

**Minutes of Meeting
Held
March 3, 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 Bettner, General Manager
Louis Jarvis, Finance Director
Kayla Mendonca, Executive Assistant
Jered Shipley, Water Operations Superintendent
Jeremy Richardson, Acting Maintenance Superintendent
Zac Dickens, District Engineer
Holly Dawley, Water Resources Manager
Karen Alves, Administrative Services Manager
Ali Stevens, Somach Simmons & Dunn (via teleconference)

Others Present:

Larry Maben, Water User

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.

CONSENT AGENDA

Authorize Payment of Claims

Director Vann moved to approve the payment of claims # 22 10897 through #22 10959, in the amount of Seven Hundred Thirty Thousand, Nine Hundred Dollars and Twenty-Four Cents (\$730,900.24), the minutes of the February 17, 2022 Board meeting, and Resolution No. 2022-10 re-authorizing remote teleconference meetings in accordance with Government Code Section 54953(e). Director Amaro 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.

BUSINESS ITEMS

Review and Consider Acceptance of the Results of the Proposition 218 Ballot Proceeding Demonstrating a Majority Protest of the Proposed Benefit Assessment to Support the Sacramento River Settlement Contract, as detailed in the Ballot Certification Letter from MK Election Services

Finance Director Jarvis reported that on December 29, 2021, MK Election Services, LLC, mailed Proposition 218 ballots to District landowners. Ballots were to be returned to the United States Postal Service in a box designated just for the Proposition 218 election by February 17, 2022. On February 17, 2022, the District held a Public Hearing on the Proposed Benefit Assessment to support the Sacramento River Settlement Contract (Proposition 218). During the hearing the ballots were picked up by Edmundo Zaragoza from MK Elections and Mary Spooner Danley, employee of Glenn-Colusa Irrigation District. Ballots were processed and after the close of the Public Hearing, the results were presented to the District Board of Directors.

480 ballots were processed, and the results were as follows:

No votes - \$1,581,199.12 - 58.94%

Yes votes - \$1, 101,434.21 - 41.06%

The Proposed Benefit Assessment did not pass. MK Election Services, LLC, has provided a true and correct accounting of the results as detailed in the Ballot Certification Letter.

Director Dennis moved to accept the results of the Sacramento River Settlement Contract (Proposition 218) ballot results. Director Knight seconded the motion and it was unanimously approved by the following vote:

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

Review and Discuss Critical Infrastructure List, Funding/Reserves Allocations, 2022 Proposed Projects and Other Infrastructure Needs

Finance Director Jarvis provided a spreadsheet reflecting anticipated capital expenses for Fiscal Years 2022 through 2030. He explained that in past years, the District has spent approximately \$1 million per year on capital expenses. The spreadsheet he provided takes into consideration all planned capital improvements through 2030 which will cost approximately \$3 million per year, nearly exhausting the \$36 million currently in the District's Reserves Fund. The Board also expressed the need to develop a Gradient Facility Reserve to place funds from the settlement for the project.

Discussion took place regarding potential sources of funding for infrastructure improvements. The Board also discussed ideas for conserving water including recapture site improvements.

ADMINISTRATION

Maintenance

Acting Maintenance Superintendent Richardson provided a report on current Maintenance Department activities including the 25-1 long-crested weir gunite application, completion of the Main Canal sediment removal, installation of 64-1a gate 3, Spooner Check gate repairs, County culvert update regarding the 47-1 crossing project, and coordination with Glenn County for upcoming replacements.

Water

Water Operations Superintendent Shipley reported that the District continues to charge the Main Canal where possible. He reported that approximately 19,500 acres have applied for early water including most permanent crops in the District. He reported that the Water, Engineering and Maintenance departments are continuing to collaborate to complete the main canal infrastructure repairs. The Water Operations Department continues to work on Scenario Planning, hold Water Operator meetings, and prepare for the challenging year ahead. The District intends to hold meetings in each Water Operator area and the corresponding water users to strategize and set expectations for the upcoming water season. He also reported that there will be a Water Users Work Group today at 1:30 p.m. He shared a PowerPoint presentation from MBK Engineers on hydrological conditions.

Engineering

District Engineer Dickens reported that the Engineering Department has been working to assist with the completion of the 47-1 County culvert crossing. There are also three additional culvert replacements slated for repair which are covered under special conditions and the District is planning to meet with Public Works to discuss the proposal for bringing those project plans to completion. The Engineering Department is also reinitiating Abel Check and Lurline Check design Coordination.

Water Resources

Water Resources Manager Dawley reported on details for the Gradient Facility and the Pump Station Electrical Room activities. An Ad Hoc Committee to deal with these issues was formed including Board Members Don Bransford and Pete Knight. She reported that Jacobs Engineering submitted the 60% design for the Electrical Room and District staff has a meeting with them on Friday, March 4. She said there is a draft winter water license package from MBK Engineers for Gradient Facility repair efforts. She also provided an update on restoration project activities.

INFORMATION REPORTS

Meeting Reports

Director Amaro reported on the Press Release regarding the lawsuit filed by AquAlliance suing the Butte, Colusa and Vina Subbasins. Glenn County put together an Ad Hoc committee to review the well drilling permits and concerns surrounding them. Director Amaro suggested that folks visit the Glenn County website to review the permits and provide suggestions for issues to address at the Ad Hoc committee meetings. The Glenn County well permit moratorium needs to be renewed in June. These ordinances would affect the District's ability to successfully utilize a groundwater program.

Director Vann attended the Northern California Water Association (NCWA) Board meeting. Director Bransford mentioned that the NCWA Annual meeting will be held virtually beginning Friday, March 4, and the Will S. Green award is being presented to Stuart Somach who many staff know very well, and agree his contributions and efforts in the water community make him very deserving of this award.

Manager's Report

None.

Attorney's Report

None.

Other Business

None.

Closed Session

The Board adjourned to Closed Session at 10:27 a.m. to discuss Conference with Legal Counsel - Anticipated Litigation, Existing Litigation, Public Employee Performance Evaluations and Real Property Negotiations.

- A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Initiation of Litigation pursuant to paragraph (4) of Subdivision (d) of Gov. Code sec. 54956.9: One Potential Case
- 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. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Government Code Section 54957)
Title: Management/Supervisory Employees
- D. 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 11:31 a.m.

President Bransford reported that the Board met in Closed Session, pursuant to paragraph (4) of Subdivision (d) of Gov. Code sec. 54956.9, during which the Board heard updates on *Anticipated Litigation*, and took action directing Counsel to initiate litigation.


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 on *Existing Litigation*, and took no action.

President Bransford reported that the Board met in Closed Session, pursuant to Subdivision (d) of Gov. Code sec. 54957, during which the Board heard updates and provided direction to staff.

President Bransford reported that the Board met in Closed Session, pursuant to Gov. Code sec. 54956.8, during which there was no update.

The meeting adjourned at 11:32 a.m.

Respectfully Submitted,

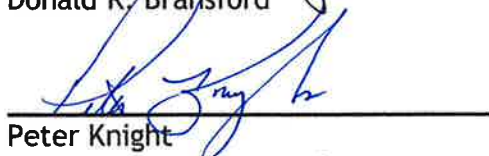


Thaddeus L. Bettner
Secretary

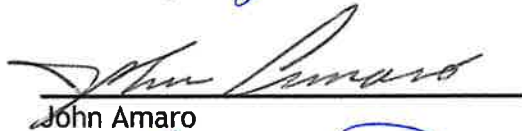
Attest a true record of proceedings made and taken at the above foregoing meeting our consent thereto and our presence thereat.



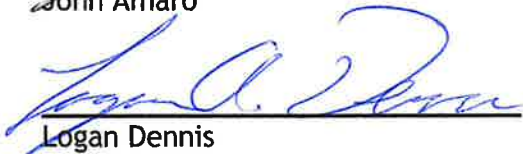
Donald R. Bransford



Peter Knight



John Amaro



Logan Dennis



Blake Vann

ATTACHMENT A

RESOLUTION NO. 2022-10

**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, 2022 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) April 2, 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 March 3, 2022 by the following vote:

AYES: Director 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