

MINUTES
REGULAR MEETING OF THE BOARD OF DIRECTORS
Of the
TEHAMA-COLUSA CANAL AUTHORITY
5513 Hwy 162
WILLOWS, CA 95988
January 6, 2021
09:00 a.m.

NOTICE OF TELECONFERENCE: Pursuant to Executive Order N-25-20, issued by Governor Newsom on March 12, 2020, and guidance by the California Department of Public Health dated March 11, 2020, this meeting will be conducted by teleconference. The public may attend the meeting and offer public comments by phone, using the call-in number provided below. Members of the Board will participate by teleconference from other locations.

Teleconference No: 1-866-459-7145 Conference Code: 2977453980

PRESENT:

HALBERT CHARTER*	D	COLUSA COUNTY W.D.
SHELLY MURPHY	A	COLUSA COUNTY W.D.
KEVIN HEBREW*	D	CORNING W.D.
MITCH HARDWICK*	A	CORNING W.D.
DAVID SCHAAD*	D	DUNNIGAN W.D.
BILL VANDERWAAL*	A	DUNNIGAN W.D.
WADE MATHIS*	D	4-M W.D.
MIKE ALVES*	A	GLIDE/KANAWHA W.D.
ZACH DENNIS*	D	LAGRANDE W.D./WESTSIDE W.D.
JIM JONES*	D	ORLAND-ARTOIS W.D.
EMIL CAVAGNOLO*	A	ORLAND-ARTOIS W.D.
DAN RUIZ*	A	WESTSIDE W.D.

DISTRICTS ABSENT:

CORTINA W.D.
DAVIS W.D.
GCID
HOLTHOUSE W.D.
KIRKWOOD W.D.
PROBERTA W.D.
THOMES CREEK W.D.

ALSO PRESENT:

JEFF SUTTON*	TCCA
LISA DICHARRY	TCCA

ANDREA CLARK*
RICH ROBERTSON

DOWNEY BRAND
USBR, WILLOWS

“*” indicates closed session attendance

“D” indicates designated director “A” indicates designated alternate

CALL TO ORDER

Chairman Zach Dennis called the meeting to order at 9:05 a.m.

DETERMINATION OF A QUORUM

Roll was called and a quorum was declared present for the conduct of business, with 9 Districts represented.

APPROVAL OF AGENDA

M/S/C-ALVES/MURPHY-UNANIMOUS

To approve the January 6, 2021 Regular Meeting Agenda.

PUBLIC COMMENT

MONTHLY RE-OCCURRING ITEMS

A. **Board Meeting Minutes**

M/S/C -SCHAAD/J.JONES-UNANIMOUS

To approve the December 2, 2020 Regular Meeting Minutes.

B. **Treasurer’s Report**

M/S/C-ALVES/J.JONES-UNANIMOUS

To approve the November 2020 Financial Reports as presented.

C. **USBR Report**

Rich Robertson reported on the following: CVP Reservoir Storage levels and release patterns; status of Warren Act well water quality testing; Accelerated Water Transfer and Section 215 analysis.

GENERAL MANAGER’S REPORT

Operations & Maintenance

A. Manager Sutton reported on the following O & M activities: Suspended canal water service during winter maintenance shutdown; draining of Funks Reservoir;

equipment maintenance; road grading; vegetation management; meter installation; check structure maintenance; Venturi maintenance; FPIP maintenance; status of repairs to motors 3, 5 and 8; respirator fit testing; shop organization and maintenance; safety meetings.

GENERAL BUSINESS

Discuss and Consider 2021 Reserve Allocation

- A. Manager Sutton discussed the estimate 2020 net income of approximately \$275,000.00.

M/S/C-ALVES/MURPHY-AYES: S. MURPHY, K. HEBREW, M. ALVES, AND J. JONES; NOES: D. SCHAAD, W. MATHIS, AND Z. DENNIS; ABSTAINED: NONE; ABSENT: CORTINA W.D., DAVIS W.D., GCID, HOLTHOUSE W.D., KIRKWOOD W.D., PROBERTA W.D., AND THOMES CREEK W.D.

To approve placing the 2020 net income (estimated to be \$275,000.00) into the Drought Reserve for potential offset should a drought budget be necessary in the spring; and to direct the GM to pay for Red Bluff Pumping Plant motor repairs out of the Facility Major Maintenance Reserve.

Discuss/ Report Winter Maintenance Shutdown

- B. Manager Sutton reported on the status of Winter Maintenance activities. After Board discussion, Manager Sutton committed to continuing to monitor the weather forecasts and water allocation considerations and to communicate with the districts regarding timing and need for restoration of water service in February.

Discuss 2021 Water Transfer Program

- C. Manager Sutton reported on the status of the preparation of water transfer environmental documents in case a 2021 Water Transfer Program is required.

Discuss and Consider Board Resolution 2021-01: Authorizing TCCA to Contract, on Behalf of its Participating Member Districts, with USBR for Efforts Related to Environmental Document Preparation for the 2021 Water Transfer Program

- D. Manager Sutton discussed the need for this Resolution to coordinate with USBR in regard to the preparation of water transfer documents.

M/S/C-SCHAAD/J.JONES-UNANIMOUS

To approve Resolution 2021-01, A Resolution Authorizing TCCA to Contract, on Behalf of its Participating Member Districts, with USBR for Efforts Related to the Preparation of Environmental Documents for the 2021 Water Transfer Program.

Discuss and Consider Comments on USBR Revised Draft of PEC 05-10-Contracting for Non-Project Use of Excess Capacity in USBR Project Facilities

- E. Manager Sutton provided an overview of the newly proposed USBR policy related to disposition of Warren Act receipts.

- Discuss USBR CVPIA True Up Effort**
- F. Manager Sutton provided an update on the status of USBR's BPG update related to the CVPIA Restoration Fund.
- WIIN Act Contract Conversion Process Update**
- G. Attorney Clark reported an update on the status and timeline of the Contract Conversion process.
- Sites Project Authority**
- H. Manager Sutton reported on the finalization of the Federal Feasibility Study, award of \$13.7 million of WIIN Act funds, initiation of Phase 2 of the Project, status of financing, operations and permitting developments, upcoming discussions related to utilization of the TC Canal and the upcoming circulation of the EIS/EIR.

ATTORNEY REPORT

CLOSED SESSION

[To occur on a Confidential Conf. Call Line provided to the TCCA Board of Directors and appropriately identified staff]

Conference with Legal Counsel-Existing Litigation [California Government Code Section 54956.9(d)(1)] Four Cases:

- A. **State Water Resources Control Board Bay-Delta Water Quality Control Plan Proceeding**
1. No report.

PCFFA v. Ross (USDC E.D. Cal. Case No. 1:20-cv-00431-DAD-SAB) [2019 BiOps Lawsuit] 3:19-cv-07897

2. No report.

CNRA v. Ross (USDC E.D. Cal. No. 1:20-cv-00426-DAD-SKO) [2019 BiOps Lawsuit]

3. No report

TCCA v. CA DWR (Superior Court of CA, County of Fresno, awaiting assignment of Case No.) [2020 CEQA Lawsuit]

4. No report

Conference with Legal Counsel-Anticipated Litigation-Initiation of Litigation Pursuant to Government Code Section 54956.9(d)(4): Three Potential Cases

- B. No report.

Conference with Real Property Negotiators (Government Code Section 54956.8)

1. Water Transfers/Purchase of Water
2. Property: Water Supply to Supplement 2021 and future CVP Allocations
3. Under Negotiation: Price, Terms and Amounts
4. Negotiating Parties: Manager Sutton, Directors Dennis, Mathis, Cavagnolo and Alves

- C. No report.
The board re-convened to regular session at 11:20 a.m.

OPEN SESSION

Chairman Dennis reported out of closed session on the formation of an Ad Hoc Committee/Negotiating Parties for real property/water purchases made up of Manager Sutton and Directors Dennis, Mathis, Alves and Cavagnolo.

ADJOURNMENT

Chairman Zach Dennis adjourned the meeting at 11:30 a.m.

Board Secretary
Jeffrey P. Sutton

Chairman
Zach Dennis