearing and asked staff to explain the process of how to do that. Finance Director Jarvis explained that a landowner would simply request their ballot, the District

would retrieve it and it would be returned to the landowner. He also clarified that ballots can be changed up until the close of the Hearing. He also reminded her that there will be a virtual landowner meeting on Tuesday, February 8 at 10a.m. where landowners and water users will have the opportunity to ask any questions they may have regarding the assessment process.

**Discuss and Consider Election of Board President and Vice President, and Appointments of Secretary, Assistant Secretary, Treasurer and Assistant Treasurer (pursuant to Water Code Section 21375 et seq.)**

Director Knight explained that President Bransford expressed interest in cutting back on his duties. He deferred to President Bransford for further explanation.

President Bransford explained that, after discussion with other Board Members and staff, it was decided that a slow transition out of his current role would be best. He explained that the Northern California Water Association (NCWA) seat would need to be filled by another Board Member to begin that transition and transfer of knowledge and duties. He also said that Washington D.C. meeting participation and travel is another very important role that needs to be taken over by another Board Member. He said the slow transition would take place over one year and then be re-evaluated at that time.

General Manager Bettner said he would like to review the standing committees list with President Bransford and Director Knight and then bring to the full Board for review at the February 17 Board meeting for discussion.

Director Dennis moved to retain the existing slate and reappoint Don Bransford as President, Pete Knight as Vice President, Thad Bettner as Secretary, Louis Jarvis as Treasurer, Karen Alves as Assistant Treasurer and appoint Kayla Mendonca as Assistant-Secretary to fill the vacancy created by the retirement of Cynde Davis. Director Amaro seconded the motion and it was unanimously approved by the following vote:

Ayes: Directors Bransford, Knight, Amaro, Dennis and Vann

**CONSENT AGENDA**

**Authorize Payment of Claims**

Director Amaro moved to approve the payment of claims # 22 10715 through #22 10726, and #22 10728 through #22 10794, in the amount of One Million, Five Hundred Twenty-Five Thousand, One Hundred Seventy-Nine Dollars and Forty-Eight Cents (\$1,525,179.48), approve the Notice of Completion of Director/Employee Reimbursement Disclosure Forms, and approve Resolution 2022-02 authorizing remote teleconference meetings. Director Knight seconded the motion, and it was unanimously approved by the following vote:

Ayes: Directors Bransford, Knight, Amaro, Dennis and Vann

**Approve Payment of Claims to Colusa County Farm Supply**

Director Knight moved to approve the payment of claim #22 10727 to Colusa County Farm Supply in the amount of Three Hundred Six Dollars and Seventy-Nine Cents (\$306.79). Director Vann seconded the motion, and it was unanimously approved by the following vote:

Ayes: Directors Bransford, Knight, Amaro and Vann

Abstain: Director Dennis

**Approve Minutes of January 6, 2022 Board Meeting**

Director Amaro moved to approve the minutes of the January 6, 2022 Board meeting. Director Vann seconded the motion and it was unanimously approved by the following vote:

Ayes: Directors Bransford, Knight, Amaro, Dennis and Vann

**BUSINESS ITEMS**

Review and Approve Resolution No. 2022-03 Amending the Flexible Benefits Plan

Administrative Services Manager Alves explained that the District provides a Flexible Benefits Plan to employees for eligible medical and child care expenses. Employees must elect an amount at the end of each calendar year for the following calendar year. In a normal year, any unused elected funds are forfeited by the employee.

The new Consolidated Appropriations Act (CAA) allows carryover of unused funds for health flexible spending arrangements. For plan years ending 2020 and 2021, a plan that includes a health Flexible Spending Account may allow any unused benefits or contributions remaining to be carried over from such plan years to the plan year ending 2021. This effectively eliminates any cap on carryover of unused funds that previously existed for the 2020 and 2021 plan years.

Director Amaro moved to approve Resolution No. 2022-03 amending the Flexible Benefits Plan. Director Vann seconded the motion and it was unanimously approved by the following vote:

Ayes: Directors Bransford, Knight, Amaro, Dennis and Vann

The resolution is attached to the minutes as Attachment A.

Review and Discuss Water Rate Structure Alternatives

Finance Director Jarvis explained that on December 16, 2021, the Board adopted a resolution related to the District's proposed assessment that included, among other items, direction for staff "to consider and evaluate the District's water rate structure as the District proceeds with the Proposition 218 process...". The Board engaged in a discussion of various policy considerations related to the structure of water rates, and discussed various options for water rate structuring but a decision was not made at the time.

Discuss and Consider Re-organization of Committee Appointments

This item was tabled for discussion at the February 17, 2022 Board meeting.

Resolutions Honoring Retirees

GCID employees Mike Johnson, Kevin Nelson and LeRoy Johnson are all long-time employees of the District. The Board acknowledged their years of service and dedication to the District. The Board and District staff wish each of them well on their well-deserved retirements.

Director Dennis moved to approve Resolution No. 2022-04 honoring Mike Johnson on his retirement, Resolution No. 2022-05 honoring Kevin Nelson on his retirement, and Resolution No. 2022-06 honoring LeRoy Johnson on his retirement. Director Vann seconded the motion and it was unanimously approved by the following vote:

Ayes: Directors Bransford, Knight, Amaro, Dennis and Vann

The Resolutions are attached to the minutes as Attachment B.

#### Scenario Planning

Water Operations Superintendent Shipley and Water Resources Manager Dawley reviewed a PowerPoint presentation to discuss 2022 water operations scenario planning.

They explained that with historic low storage levels and average winter precipitation, there is continued uncertainty on Settlement Contract allocations. District staff have been evaluating different operational scenarios, understanding there are several variables that will influence a plan prior to being finalized.

During the planning process, staff have identified several variables to consider while evaluating dry year scenario planning and are also in the process of implementing several near-term actions to assist with water deliveries, scheduling, and conservation. Staff will continue to model water delivery schedules for multiple allocation scenarios.

#### Treasurer's Report

Finance Director Jarvis presented the Treasurer's Report, Financial Report and Damage Claims Report for December 2021.

### **INFORMATION REPORTS**

#### Meeting Reports

None.

#### Manager's Report

None.

#### Attorney's Report

None.

#### Other Business

General Manager Bettner asked if they Board would like to forego the February 3 Board meeting and meet only on February 17, 2022. The Board agreed to one meeting in February and General Manager Bettner said to prepare for a lengthy meeting as there will be many topics covered.

President Bransford reported that he asked General Manager Bettner to ask CV Strategies to provide a report to the Board quarterly, either in-person or via Microsoft Teams.

President Bransford reported that a new Northern California Water Association (NCWA) Director needs to be appointed. In the past, President Bransford has served as the NCWA Director but as he begins to reduce his duties, he asked if another Board member would be willing to serve. Director Vann volunteered to serve as the NCWA Director and President Bransford offered to serve as an alternate.

### Closed Session

The Board adjourned to Closed Session at 11:07 a.m. to discuss Conference with Legal Counsel - Anticipated Litigation, Existing Litigation and Conference with Real Property Negotiators.

- A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION  
Significant Exposure to Litigation pursuant to paragraph (2) of Subdivision (d) of Gov. Code sec. 54956.9: Two Potential Cases

- B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Paragraph (1) of Subdivision (d) of Gov. Code sec. 54956.9)

Name of Cases:

- i. *PCFFA v. Raimondo* (USDC E.D. Cal. Case No. 1:20-cv-00431-DAD-EPG);
- i. *CNRA v. Raimondo* (USDC E.D. Cal. Case No. 1:20-cv-00426-DAD-EPG) [2019 BiOps Lawsuits];
- ii. *Smith v. Glenn-Colusa Irrigation District* (Glenn County Case No. 21CV02779)

- C. CONFERENCE WITH REAL PROPERTY NEGOTIATOR  
(Government Code Section 54956.8)  
Property: GCID's water supplies  
GCID Negotiators: Thaddeus Bettner and Counsel Andrew Hitchings  
Negotiating Parties: Glenn-Colusa Irrigation District, Tehama-Colusa Canal Authority and its Member Agencies, Santa Clara Valley Water District, San Luis & Delta-Mendota Water Authority  
Under Negotiation: Call dates, and other transaction details

The Board reconvened to open session at 11:52 a.m.

President Bransford reported that the Board met in Closed Session, pursuant to Subdivision (d) of Gov. Code sec. 54956.9, during which the Board heard information on *Anticipated Litigation* related to a claim submitted pursuant to the Gov. Code sec. 910 et. seq. During the discussion it was determined that Board Members Don Bransford, Logan Dennis, and Blake Vann have potential conflicts in making a decision on the claim. As such, these board members indicated that they would abstain from participating in any action related to the claim.

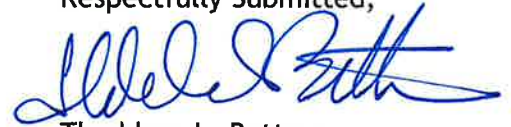
The Board's action on the claim was essential to the fulfillment of its statutory duties and powers. Given the abstention of the three board members, and the necessity of the Board's action on the claim, the Board conducted an impartial process to select the minimum number of Board members necessary to discuss and take action with regard to the claim. Board member Don Bransford was selected through the impartial process to participate in taking action on the claim. Board members Logan Dennis and Blake Vann were not impartially selected and were recused from further Board discussion and action on the claim. Thereafter, the three participating Board members took action to deny the claim.

President Bransford reported that the Board met in Closed Session, pursuant to Subdivision (d) of Gov. Code sec. 54956.9, during which the Board had discussion and took no action.

President Bransford reported that the Board met in Closed Session, pursuant to Gov. Code Sec. 54956.8, during which the Board had discussion but took no action.



The meeting adjourned at 11:58 a.m.

Respectfully Submitted,



Thaddeus L. Bettner  
Secretary

Attest a true record of proceedings made and  
taken at the above foregoing meeting our consent  
thereto and our presence thereat.

  
Donald R. Bransford  
Peter Knight  
John Amaro  
Logan Dennis  
Blake Vann

## ATTACHMENT A

**AMENDMENT TO THE  
GLENN-COLUSA IRRIGATION DISTRICT  
FLEXIBLE BENEFITS PLAN**

This Amendment to the Glenn-Colusa Irrigation District Flexible Benefits Plan (Plan) is adopted by Glenn-Colusa Irrigation District (Employer), effective as of the date set forth herein.

**WHEREAS** the Employer desires to amend the Glenn-Colusa Irrigation District Flexible Benefits Plan's information as set forth herein.

**NOW, THEREFORE**, effective January 1, 2022, Glenn-Colusa Irrigation District has amended its Plan to temporarily adopt the changes outlined below.

**Carryover of Unused Funds for Health Flexible Spending Arrangements (Health FSAs):**

For plan years ending in 2020 and 2021, a plan that includes a health FSA may allow any unused benefits or contributions remaining to be carried over from such plan year to the plan year ending in 2021. Note: This effectively eliminates any cap on carryover of unused funds that previously existed for the 2020 and 2021 plan years.

Please select the Plan(s) that you would like to apply the extension:

Health FSA    ☒ 2020 plan year    ☒ 2021 plan year

**Spend-Down for Health FSA:**

A plan that includes a Health FSA may allow (similar to the rules applicable to DCFSAs) an employee who ceases participation in the plan during calendar year 2020 or 2021 (for example, due to termination of employment) to continue to receive reimbursements from unused benefits or contributions for expenses incurred through the end of the plan year in which such participant ceased participation (including any extended grace period permitted in the temporary Act). Currently, if you do not have spend-down for Health FSA and would like to adopt this/these provision(s) please indicate below:

Health FSA    ☒ 2020 plan year    ☒ 2021 plan year

**IN WITNESS WHEREOF**, and as evidence of the adoption of the Amendment set forth herein, the undersigned officer of Glenn-Colusa Irrigation District has executed this Amendment to the Plan, this 7th day of January, 2022.

**Glenn-Colusa Irrigation District**

By:  \_\_\_\_\_

Title: Director of Administration \_\_\_\_\_



**GLENN-COLUSA IRRIGATION DISTRICT FLEXIBLE BENEFITS PLAN  
SUMMARY OF MATERIAL MODIFICATIONS TO YOUR SUMMARY PLAN  
DESCRIPTION**

**Glenn-Colusa Irrigation District Flexible Benefits Plan**

***This document summarizes important changes to your Glenn-Colusa Irrigation District Flexible Benefits Plan and should be kept with your Summary Plan Description (SPD) for future reference.***

With respect to the current Plan Information in your SPD, effective January 1, 2022, Glenn-Colusa Irrigation District amended its Plan to temporarily adopt the changes listed below:

**Carryover of Unused Funds for Health Flexible Spending Arrangements (Health FSAs):**

For plan years ending in 2020 and 2021, a plan that includes a health FSA may allow any unused benefits or contributions remaining to be carried over from such plan year to the plan year ending in 2021. Note: This effectively eliminates any cap on carryover of unused funds that previously existed for the 2020 and 2021 plan years. Please select the Plan(s) that you would like to apply the extension:

Health FSA    ☒ 2020 plan year    ☒ 2021 plan year

**Spend-Down for Health FSA:**

A plan that includes a health FSA may allow (similar to the rules applicable to DCFSA) an employee who ceases participation in the plan during calendar year 2020 or 2021 (for example, due to termination of employment) to continue to receive reimbursements from unused benefits or contributions for expenses incurred through the end of the plan year in which such participant ceased participation (including any extended grace period permitted in the temporary Act). Currently, if you do not have spend-down for Health FSA and would like to adopt this/these provision(s) please indicate below:

Health FSA    ☒ 2020 plan year    ☒ 2021 plan year

**RESOLUTION 2022-03**

**GLENN-COLUSA IRRIGATION DISTRICT**

**AMENDING FLEXIBLE BENEFIT PLAN**

The undersigned, being the Plan Administrator of Glenn-Colusa Irrigation District (District) do hereby consent to the following resolutions.

WHEREAS, effective February 1, 2006, the District adopted the *Glenn-Colusa Irrigation District Flexible Benefit Plan* (Plan) for the benefit of its employees; and

WHEREAS, pursuant to Section 8.1 of the Plan, the District may amend the Plan at any time by an instrument in writing.

NOW THEREFORE, BE IT RESOLVED, that the Plan is hereby amended and restated effective January 1, 2022, as an employee welfare benefit plan to be maintained by the District pursuant to Section 125 of the Internal Revenue Code, and that a copy of the plan document, as amended and restated, be attached to these resolutions; and be it further

RESOLVED, that the proper officers of the District are authorized to execute the amended and restated Plan, to receive employee contributions and pay benefits as provided therein, and to do every other act or thing necessary or proper to meet and comply with the obligations of the District as therein provided and to carry these resolutions into full force and effect, and to direct counsel to take such action as may be necessary or proper to meet and comply with the obligations of the District as therein provided and to carry these resolutions into full force and effect, and to direct counsel to take such action as may be necessary to satisfy any applicable requirements of law.

IN WITNESS WHEREOF, this consent has been executed on this 25th day of January 2022.

  
Plan Administrator

## ATTACHMENT B

# Glenn-Colusa Irrigation District

## RESOLUTION 2022-04

WHEREAS, Michal Johnson has served as an employee of the GLENN-COLUSA IRRIGATION DISTRICT for forty-three years, and has contributed his broad range of skills and efforts to the Water Operations Department in a variety of positions and roles, including Ditchtender, Water Operator, Temporary Supervisor for the Refuge Conveyance Project and Water Operations Supervisor; and

WHEREAS, the District and the landowners of the District are very appreciative of his abilities and thorough knowledge of the District and its conveyance system; and

WHEREAS, the District and the landowners of the District are grateful for his diligence, thoroughness, dependability, professionalism, and loyal service;

NOW THEREFORE BE IT RESOLVED, the Board of Directors of the GLENN-COLUSA IRRIGATION DISTRICT does individually and on behalf of the District and its landowners commend and thank Michal Johnson for his many years of service and numerous contributions on behalf of the District and wishes him well in the years to come.

ADOPTED January 25, 2022, by unanimous vote of the Board of Directors of the GLENN-COLUSA IRRIGATION DISTRICT.



Donald R. Donald President

Paul A. Brown Director

Mark Van Director

Ed Gay Vice-President

John Brown Director

Mike B. Buth Secretary



# Glenn-Colusa Irrigation District

## RESOLUTION 2022-05

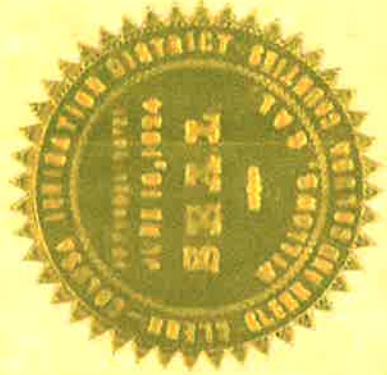
WHEREAS, Kevin Nelson has served as an employee of the GLENN-COLUSA IRRIGATION DISTRICT for forty years, and has contributed his broad range of skills and efforts to the maintenance departments in a variety of positions and roles, including Maintenance Worker, Equipment Operator, Pump Station Technician, Dredge Operator, Maintenance Supervisor and Maintenance Superintendent; and

WHEREAS, the District and the landowners of the District hold Kevin in high regard and are very appreciative of his dedication, extensive knowledge of the District's operations, his abilities and contributions to the District; and

WHEREAS, the District and the landowners of the District are grateful for his loyal service, integrity, professionalism, leadership, reliability and commitment;

NOW THEREFORE BE IT RESOLVED, the Board of Directors of the GLENN-COLUSA IRRIGATION DISTRICT does individually and on behalf of the District and its landowners commend and thank Kevin Nelson for his many years of service and numerous contributions on behalf of the District and wishes him well in the years to come.

ADOPTED January 25, 2022, by unanimous vote of the Board of Directors of the GLENN-COLUSA IRRIGATION DISTRICT.



Donald R. Brough President

Paul A. Brown Director

Mike Van Director

John J. Smith Vice-President

John J. Smith Director

John J. Smith Secretary



# Glenn-Colusa Irrigation District

## RESOLUTION 2022-06

WHEREAS, LeRoy Johnson has served as an employee of the GLENN-COLUSA IRRIGATION DISTRICT for thirty-three years, and has contributed his abilities and efforts to assist the water, maintenance and abatement departments in a variety of positions and roles, including the Dredge Crew, Water Operator, Maintenance Worker, Abatement and Canal/Road Worker; and

WHEREAS, the District and the landowners of the District are very appreciative of his versatility and knowledge of the District; and

WHEREAS, the District and the landowners of the District are grateful for his reliability and loyal service;

NOW THEREFORE BE IT RESOLVED, the Board of Directors of the GLENN-COLUSA IRRIGATION DISTRICT does individually and on behalf of the District and its landowners commend and thank LeRoy Johnson for his many years of service and numerous contributions on behalf of the District and wishes him well in the years to come.

ADOPTED January 25, 2022, by unanimous vote of the Board of Directors of the GLENN-COLUSA IRRIGATION DISTRICT.



David R. Brown President

James A. Brown Director

John A. Brown Director

John A. Brown Vice-President

John A. Brown Director

John A. Brown Secretary