

**Minutes of Meeting
Held
February 17, 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

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:

Corey Richards, Water User
Lenora Kitts, Water User
Kelly Ornbaun, Water User
Sam Reynolds, Water User
Leo LaGrande, Water User
Matt LaGrande, Water User
Janet Zimmermann, CV Strategies
Sarah Harper, Provost & Pritchard
Mike Wallace, CFO Crain Walnut
Janet Rabo, Crain Walnut

President Bransford asked for a moment of silence to honor the passing of former Glenn-Colusa Irrigation District General Manager Bob Clark.

Public Hearing on the Proposed Benefit Assessment to Support the Sacramento River Settlement Contract

President Bransford opened the Public Hearing at 9 a.m. and asked if any members of the public would like to address the Board regarding the proposed benefit assessment to support the Sacramento River Settlement Contract.

Water User Lenora Kitts expressed her concerns regarding historic cutbacks of water allocations, increased inflation rates, and the burden on the land if a four-fold assessment hike were to be approved. She also asked if landowners may change their ballots until the close of the hearing and Finance Director Jarvis confirmed that yes, a landowner may change their ballot in person at the office up until the close of the hearing. She also explained that she heard the assessment increases could be used to cover operational costs of the District. General Manager Bettner said that is incorrect. As explained in detail in the Engineers Report, the proposed assessment increases may only be used to cover the cost of project water charged by the Bureau of Reclamation. Finance Director Jarvis added that, if the cost of Project Water is not covered by an assessment, it will be covered by water rate increases. The assessment is currently set at the maximum possible rate, but if the actual cost is less than that, costs to landowners would be reduced to match the actual cost. Ms. Kitts then expressed her concerns with tying the costs to the land with decreasing land values and suggested the Board consider options for reformulating the increase.

Mike Wallace, CFO for Crain Walnut, explained that their entities are not too concerned with the assessment increase but attended the meeting to hear other landowner concerns regarding the proposed increase. He said after putting together a spreadsheet he noted that if you are using District water, your costs would only increase approximately 2% but if you are not using District water, your costs would increase greatly.

General Manager Bettner added that the District encourages the use of surface water and the Bureau of Reclamation assumes that lands in the District use the surface water available to them. The District has to have the water readily available as if all lands in the District will take their allocation, and GCID encourages the use of surface water from a Sustainable Groundwater Management standpoint.

The Board elected to keep the hearing open until 10 a.m. so that landowners had the opportunity to submit or change their applications after the comment portion of the Public Hearing.

Public Participation

President Bransford called for public participation and asked if anyone would like to address the Board and as no one from the public wished to address the Board, the meeting continued.

ADMINISTRATION

Water Operations

Water Operations Superintendent Shipley reported that the gate replacements for Tuttle Check are currently underway. He explained that the construction of the 47-1 headgate will need to be completed before water can move through that area. The Winter Maintenance Shutdown Policy is effective through February 20, and frost protection water is available February 21 through the end of February as long as construction projects are complete and conveyance issues have been remedied. Early irrigation water is available March 1 through March 31. The Board agreed to allow water to be conveyed as needed beginning today, pending restrictions caused by construction projects and potential Term 91 implementation.

Discussion took place regarding the County Culvert Memorandum of Understanding (MOU) and work currently taking place under that MOU on the 47-1 headgate project currently underway in the District.

General Manager Bettner provided a report on the status of water for the District. He reported that the District held a landowner meeting on Tuesday, February 8. He reported that the Bureau will announce the initial forecast of Shasta Critical year conditions in mid-February. He said due to current circumstances the District is unlikely to receive a 75% supply under the District's Settlement Contract, and is unsure what the actual water supply will be.

President Bransford reminded water users that the Bureau can change allocation figures through the end of June. Director Amaro added that the crop insurance deadline is February 28.

CONSENT AGENDA

Authorize Payment of Claims

Finance Director Jarvis clarified a few items on the Consent Agenda. Counsel Ali Stevens explained that the Governor's Emergency Declaration may expire at the end of the month so remote meetings will no longer be possible if that holds true.

Director Knight moved to approve the payment of claims # 22 10072, #22 10795 through #22 10812, and #22 10814 through #22 10895, in the amount of One Million, Eight Thousand, Eighty Dollars and Ninety-Five Cents (\$1,008,080.95). 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.

Approve Payment of Claims to Colusa County Farm Supply

Director Amaro moved to approve the payment of claim #22 10813 to Colusa County Farm Supply in the amount of Four Hundred Forty-Six and Seventy-Seven Cents (\$446.77). Director Vann seconded the motion, and it was unanimously approved by the following vote:

Ayes: Directors Bransford, Knight, Amaro and Vann

Abstain: Director Dennis

BUSINESS ITEMS

Consider Authorizing Purchase of a Water Truck in Excess of Budgeted Amount

Acting Maintenance Superintendent Richardson reported that, in Fiscal Year 2020-21, the District budgeted \$65,000 for the purchase of a used water truck that would replace a 1981 GMC flatbed which has been converted to water truck. With the age and potential safety hazards, along with several mechanical issues, one being an electrical fire under the hood, a new updated truck would allow for more efficient operation. Staff was unable to locate a used water truck in a condition that warranted its purchase. During the search process, it was realized that the cost of a new water truck was approximately \$90,000 and the District decided to forgo the purchase at that time since it was not an urgent need but included the purchase of a new water truck in the FY 2021-22 budget.

In FY 2021-22, \$100,000 was budgeted for the purchase of a new water truck. In December, staff requested bids from equipment dealers for a new water truck and received bids from two dealers, with the lowest bid submitted for a price of \$118,550 (inclusive of modifications,

sales tax, and other costs). As acquiring a new water truck is important for the safety of our employees and will allow staff to be more effective while grading or wetting material for compaction, staff request that the Board authorize the purchase of a new water truck in excess of the amount included in the FY 2021-22 budget.

Director Dennis moved to approve the purchase of a new water truck in excess of the budgeted amount. Director Knight seconded the motion and it was unanimously approved by the following vote:

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

Consider and Approve Resolution No. 2022-08 Amending the Glenn-Colusa Irrigation District Pension Plan to Allow for Distribution to be Made as Soon as Administratively Feasible Following Severance of Employment

Finance Director Jarvis reported that the District recently approved early disability retirement for two Glenn-Colusa Irrigation District employees and a regular disability retirement for one other employee. The employees agreed to retire with the expectation of the ability to receive their pension plan distributions while remaining on the District's long-term disability plan. However, upon reviewing the District's pension plan document, staff became aware that the current pension plan specifically disallows terminated employees who are receiving benefits under the District's Long-Term Disability Plan from also receiving a pension distribution. The amendment would remove the language regarding long-term disability and the new proposed language would read "Distributions may be made as soon as administratively feasible following severance of employment."

Director Vann moved to approve the amendment to the Pension Plan. Director Knight 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 B.

Review and Approve Resolution No. 2022-09, Authorization of Bank Signatures

Administrative Services Manager Alves reported that at the January 25, 2022, Board meeting, pursuant to Water Code Section 21375 et seq., the Board met and organized to elect the following positions:

Board President - Donald R. Bransford

Vice President - Peter D. Knight

Secretary - Thad Bettner

Assistant Secretary - Kayla Mendonca

Treasurer - Louis Jarvis

Assistant Treasurer - Karen M. Alves

All positions remained the same except Kayla Mendonca was appointed as Assistant Secretary to replace retired employee Cynthia Davis.

Director Dennis moved to approve Resolution No. 2022-09 Authorization of Bank Signatures. Director Amaro seconded the motion and it was approved by the following vote:

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

The Resolution is attached to the minutes as Attachment C.

Review Board Committees and Member Participation

The Board and staff discussed and appointed Board members and staff to GCID standing committees, GCID Ad Hoc committees, and external committees.

President Bransford closed the Public Hearing on the Proposed Benefit Assessment at 10:09 a.m.

Consider Execution of Third Amendment to 2019 Reservoir Project Agreement for the Sites Reservoir Project and Review Glenn-Colusa Irrigation District's Activities Related to the Sites Reservoir Project

Finance Director Jarvis provided background and explained that the Board is being asked to consider execution of the Third Amendment to the Reservoir Project Agreement (RPA) which extends the term of the RPA through December 31, 2024, and provides funding for a workplan focused on environmental certification, permitting, design, and contracting. Staff is recommending the Board authorize the GCID Board President to execute the Third Amendment to the 2019 Reservoir Project Agreement, confirm participation at the 5,000 acre-foot level, and commit to providing funding through January 1, 2024, in an amount not to exceed \$400 per acre-foot of participation.

Director Knight moved to approve execution of the Third Amendment to the 2019 Reservoir Project Agreement. Director Amaro seconded the motion and it was unanimously approved by the following vote:

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

Review and Consider Memorandum of Understanding Between Glenn-Colusa Irrigation District and Reclamation District No. 108 for Joint Program Management of the Sacramento River Settlement Contractor Salmon Habitat Restoration Program

Water Resources Manager Dawley reported that GCID and Reclamation District 108 (RD 108) each received approximately \$10 million in funds from the Bureau of Reclamation to implement over a dozen projects on the Sacramento River in Shasta and Tehama Counties for the betterment of salmonid spawning and rearing habitat. GCID and RD 108 are the contracting agents to jointly administer these grants for the Sacramento River Settlement Contractors Corporation. This Memorandum of Understanding (MOU) creates a foundational understanding and expectation between the managing entities for the next five years, the term of these grants. Staff is recommending the Board direct the General Manager to finalize and sign the MOU with Reclamation District 108.

Director Dennis moved to approve the Memorandum of Understanding between Glenn-Colusa Irrigation District and Reclamation District 108. Director Vann seconded the motion and it was unanimously approved by the following vote:

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

ADMINISTRATION

Maintenance

Acting Maintenance Superintendent Richardson provided an update on Maintenance Department activities. He reported that the 25-1 long-crested weir construction is complete,

they have removed sediment from the main canal from Stony Creek to Road 29, began main canal excavation north of Maxwell highway, installed 22 meter turnouts, and completed 43-1M and 43-1F check crossings. He also reported that the county culvert repair at 47-1 is under construction. He is also reviewing applications submitted for Maintenance and Abatement positions.

Engineering

District Engineer Dickens was not present at the meeting. His written report was provided in the Board packet.

Water Resources

Water Resources Manager Dawley reported on Gradient Facility activities including a workshop. President Bransford recommended forming a Gradient Facility/Electrical Room Ad Hoc Committee. Ms. Dawley also reported hosting the Tehama County Divisions Farm Kids. President Bransford recommended including high school students on small projects in the District.

Treasurer's Report

Finance Director Jarvis provided a report on the Treasurer's Report, Financial Report and Damage Claims Report for the month of January.

INFORMATION REPORTS

Meeting Reports

Director Amaro reported that the Glenn Groundwater Authority (GGA) is collaborating with the Colusa Groundwater Authority (CGA) on funding ideas. He also reported that the GGA formed an Ad Hoc committee to help Glenn County with well permitting requirements. He also reported that the Corning Subbasin had a lack of quorum but discussed funding and the lack of funding sources.

Director Dennis reported on the Sites meeting. He reported that there is a considerable amount of interest in the project and four full-time consultants have been hired for the project.

President Bransford reported that at the Northern California Water Association (NCWA) Executive Committee meeting, Blake Vann was elected to the NCWA Board of Directors.

Manager's Report

None.

Attorney's Report

None.

Other Business

None.

Closed Session

The Board adjourned to Closed Session at 11:18 a.m. to discuss Conference with Legal Counsel - Anticipated Litigation, Existing Litigation and Real Property Negotiations.

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);
- ii. *CNRA v. Raimondo* (USDC E.D. Cal. Case No. 1:20-cv-00426-DAD-EPG) [2019 BiOps Lawsuits];
- iii. *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 12:04 p.m. Finance Director Jarvis reported the results of the Proposition 218 ballot count. Based upon the ballot count, the assessment was not approved.

The adjourned back to Closed Session at 12:05 p.m.

The Board reconvened to open session at 12:41 p.m.

President Bransford reported that the Board met in Closed Session, pursuant to paragraph (2) of Subdivision (d) of Gov. Code sec. 54956.9, during which the Board heard updates on *Anticipated Litigation*, and took no action.

President Bransford reported that the Board met in Closed Session, pursuant to paragraph (1) of Subdivision (d) of Gov. Code sec. 54956.9, during which the Board heard updates and took no action.

President Bransford reported that the Board met in Closed Session, pursuant to Gov. Code sec. 54956.8, during which discussion took place regarding real property negotiations and took no action.

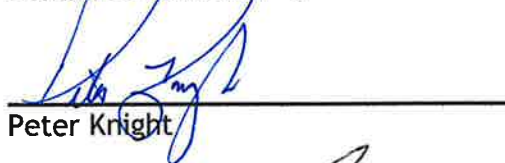
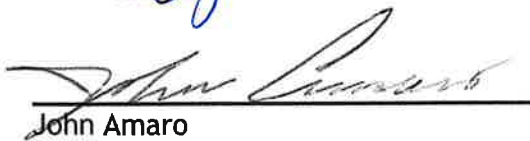
The meeting adjourned at 12:42 p.m.

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

RESOLUTION NO. 2022-07

**A RESOLUTION OF THE BOARD OF DIRECTORS OF GLENN-COLUSA
IRRIGATION DISTRICT RE-AUTHORIZING REMOTE TELECONFERENCE
MEETINGS IN ACCORDANCE WITH GOVERNMENT CODE SECTION 54953(e)**

WHEREAS, Glenn-Colusa Irrigation District (District) recognizes the importance of transparency and clear communication in government, and is committed to full compliance with the letter and spirit of the Ralph M. Brown Act (Gov. Code, §§ 54950 – 54963) (hereinafter “Brown Act”); and

WHEREAS, all meetings of the District’s Board of Directors are open and public, as required by the Brown Act, so that any member of the public may attend and participate; and

WHEREAS, the Brown Act, (Gov. Code, § 54953, subd. (e)), allows members of a legislative body to participate in meetings remotely, without compliance with the requirements of Government Code section 54953, subdivision (b)(3), if a state of emergency is proclaimed pursuant to Government Code section 8625 and state or local officials have imposed or recommended measures to promote social distancing, or meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, the District’s Board of Directors previously adopted Resolution 2022-02 on January 25, 0222 finding that the requisite conditions exist for the District to conduct remote teleconference meetings pursuant to Government Code section 54953(e); and

WHEREAS, pursuant to Government Code section 54953(e)(3), the District is required to reconsider the circumstances of the state of emergency every thirty days.

NOW, THEREFORE, BE IT RESOLVED by the Glenn-Colusa Irrigation District Board of Directors as follows:

1. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.
2. The Board of Directors has reconsidered the circumstances of the state of emergency.
3. The Board of Directors does hereby find that the State of Emergency proclaimed by Governor Gavin Newsom pursuant to Government Code section 8625 on March 4, 2020 remains in effect and emergency conditions continue to persist in the District.
4. The Board of Directors does hereby find that the continued increase of COVID-19 cases and hospitalizations in Glenn and Colusa Counties due to the Omicron variant poses an imminent risk to the health and safety those attending meetings of the District’s Board of Directors directly impacting the ability to meet safely in person.
5. The General Manager and staff are hereby authorized and directed to continue to take all actions necessary to carry out the intent and purpose of this Resolution including,

conducting open and public meetings in accordance with Government Code section 54953, subdivision (e), and other applicable provisions of the Brown Act.

6. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) March 19, 2022, or (ii) such time as the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953, subdivision (e)(3), to extend the time during which the Glenn-Colusa Irrigation District Board of Directors may continue to meet remotely without compliance with the requirements of Government Code section 54953, subdivision (b)(3).

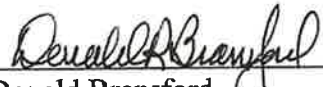
PASSED, APPROVED, AND ADOPTED at a regular meeting of the Board of Directors of Glenn-Colusa Irrigation District on February 17, 2022 by the following vote:

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

NOES:


ABSENT:

ABSTAIN:



Donald Bransford
President, Board of Directors
Glenn-Colusa Irrigation District

ATTEST:



Thaddeus Bettner
Secretary, Board of Directors
Glenn-Colusa Irrigation District

ATTACHMENT B

**GLENN-COLUSA IRRIGATION DISTRICT
RESOLUTION NO. 2022-08**

**RESOLUTION OF THE GLENN-COLUSA IRRIGATION DISTRICT BOARD OF
DIRECTORS APPROVING AN AMENDED PENSION PLAN**

WHEREAS, the Glenn-Colusa Irrigation District administers a pension plan for the benefit of certain employees; and

WHEREAS, the Glenn-Colusa Irrigation District desires to amend Section 34 Conditions for Distributions Upon Severance of Employment; distributions may be made as soon as administratively feasible following severance of employment of the pension plan.

NOW, THEREFORE, BE IT RESOLVED by the Glenn-Colusa Irrigation District Board of Directors that the form of the amended Plan and Trust effective January 1, 2022, presented to this meeting is hereby approved and adopted and that an authorized representative of the employer is hereby authorized and directed to execute and deliver to the Administrator of the Plan one or more counterparts of the Plan.

PASSED AND ADOPTED this seventeenth day of February 2022, by the following vote of the Board of Directors:

Ayes: Directors Bransford, Knight, Amaro, Dennis and Vann
Noes:
Abstain:
Absent:

* * *

I, Thaddeus L. Bettner, Secretary to the Board of Directors of Glenn-Colusa Irrigation District, hereby certify that the foregoing Resolution was introduced at a regular meeting of the Board of Directors of said District, held on the seventeenth day of February 2022, as was adopted at that meeting.

IN WITNESS WHEREOF, I have set my hand and the seal of the District this 17th day of February 2022.



Thaddeus Bettner, Secretary
Board of Directors
Glenn-Colusa Irrigation District

ATTACHMENT C

**GLENN-COLUSA IRRIGATION DISTRICT
RESOLUTION 2022-09**

AUTHORIZATION OF BANK SIGNATURES

RESOLVED that Glenn-Colusa Irrigation District has established in its name one or more deposit accounts with various financial institutions, and that Louis Jarvis, treasurer of this organization is hereby authorized to establish such accounts.

RESOLVED that the following persons are authorized to sign on corresponding accounts at the various financial institutions as authorized by properly executed signature agreements.

Louis Jarvis - Treasurer
Karen Alves - Assistant Treasurer
Thaddeus L. Bettner - Secretary
Kayla Mendonca - Assistant Secretary
Donald Bransford - President
Peter D. Knight - Vice President

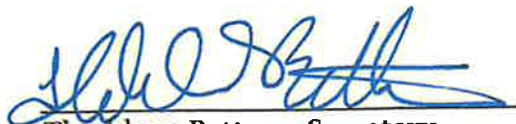
PASSED AND ADOPTED this seventeenth day of February 2022, by the following vote of the Board of Directors:

Ayes: Directors Bransford, Knight, Amaro, Dennis and Vann
Noes:
Abstain:
Absent:

* * *

I hereby certify that I am the Secretary of the Glenn-Colusa Irrigation District and that the foregoing resolution was duly adopted by the Board of Directors of said District at a meeting thereof duly held on the 17th day of February 2022, at which meeting a quorum of said Board of Directors was at all times present and acting.

IN WITNESS WHEREOF, I have set my hand and the seal of the District this 17th day of February, 2022.



Thaddeus Bettner, Secretary
Board of Directors
Glenn-Colusa Irrigation District