

**Minutes of Meeting
Held
April 4, 2024**

President Amaro called the meeting of the Glenn-Colusa Irrigation District Board of Directors to order at 9:01 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:

John Amaro, President, Division 2
Peter Knight, Director, Division 1
Donald R. Bransford, Director, Division 4
Blake Vann, Director, Division 5

Absent:

Logan Dennis, Vice-President, Division 3

Staff Present:

Greg Krzys, Interim General Manager
Kayla Mendonca, Executive Assistant
Louis Jarvis, Finance Director
Karen Alves, Administrative Services Manager
Jeremy Richardson, Maintenance Superintendent
Ed Henderson, Water Operations Superintendent
Jake Hancock, Assistant Water Operations Superintendent
Chris Privitera, Associate Engineer
Andy Hitchings, Somach Simmons & Dunn
Shasta Banchio, Assistant Engineer (via teleconference)

Others Present:

Jeff Sutton, TCCA (via teleconference)
Matt LaGrande, Water User
Rob Shadley, Water User
Sid LaGrande, Water User
Mike Lux, Water User
John Cecil, Water User
Kelly Ornbaun, Water User
Tim Sanchez, Water User
Dustin Cain, Water User

Public Participation

Water User Kelly Ornbaun addressed the Board to follow up on the discussion he brought to the Board during the March 21, 2024 Board meeting. At the March 21, 2024, Board meeting, he and his wife Johnna Ornbaun asked the Board if staff could write a letter suggesting an easement agreement be put in place to resolve potential delivery issues that could arise due to the recent division of lands following a settlement agreement. At that time, District Counsel had suggested that Mr. and Mrs. Ornbaun submit a letter informing staff of the division of lands (as required in the District's Rules and Regulations), and staff could then reply to all landowners affected by the division. Mr. Ornbaun asked if there had been progress made on the letter by staff. GCID staff asked for clarification from the Board and District

Counsel as to what the District could suggest. Counsel Hitchings reported that the District cannot require that an easement agreement be put into place, and Mr. Ornbaun expressed that he was hoping for a firm letter from the District with a direction of action. Counsel Hitchings suggested that the District cite the applicable Rules and Regulations and explain that an easement agreement would make operations and maintenance much easier.

Water User Matt LaGrande addressed the Board regarding a letter he received about taking unauthorized water, tampering with District facilities, and a fee to be paid. He explained that his irrigator unbolted and removed the gate to take water to fill a water truck for tomato transplants. He said he has taken water from the canal to fill water trucks in the past for the same reason with no issues. The current rules and regulations do not address this particular issue, but per Board direction at the March 21 Board meeting, staff took the necessary steps to address the many issues that occurred with this incident. The major issues include tampering with District facilities and the taking of District water without a water application, payment, or notice to the area Water Operator. After Mr. LaGrande explained why he was taking water and that he did not want to pay the fee, the Board expressed understanding of the reason but did not fully address whether Mr. LaGrande should still pay the fee of \$357. This fee is a combination of early water rates plus a fine for tampering with facilities.

Water User Sid LaGrande addressed the Board expressing that he feels staff, water operators and water users used to all work well together but does not feel that is happening any more. He also expressed concerns about moving Water Operators to new areas when they were doing well in their current areas. He also followed up on a comment he made at a previous meeting about the District applying for grants. Director Vann replied that the Engineering department is exploring grants.

President Amaro responded to Matt LaGrande saying that the Board is not enforcing enough and sometimes enforcing too much. He said new employees are going by the rules and they don't understand yet what goes on with tomatoes. He said the Board needs to discuss and decide what to do for these types of situations. He thinks better communication is necessary as well. Director Vann added that if there are policies that haven't been enforced that are now going to be enforced, we should communicate that. He also said there may be a need to review the policies to see if older policies possibly don't make sense anymore. Director Knight added that when staff told the Board someone was tampering with a gate and taking water, they assumed someone was irrigating a field without applying. If they had understood the whole situation, they would have directed staff to handle this differently. He also added that he doesn't think Mr. LaGrande should need to pay the fee for taking water for tomatoes. Director Knight added that it is the Board's fault for putting this back on staff and would have handled it differently know the full situation and who it was. Director Bransford agreed with Director Knight. Director Bransford asked Mr. LaGrande how he lets District staff know he is taking water for tomatoes like in this situation and Mr. LaGrande said he doesn't let staff know. President Amaro added that he thinks the Board needs to set some parameters or fines for situations like this.

Water User Dustin Cain addressed the Board regarding interest in participating in the District's In-Basin Transfer Program. Administrative Services Manager Karen Alves asked that he attend a future Board meeting so that staff can provide information to the Board for consideration.

CONSENT AGENDA

Authorize Payment of Claims

Director Bransford moved to approve the payment of claims #24 14237 through #24 14279, in the amount of Two Hundred Twenty-Five Thousand, Six Hundred Eighty-Seven Dollars and Fifty-Four Cents (\$225,687.54), and approve the March 21, 2024, meeting minutes. Director Vann seconded the motion, and it was unanimously approved by the following vote:

Ayes: Directors Amaro, Bransford, Knight and Vann

Absent: Director Dennis

BUSINESS ITEMS

Consider and Discuss Approval of General Manager Employment Agreement

Director Bransford asked if there is a clean version of the final General Manager Employment Agreement. Counsel Hitchings reported that the final version was reviewed with the candidate and that the candidate was prepared to execute it.

President Amaro moved to approve the General Manager Employment Agreement (Agreement). Director Vann seconded the motion.

The topic was opened for discussion. Director Bransford reported that he is not voting in favor of the Agreement. He read aloud the following statement and asked that it be included in the official minutes: "I am voting no on the General Manager Employment contract for a number of reasons. I believe the compensation is too high, the terms of the contract are all in favor of the new GM and do not adequately protect the district should a contract dispute arise. I doubt any Board member would write such a contract for a new employee who made such demands if it was his own business. As a Board member representing the landowners of the district I feel we have a fiduciary responsibility to carefully manage the resources of our district and do not believe it is in its best interest to approve this contract".

Director Knight said that he is not in favor of all of the terms but understands the need to fill this position and start moving forward again.

The General Manager Employment Agreement was approved by the following vote:

Ayes: Directors Amaro, Vann and Knight

Noes: Director Bransford

Absent: Director Dennis

Director Bransford's official statement is attached to the minutes as Attachment A.

Review and Consider Approval of the Revised Injury and Illness Prevention Program (IIPP)

Administrative Services Manager Alves reported that the District greatly values the safety and health of all its employees and is committed to providing a safe and healthy workplace. The District's Injury and Illness Prevention Program (IIPP) was approved in June 2007 and has not been revised since. The District's IIPP must meet the Cal/OSHA Injury and Illness Prevention Program regulations per California Code of Regulations, Title 8, Section 3203.

The IIPP is required to include nine elements which are all included in the District's IIPP. Revisions to the District's IIPP are presented because the positions and employees referenced in the current document need to be updated, and Senate Bill 533 requires that, effective July 1, 2024, certain California employers, including the District, implement a Workplace Violence Prevention Plan (WVPP). The WVPP has been added as a component of the IIPP and must include procedures to identify, evaluate, and correct workplace violence hazards; procedures for an employer to respond to reports of workplace violence and prohibit retaliation against employees who make such a report; procedures to respond to actual or potential workplace violence emergencies; the recording of certain information in a "Violence Incident Log"; and that employees are provided with training on such procedures.

Legal Counsel has reviewed the revised IIPP, including the WVPP, to ensure that the IIPP meets the requirements provided for by state law and regulation.

Director Knight moved to approve the revised Injury and Illness Prevention Program. Director Bransford seconded the motion and it was unanimously approved by the following vote:

Ayes: Directors Amaro, Bransford, Knight and Vann

Absent: Director Dennis

ADMINISTRATION

Department Reports

Maintenance

Maintenance Superintendent Richardson reported that the Maintenance Department has been working on the replacement and backfill of the Lateral 32-2a check structure, installing tail boxes on Main Canal and lateral deliveries, working to replace 21-4-2R in cooperation with Glenn County Public Works, mowing and spraying on the Main Canal and laterals, and completing flood damage repairs. He also reported that he participated in interviewing the Maintenance Worker 1 and Maintenance Worker 1/Low Bed Operator candidates.

Director Bransford asked if the District would be able to test the canal system short-term (approximately 1 week) for Sites project capacity in the winter. Interim General Manager Greg Krzys reported that he has participated in ongoing conversations with Sites. There has been discussion about engaging an outside engineering firm to help assess capacity and infrastructure capabilities. As of now, the current pumps at the GCID Pump Station cannot handle the negative pressure causing the pumps to cavitate. The system also would not be able to handle gravity flows due to the lack of head differential. Jeff Sutton commented on the topic via teleconference explaining that a butterfly valve was incorporated into the construction of the Tehama-Colusa Canal pumping facilities and might be something to explore for the GCID Pump Station at the cost of Sites. Staff would need to determine if retrofitting something like that is a possibility with the current configuration. He also added that the potential winter capacity trial run should also come at a cost to Sites, along with the wheeling charge including a sediment remediation factor, and include the cost of hiring outside contractors to assist with the reduced winter maintenance window.

Water

Water Operations Superintendent Henderson reported that the Water Department will be gathering for the 2024 Water Season Kickoff meeting. The Water Department staff have switched to their 8 days on and 6 days off schedule with their overlap day remaining on

Wednesdays. The Main Canal is currently at 230 cubic feet per second (cfs) gravity flow and staff are gearing up for the initial flood up. Pump #10 has been reinstalled at the Pump Station after undergoing repairs and maintenance.

Engineering

Associate Engineer Chris Privitera reported that the Engineering Department has been assisting with the Lateral 32-2a flume efforts, has continued GIS training through Chico State, is actively working on mapping updates, selected 2 interns to join the Engineering Department through the summer, and has been surveying in preparation for next year.

INFORMATION REPORTS

Board Member Report

President Bransford reported that he has been invited to a Salmon meeting at Lundberg Farms funded by the Jubilee Foundation. It will be a full-day event including dinner and will include a variety of groups such as tribes, Non-Governmental Organizations, and regulators.

Manager's Report

Interim General Manager Greg Krzys provided an update on the 60% design for the Gradient Facility. The updated estimated cost of the project is \$21-\$29 million using fully contracted work. GCID staff may be able to do a portion of the work to help bring that cost down. The project cost includes sheet pile work, the filling of the scour hole, the construction of spur dikes, and additional mid-channel bar work.

He also reported that as part of the Employee Development efforts, they will be implementing cross training of Willows and Williams Maintenance Supervisors so that each are experts in all areas of the District.

Communications Report

Executive Assistant Kayla Mendonca reported that she will be working with CV Strategies to put together a Press Release, newsletter and social media content to announce the selection of the District's new General Manager.

Attorney's Report

None.

Other Business

President Amaro mentioned that there is an invoice from California Farm Water Coalition and an invoice from Family Farm Alliance for consideration at the next Board meeting.

Director Bransford took a moment to thank Interim General Manager Greg Krzys for all of his efforts in the role as Interim General Manager and recognized his outstanding work with employees.

Closed Session

The Board adjourned to Closed Session at 9:54 a.m. to discuss Conference with Legal Counsel - Anticipated Litigation, Existing Litigation, and Conference with Labor Negotiators.

A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Potential 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-JLT-EPG);
- ii. *CNRA v. Raimondo* (USDC E.D. Cal. Case No. 1:20-cv-00426-JLT-EPG) [2019 BiOps Lawsuits]

C. CONFERENCE WITH LABOR NEGOTIATORS

(Government Code Section 54957.6)

Agency Representatives: John Amaro, Pete Knight, Bob Murray & Associates

Unrepresented Employee: General Manager

The Board reconvened to open session at 11:09 a.m.

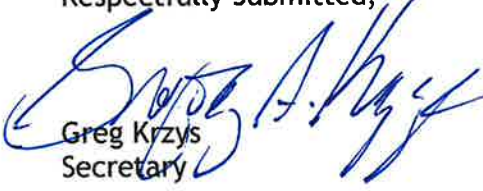
President Amaro reported that the Board met in Closed Session, pursuant to paragraph (4) of Subdivision (d) of Gov. Code sec. 54956.9, during which the Board heard an update on *Anticipated Litigation*, and took no action.

President Amaro 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 an update on Existing Litigation and took no action.

President Amaro reported that there was no discussion as to closed session item C.

The meeting adjourned at 11:10 a.m.

Respectfully Submitted,



Greg Krzys
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

Absent

Logan Dennis



Blake Vann

ATTACHMENT A

Statement from Director Bransford - April 4, 2024 Board Meeting
Item No. 9- General Manager Agreement

I am voting no on the General Manager Employment contract for a number of reasons. I believe the compensation is too high, the terms of the contract are all in favor of the new GM and do not adequately protect the district should a contract dispute arise. I doubt any Board member would write such a contract for a new employee who made such demands if it was his own business. As a Board member representing the land owners of the district I feel we have a fiduciary responsibility to carefully manage the resources of our district and do not believe it is in its best interest to approve this contract.