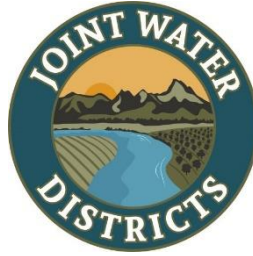


DIRECTORS:

*Charlie Etcheverry
Dominic Nevis
Walt Meyer
Carl Yank*



*Donnie Stinnett
Manager*

*735 Virginia Street
Gridley, California 95948*

Phone 530-846-3307

**MINUTES OF THE REGULAR BOARD MEETING OF THE
BOARD OF DIRECTORS OF THE JOINT WATER DISTRICTS
JANUARY 10, 2023 AT 10:00 A.M.**

THE JOINT WATER DISTRICT BOARD OF DIRECTORS MET IN REGULAR SESSION AT BUTTE WATER DISTRICT'S BOARDROOM, LOCATED AT 735 VIRGINIA STREET, GRIDLEY.

The meeting was called to order at 10:01 by Director Meyer with the following Directors present: Walt Meyer, Dominic Nevis, Carl Yank and Charlie Etcheverry. Managers present: Donnie Stinnett, Danny Robinson, Lynn Phillips, Mark Orme and Sean Earley. Guest(s) present: Dustin Cooper of Minasian Law Firm.

APPROVAL OF AGENDA:

Director Nevis moved to approve the agenda as submitted. The motion was seconded by Director Yank and passed unanimously.

PUBLIC COMMENT:

No Public Comment

CONFERENCE WITH LEGAL COUNSEL (CLOSED SESSION) – EXISTING LITIGATION, Bay Delta Proceedings including the proposed California Water Fix, the accompanying petition to change points of diversion, and amendments to the Bay-Delta Water Quality Control Plan. Government Code section 54956.9, subdivision (a).

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Government Code § 54656.9(d)(1).) AquAlliance et al. v. Biggs-West Gridley Water District et al. Butte Co. Superior Court, Case No. 22CV00347.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS – Each District Manager and its General Counsel of record regarding the terms and conditions of a potential 2023 water transfer with potential downstream buyers, including members of the State Water Project Contractors and Central Valley Project Contractors. *Government Code section 54956.8*

The Board moved into closed session at 10:02 a.m.

The Board returned to open session at 11:56 a.m.

ANNOUNCEMENTS FROM CLOSED SESSION

Upon reconvening into open session Director Meyer noted no action was taken but direction was given to legal counsel.

NEW BUSINESS:

- A. Nomination and Election of JWDB President** – Director Yank motioned to elect Director Meyer JWDB President for 2023. The motion was seconded by Director Nevis. The motion passed unanimously.
- B. Nomination and Election of JWDB Vice President** – Director Yank motioned to elect Director Etcheverry JWDB Vice President for 2023. The motion was seconded by Director Nevis. The motion passed unanimously.
- C. 2022-2023 Water Season** –
 - a. Approve 2022 Allocated and Non-Allocated Water year deliveries as submitted in the annual 2022 Hydrology Report** – Manager Stinnett submitted the 2022 Hydrology Report for review. Manager Phillips asked how acreages were being reported for rice. Discussion was held on how the acreage numbers were used in a cut year. Director Yank motioned to approve the 2022 Hydrology Report as submitted. Director Nevis seconded the motion. The motion was passed unanimously and direction was given to Manager Stinnett to submit and file the final report.
 - b. Update on Final Water Use for the 2022 Non-Allotted Water Season** – Manager Stinnett updated the Board on the final water use for Non-Allotted Water Season. It should be noted that the Joint Districts utilized 72,930 acre-feet during the Non-Allotted Water Season for rice decomposition, habitat and multi-beneficial use.
 - c. Update on Lake Oroville Operations** – An update was given on current Lake Oroville operations.
 - d. Updated on 2023 Allotted Water Season** – An update was given on the upcoming 2023 Allotted Water Season.
 - e. Update on 2023 Joint Work Maintenance** – Manager Stinnett noted that work projects for the upcoming year have been submitted to each manager. Manager Stinnett and the other managers will meet and look at the upcoming projects once the weather permits.
 - f. Update on Liability Percentage Adjustments for the A Joint and the Biggs Extension for the Conclusion of the 2022 Water Year** – Per the new liability amendment enacted on earlier this year, Manager Stinnett submitted a report showing total water distributed by each district through the A Joint and the Biggs Extension. It should be noted that parameters of the percentage threshold were not met to initiate a change in the liability share of these two locations nor did any director initiate a request for change.

- D. Budget Set Aside Resolution 2023-01 – Financial Assurance Mechanism for Vance Avenue Pit #1** – Manager Stinnett submitted Resolution 2023-01 for review and updated the board on the financial assurance mechanism for Vance Avenue Pit #1. Director Nevis motioned to adopt Resolution 2023-1 approving set-aside in the 2023 budget for the Vance Avenue Pit #1 mine in the amount of \$50,279.00. The motion was seconded by Director Yank and the motion passed unanimously.
- E. Budget Set Aside Resolution 2023-02 – Financial Assurance Mechanism for Vance Avenue Pit #2** – Manager Stinnett submitted Resolution 2023-02 for review and updated the board on the financial assurance mechanism for Vance Avenue Pit #2. Director Etcheverry motioned to adopt Resolution 2023-2 approving set-aside in the 2023 budget for the Vance Avenue Pit #2 mine in the amount of \$5,260.00. The motion was seconded by Director Yank and the motion passed unanimously.
- F. SGMA Groundwater Management** – Manager Earley gave an update on the current SGMA proceedings in the Butte Subbasin.
- G. Employee Sharing Agreement between Butte Water District and the Joint Water Districts Board** – Manager Stinnett informed the Board that he will be assuming, over the course of the next year, more responsibilities to learn and perform the role as the next General Manager for Butte Water District. Manager Orme, at the end of the year, will be transitioning out of that role as Manager Stinnett will be transitioning in. Both Butte Water District and Manager Stinnett expressed flexibility as to the specific timing of the transition and vacancy in the joint manager position and no official date has been set for the transition. Attorney Cooper suggested agendaizing this item at this regularly scheduled board meeting to advise the board of this development and invite question and discussion, including when and how to fill the eventual vacancy in the joint manager position. The board directed Manager Stinnett and Attorney Cooper to work on an updated Employee Sharing Agreement to allow Manager Stinnett to perform limited duties as a special projects manager for Butte Water District, while continuing in the role of joint manager until a full transition occurs. The board also directed Manager Stinnett to work with Attorney Cooper to develop an updated job description matching the duties currently being performed as the Joint Water Districts manager. The board then directed each district to discuss at their upcoming meetings what they would be looking for in a new joint manager, including qualifications and duties and the timing of recruitment.

MONTHLY RECURRING ITEMS/MANGER’S REPORT:

- A.** Director Nevis motioned to approve the November 8, 2022 regular meeting and November 18, 2022 special meeting minutes. The motion was seconded by Director Yank and the motion passed unanimously.

- B. Director Nevis motioned to approve the financial reports of December 13, 2022 and January 9, 2023 and to pay the bills numbered 6568 through 6593 in the amount of \$49,624.96. Director Yank seconded the motion and the motion passed unanimously.

NCWA MEETINGS UPDATES:

Director Meyer gave an update on the meeting he had with DWR Director Karla Nemeth and Bryce Lundberg.

DIRECTORS' REPORTS:

No Update

MANAGERS' REPORTS:

Manager Phillips asked the Board on the procedure of working with DWR should be handled involving a "Joint Work" with a proposed rocking project being proposed to be done by DWR along the Sutter Butte Canal. It was determined by the Board that typically the district with the majority share of responsibility would take the lead in the project with any other districts involved taking a supportive role. The Board determined that Sutter Extension would take the lead on this and keep the Board updated on the progress. If there is to be an agreement involved it was requested to bring the agreement before the Joint Board.

CLOSED SESSION – PUBLIC EMPLOYEE PERFORMANCE EVALUATION – Joint District Manager Government Code section 54957.

The Board moved into closed session at 12:41 p.m.

The Board returned to open session at 1:00 p.m.

ANNOUNCEMENTS FROM CLOSED SESSION

Upon reconvening into open session Director Meyer noted a performance evaluation was done of Manager Stinnett.

POTENTIAL CHANGES IN PUBLIC EMPLOYEE BENEFITS AND COMPENSATION:

Following an open session discussion, a motion was made by Director Yank, seconded by Director Neves, and unanimously carried to (1) increase Manager Stinnett's salary to \$100,000; (2) approve a one-time performance bonus of \$5,000; (3) approve the increase in cost of benefits as presented; and (4) approve the vacation/holiday/comp day worksheets as proposed and presented by Manager Stinnett.

MEETING AGENDA:

The next regular meeting is scheduled for February 14, 2023. Monthly reoccurring items will be placed on the agenda. The Employee Sharing Agreement and potential qualification for the next

Joint Water Districts Board manager will be placed on the agenda. The 2023 budget will also be placed on the agenda.

ADJOURNMENT OF REGULAR MEETING: Being no further discussion the meeting was adjourned at 1:05 p.m.

Walt Meyer, President

Donnie Stinnett, Manager