

**Minutes of Meeting  
Held  
February 2, 2023**

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  
Greg Krzys, Assistant General Manager  
Louis Jarvis, Finance Director (via teleconference)  
Kayla Mendonca, Executive Assistant  
Jeremy Richardson, Maintenance Superintendent  
Karen Alves, Administrative Services Manager  
Zac Dickens, District Engineer  
Jake Hancock, Acting Water Operations Superintendent  
Sam Rivera, Water Operations Supervisor  
Jose Velasquez, Water Operations Supervisor  
Andy Hitchings, Somach Simmons & Dunn (via teleconference)  
Ali Stevens, Somach Simmons & Dunn (via teleconference)

**Others Present:**

Janet Zimmerman, CV Strategies (via teleconference)  
Tim Sanchez, Water User  
Todd Bishop  
Don Wright

**Public Participation**

Water User Tim Sanchez thanked GCID staff for the on-site visit yesterday in an effort to assist with the coordination of an ongoing project. He and District staff will continue to work together on this project to gather necessary information to keep the project moving forward.

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.)

Board members asked President Bransford if he would be interested in remaining Board President for another year. President Bransford explained that the remaining Board members have become more involved in the various groups and activities related to the District over the past year but even greater involvement is necessary. If he were to remain President, he

would like to continue to transfer knowledge and responsibilities as he has over the past year and would like to see a second Board member attend the meetings and participate in the various groups/committees alongside him and spread the responsibility among the group of Board members. President Bransford asked for this item to be tabled to allow him time to consider the nomination to continue as Board President for another year.

## **CONSENT AGENDA**

### Authorize Payment of Claims

Director Knight moved to approve the payment of claims #23 12528 through #23 12624, in the amount of Three Million, Ninety-Two Thousand, Two Hundred Thirty-Four Dollars and Thirty-Five Cents (\$3,092,234.35) and approve the January 11, 2023, Board meeting minutes.

Director Amaro seconded the motion, and it was unanimously approved by the following vote:

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

## **BUSINESS ITEMS**

### Review and Consider Extending the Private Lateral Landowner Petition Process

General Manager Bettner reported that, on May 2, 2019, the Board approved Resolution No. 2019-04 approving District lateral categories and related actions under District Operations and Maintenance Policy which provided a deadline for the petition process for December 31, 2020. Due to several factors, largely the onset of the pandemic and its many restrictions, staff and landowners were not able to meet to complete the petition process.

At the December 8, 2020, Board meeting, the Board agreed to extend the deadline through June 30, 2021. With the pandemic still looming and the District navigating its second consecutive critical water year, staff were not able to dedicate the time necessary to complete the process in the given time frame. When the June 30, 2021, deadline lapsed, the District chose to postpone the process as it entered its third consecutive and most challenging critical water year (2022).

District staff would like to re-initiate the process and set a new deadline for December 29, 2023. Any petitions that remain unexecuted will remain private laterals and the District will not be responsible for the operations and/or maintenance of those laterals.

Director Dennis moved to approve the extension of the private lateral landowner petition process to December 29, 2023. Director Amaro seconded the motion and it was unanimously approved by the following vote:

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

### Discuss and Consider Draft Cooperative Agreement Between Glenn-Colusa Irrigation District, Tehama-Colusa Canal Authority and the Sites Authority Regarding Use of Partner Facilities for the Sites Reservoir

General Manager Bettner reported that the operation of the Sites Reservoir Project will significantly rely on the utilization of existing conveyance facilities that are owned and/or operated by Glenn-Colusa Irrigation District (GCID) and Tehama-Colusa Canal Authority (TCCA) ("Facility Partners") to divert water from the Sacramento River for storage into the reservoir and for release. These facilities are collectively referred to in the Sites Cooperative Agreement (Agreement) as "Partner Facilities".

The Agreement reimburse the District for all planning costs for the use of the District's facilities. The parties will enter into separate agreements establishing the cost share, operations and maintenance responsibilities, operational rules and requirements, level of service, conveyance costs and other key terms and parameters for the use of each of the Partner Facilities by the Sites Reservoir Project and separate agreements defining cost share, roles and responsibilities, and other key terms related to the permitting, design and construction of improvements to each of the Partner Facilities which will be relied upon by the Sites Authority. District staff and Counsel have reviewed the document and recommend that the Board approve the Agreement and authorize the General Manager to sign.

Director Amaro moved to approve the draft cooperative agreement between Glenn-Colusa Irrigation District, Tehama-Colusa Canal Authority and the Sites Authority regarding use of partner facilities for the Sites Reservoir, and authorize the General Manager to execute the agreement upon final approval by the General Manager and GCID Legal Counsel. Director Vann seconded the motion and it was unanimously approved by the following vote:

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

Review and Consider Damages Claim from Ricky Hanes

Finance Director Louis Jarvis explained that on January 10, 2023, the District received a claim for damages from Mr. Ricky Hanes stating that District staff either threw an object out of their vehicle's window or the District vehicle kicked up debris from the road, resulting in damage to his windshield. Staff operating the subject District vehicle stated that they did not throw anything out of the window and they were not carrying an unsecured load. The District has no liability for damage caused by road debris kicked up by a District vehicle's tire.

The claimant is seeking damages sufficient to repair the windshield and has provided a quote for repair in the amount of \$790.

Director Dennis moved to deny the claim from Mr. Haines and direct staff to send a notice to Mr. Haines informing him of such action. Director Knight seconded the motion and it was unanimously approved by the following vote:

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

Discuss and Consider Approval of Resolution No. 2023-01 Delegating Authority to the General Manager to Consider, Allow, Reject, or Compromise Claims under the California Government Claims Act, pursuant to Government Code Section 935.4 and Consider Approval of Revised Claims Administration Policy Reflecting such Authority

Currently, all damage claims submitted to the District are presented to the Board for consideration. Some claims submitted to the District may be most efficiently considered by staff without the need to present to the Board for consideration. However, no authority to consider or act on claims has been delegated by the Board to staff.

Approval of Resolution No. 2023-01 will delegate authority to the General Manager to consider and act on claims submitted to the District to meet all the following criteria: involve only property damage; do not exceed \$5,000; or are capable of settlement within 6 months or less.

Government Code Section 935.4 requires that the delegation of such authority be provided for by resolution. Additionally, it is requested that revisions to the District Claims Administration Policy be approved that reflect the delegated authority provided for in Resolution No. 2023-01.

The District maintains liability coverage through the Association of California Water Agencies-Joint Powers Insurance Authority (ACWA-JPIA). Delegation of authority to settle claims as provided for in Resolutions No. 2023-01 is consistent with the requirements of the District's Memorandum of Liability Coverage with ACWA-JPIA.

Director Amaro moved to approved Resolution No. 2023-01 delegating authority to the General Manager to consider, allow, reject, or compromise claims under the California Government Claims Act, pursuant to Government Code Section 935.4 and approve the revised Claims Administration Policy reflecting such authority. 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.

#### Report Back on Internal Control Evaluation

Finance Director Jarvis reported that on January 7, 2021, staff made a presentation to the Board on the District's system of internal controls related to financial management and fraud prevention and recommended that an annual internal control evaluation process be developed. Since then, staff has adopted an internal control evaluation checklist for District use. Annually, District management will respond to each item on the checklist and record any comments they have. Those completing the checklist will then meet to discuss their responses with the intention of ensuring they have a common understanding of the District's practices and controls in place for each item and if any corrective actions are warranted.

The General Manager, Finance Director, and Administrative Services Manager completed and discussed the checklist in January of 2023 and determined that no corrective actions are necessary at this time. This process will be conducted annually.

#### Discuss and Consider Re-Organization of Committee Appointments

This item was tabled.

### **ADMINISTRATION**

#### Maintenance

Maintenance Superintendent Richardson reported that the Maintenance Department has performed flood patrol and debris removal during storms, removed two large trees from Funks Creek, performed check replacements at Lateral 36-2 and 41-2, gate inspections and replacements, lateral headgate remote tracker improvements, and received Langemann gates. Maintenance Superintendent Richardson also met with contractors for quotes to remove the old Tuttle Check structure.

#### Water Operations

Acting Water Operations Superintendent Hancock and Assistant General Manager Krzys reported that Shasta storage is currently 2.517 million acre-feet and Keswick releases are

3,402 cubic feet per second. The District is also scheduling Water Operator area meetings for March to help plan and set expectations for the upcoming season.

#### Engineering

District Engineer Dickens reported that the Abel Check structure replacement project is on schedule. They have received shipment of all Aqua Systems 200 inc. gates, installed the steel walkway, assembled and installed the check structure control gates, installed the Lateral 48-1 head gate and turnout, and backfilled most of the site.

He also reported that the Engineering department has been assisting with the efforts to prepare for the implementation of flow measurement by researching various devices, alternatives and quantities for the upcoming water season. They have also been assisting with gate verification in all areas in coordination with Water Operators.

### **INFORMATION REPORTS**

#### Meeting Reports

Director Amaro reported that he attended the Glenn Groundwater Authority (GGA) meeting. He shared that the GGA performed its first application of water on its first groundwater recharge project site. He also reported that they are working with a consultant on the 218 process.

Director Vann reported that he attended the Colusa Groundwater Authority meeting. He said that former Board Chair Denise Carter has retired and Darrin Williams was selected as the new Chairman.

He also reported that he was newly appointed to the Northern California Water Association Executive Committee.

Director Dennis reported that he attended a Sites meeting where they reviewed a potential 8 year construction time table.

President Bransford reported that he, Director Knight, General Manager Thad Bettner and several other Settlement Contractor General Managers and Legal Counsel took a trip to Washington D.C. where they participated in several meetings including the Bureau of Reclamation and the National Marine Fisheries Service.

#### Manager's Report

None.

#### Communications Report

Janet Zimmerman from CV Strategies reported on the tasks they accomplished for the District throughout the month of January including writing and submitting the Will S. Green nomination, finalizing recruitment brochures for the Assistant Engineer, Engineering Technician, Engineering Intern and Water Operations Superintendent, designed and ordered banners, promotional items, collateral and tablecloths for the Cal Poly Ag Showcase and Colusa Farm Show, addressed website issues and monitored social media among other activities.

#### Attorney's Report

None.

Other Business

None.

Closed Session

The Board adjourned to Closed Session at 10:25 a.m. to discuss Conference with Legal Counsel - Anticipated Litigation and Existing Litigation:

- A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION  
Potential Initiation of Litigation pursuant to paragraph (4) 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-JLT-EPG);
  - ii. *CNRA v. Raimondo* (USDC E.D. Cal. Case No. 1:20-cv-00426-JLT-EPG) [2019 BiOps Lawsuits];

The Board reconvened to open session at 11:21 a.m.

President Bransford reported that the Board met in Closed Session, paragraph (4) 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 (Government Code Section 54956.9), during which the Board heard an update on *Existing Litigation* and took no action.


The meeting adjourned at 11:22 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



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John Amaro



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Logan Dennis



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Blake Vann

## ATTACHMENT A



**GLENN-COLUSA IRRIGATION DISTRICT  
RESOLUTION 2023-01**

**DELEGATING AUTHORITY TO THE GENERAL MANAGER TO CONSIDER, ALLOW, REJECT OR  
COMPROMISE CLAIMS UNDER THE CALIFORNIA GOVERNMENT CLAIMS ACT, PURSUANT TO  
GOVERNMENT CODE SECTION 935.4**

**WHEREAS**, California Government Claims Act (Cal. Gov. Code §§ 810 et seq.) requires most claims for money or damages against Glenn-Colusa Irrigation District (GCID or District), its officers, and employees to be presented to the GCID Board of Directors within a specified period of time before a claimant is permitted to file a lawsuit in court; and

**WHEREAS**, it is the obligation of the District's Board of Directors to consider and act on claims that are presented in accordance with the requirements of the Government Claims Act by allowing, rejecting, compromising or settling such claims within 45 days after a claim is presented; and

**WHEREAS**, pursuant to Government Code section 935.4 the GCID Board of Directors may by resolution delegate its authority to consider and act on claims presented to the District to an employee of the District; and

**WHEREAS**, the GCID Board of Directors finds that certain claims can be more quickly and efficiently processed by delegating authority to the General Manager to consider, allow, reject, compromise or settle such claims.

**NOW, THEREFORE, BE IT RESOLVED** by the GCID Board of Directors that:

1. The GCID General Manager is hereby delegated authority to consider, allow, reject, compromise or settle the claims presented to the District meeting all of the following criteria:

- a. Claims involving only property damage;
- b. Claims that do not exceed \$5,000.00; and
- c. Claims capable of settlement within 6 months or less.

**PASSED AND ADOPTED** this second day of February 2023, by the following vote of the GCID Board of Directors:

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

\* \* \*

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 2nd day of February 2023, 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 2nd day of February, 2023.



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