

MINUTES
REGULAR MEETING OF THE BOARD OF DIRECTORS
Of the
TEHAMA-COLUSA CANAL AUTHORITY
5513 Hwy 162
Willows, CA 95988
August 02, 2023
09:00 a.m.

PRESENT:

SHANDON SMITH*	D	COLUSA COUNTY W.D.
KEVIN HEBREW*	D	CORNING W.D.
DAVID SCHAAD*	D	DUNNIGAN W.D.
WILLIAM VANDERWAAL*	A	DUNNIGAN W.D.
MIKE ALVES*	A	GLIDE/KANAWHA W.D.
JENNY SCHEER*	A	KIRKWOOD W.D.
JIM JONES*	D	ORLAND-ARTOIS W.D.
EMIL CAVAGNOLO*	A	ORLAND-ARTOIS W.D.
JACK MOSIER*	A	PROBERTA W.D.

DISTRICTS ABSENT:

CORTINA W.D.
DAVIS W.D.
4-M W.D.
GCID
HOLTHOUSE W.D.
LAGRANDE W.D.
THOMES CREEK W.D.
WESTSIDE W.D.

ALSO PRESENT:

JEFF SUTTON*	TCCA
LISA DICHARRY	TCCA
ANDREA CLARK*	DOWNEY BRAND (OVER PHONE)
RICH ROBERTSON	USBR, WILLOWS

“*” indicates closed session attendance

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

CALL TO ORDER

Vice-Chairman Jim Jones called the meeting to order at 9:03a.m.

DETERMINATION OF A QUORUM

Roll was called and a quorum was declared present for the conduct of business with 8 Districts represented.

APPROVAL OF AGENDA

M/S/C-ALVES/SMITH-UNANIMOUS

To approve the August 02, 2023 Regular Meeting Agenda.

PUBLIC COMMENT

None

MONTHLY RE-OCCURRING ITEMS

A. Board Meeting Minutes

M/S/C - SCHAAD/ALVES-UNANIMOUS

To approve the June 07, 2023 Regular Meeting Minutes.

B. Treasurer's Report

M/S/C-HEBREW/SMITH-UNANIMOUS

To approve the May and June 2023 Financial Reports as presented.

C. USBR Report

Rich Robertson reported on the following: Section 215 contracts to be discontinued after this year; Starting in WY 2024, BOR will instead utilize Section 3F of the CVP Water Service/Repayment Contracts for use of water during surplus conditions at discounted rates.

GENERAL MANAGER'S REPORT

Operations & Maintenance

- A. Manager Sutton reported on the following O & M activities: TC and Corning Canal operations; Canal water quality treatments; erosion repairs; vegetation control; facility maintenance/repairs/painting/signage; FPIP maintenance and inspections (impeller); road grading; meter repairs/maintenance/replacement; check structure maintenance; equipment repairs and maintenance; preparation for TC Canal O&M Bureau inspections and safety meetings. Manager Sutton also reported on a new O&M Employee hire; work with USBR regarding installation

of water quality station at Red Bank Creek; coordination with USBR regarding unpermitted Corning Canal Crossing; and upcoming invoicing related to 2022 ACID water transfer for O&M Deficit and Warren Act Well testing. Manager Sutton expressed appreciation to the TCCA Districts for their attention to improving the accuracy of their water orders to assist canal operations; and to NCAO Safety staff for assistance on the impeller inspection effort.

Meetings/Presentations

- B. Manager Sutton reported on the following: Farm Credit Intern NorCal Water Tour; CCWD facility tour; Congressman LaMalfa/Thompson Quarterly Regional Water Agency Meeting (Directors Smith and Schaad also reported on this item).

GENERAL BUSINESS

Discuss and Consider WY 2023 CVP/TCCA Water Operations

- A. Manager Sutton reported on CVP Reservoir operations and CVP storage levels and year end projections; deliveries; and upcoming winter maintenance tasks.

Discuss and Consider Tri-Counties Bank Local Agency Security Program Investment Proposal

- B. Prior to the start of this item, Vice Chairman Jones announced that because of his relationship with Tri-Counties Bank, in an abundance of caution he would recuse himself from the discussion in the event of an actual or perceived conflict of interest. Vice Chairman Jones then exited the room through the entirety of the discussion and vote. Manager Sutton reported on the details of the investment proposal submitted by Tri-Counties Bank.

M/S/C-ALVES/SMITH-UNANIMOUS [Jones was not present for the vote as described above.]

To authorize Manager Sutton the discretion to utilize the Tri-Counties Bank Local Agency Security Program Investment Fund (up to \$1,500,000) for investment of TCCA reserve funds.

Discuss and Consider Executive Assistant Employment Contract

- C. Manager Sutton reported on the new reduced part-time status of Administrative Employee Kayla Cushman. The Board directed Manager Sutton to work with legal counsel to identify the best approach for this circumstance, either an employment contractor situation or an agreement documenting the changed terms of the hours, responsibilities and compensation/benefits as a part-time employee.

Update on WIIN Act Contract Conversion

- D. Attorney Clark provided an update regarding the WIIN Act litigation.

Discuss and Consider Sites Project Authority

- E. Manager Sutton reported on the following Sites JPA activities: EIS/EIR status; SWRCB Water Rights Application; Colusa County FCWCD status; progress on future Finance, Benefits and Obligation Agreement details; and the TC/GCID/Sites Cooperative Agreement efforts related to rates, responsibilities,

facility improvements and construction, operations & maintenance details.

TCCA CHAIRMAN/VICE CHAIRMAN/DIRECTOR'S REPORTS

Director Vanderwaal reported on future proposals related to river restoration and fish habitat projects undertaken by the SRSCs and discussion with the Board ensued regarding opportunities for TCCA to partner and participate in upcoming efforts.

Director Vanderwaal reported on the discussions and details regarding a potential Water Bond Initiative in 2024.

ATTORNEY REPORT

CLOSED SESSION

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 Real Property Negotiators (Government Code Section 54956.8)

1. Water Transfers/Purchase of Water
2. Property: Water Supply to Supplement 2023 and Future CVP Allocations
3. Under Negotiation: Price, Terms and Amounts
4. Negotiating Parties: Manager Sutton, Directors Dennis, Mathis, Cavagnolo and Alves

- B. No report.

ADJOURNMENT

Vice Chairman Jones adjourned the meeting at 10:40 AM.

Board Secretary
Jeffrey P. Sutton

Chairman
Zachary Dennis