

**MINUTES**  
**REGULAR MEETING OF THE BOARD OF DIRECTORS**  
Of the  
**TEHAMA-COLUSA CANAL AUTHORITY**  
5513 Hwy 162  
WILLOWS, CA 95988  
October 05, 2022  
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: 1-857-799-9438**

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**PRESENT:**

HALBERT CHARTER*	D	COLUSA COUNTY W.D.
SHELLY MURPHY*	A	COLUSA COUNTY W.D.
KEVIN HEBREW*	D	CORNING W.D.
BARBARA LINDAUER*	A	CORNING W.D.
JAMIE TRAYNHAM*	A	DAVIS W.D.
DAVID SCHAAD*	D	DUNNIGAN W.D.
MATT DEADMOND*	D	GLIDE W.D.
MIKE ALVES*	A	GLIDE/KANAWHA W.D.
DARIN TITUS*	D	KIRKWOOD W.D.
ZACH DENNIS*	D	LAGRANDE/WESTSIDE W.D.
CHARLES SCHONAUER*	A	ORLAND-ARTOIS W.D.
EMIL CAVAGNOLO*	A	ORLAND-ARTOIS W.D.
DAN RUIZ	A	WESTSIDE W.D. (joined at 10:05 a.m.)

**DISTRICTS ABSENT:**

CORTINA W.D.  
4M W.D.  
GCID  
HOLTHOUSE 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 9:02a.m.

**DETERMINATION OF A QUORUM**

Roll was called and a quorum was declared present for the conduct of business with 10 Districts represented.

**APPROVAL OF AGENDA**

**M/S/C-SCHAAD/ALVES-UNANIMOUS**

To approve the October 05, 2022 Regular Meeting Agenda.

**PUBLIC COMMENT**

**MONTHLY RE-OCCURRING ITEMS**

**A. Board Meeting Minutes**

**M/S/C -H. CHARTER/TITUS-UNANIMOUS**

To approve the September 07, 2022 Regular Meeting Minutes.

**B. Treasurer’s Report**

**M/S/C-SCHAAD/ALVES-UNANIMOUS**

To approve the August 2022 Financial Reports as presented.

**C. USBR Report**

Rich Robertson reported on the following: CVP operations; CVP reservoir levels; status of Warren Act renewals and Section 218 contracts for 2023.

**GENERAL MANAGER’S REPORT**

**Operations & Maintenance**

- A. Manager Sutton reported on the following O & M activities: Winter Maintenance Shutdown timing and activities; electrical maintenance; TC Canal operations; canal water quality; water sampling; fence maintenance; bathtub and drain cleaning; vegetation control; erosion repairs; facility and equipment maintenance;

road grading; and safety meetings.

**Meetings/Presentations**

- B. Manager Sutton reported on the following: November TCCA Red Bluff facility tour and Shasta Dam tour; November ACWA Conference; MP Region Water Users Conference planning; Water Education Foundation FPIP tour stop as part of NorCal tour.

**GENERAL BUSINESS**

**Election of Officers for the TCCA Board of Directors**

- A. Chairman Zachary Dennis opened the floor for nominations for Chairman, Vice Chairman, Treasurer/Secretary and Assistant Treasurer/Secretary of the TCCA Board of Directors.

Director Traynham made a motion to nominate the slate of existing officers for the next two years: Zach Dennis as Chairman, Jim Jones as Vice Chairman, Jeff Sutton as Treasurer/Secretary and Lisa Dicharry as Assistant Treasurer/Secretary, Director Schonauer seconded the motion.

No other nominations were received.

**M/S/C-TRAYNHAM/SCHONAUER-UNANIMOUS**

After an open vote, the results of the election were as follows: Director Zachary Dennis elected Chairman; Director Jim Jones elected Vice Chairman; Manager Jeffrey Sutton elected Treasurer/Secretary and Lisa Dicharry elected Assistant Treasurer/Secretary.

**Discussion and Consider Adoption of Proposed 2023 TCCA Drought Budget**

- B. Manager Sutton presented and summarized the details of the proposed 2023 TCCA Drought Budget as recommended by the Finance Committee to the Board of Directors.

**M/S/C- ALVES/TRAYNHAM -UNANIMOUS**

To approve the 2023 TCCA Drought Budget as recommended by the Finance Committee.

**Discuss and Consider Addition of Director/Chair-Vice Chair Reports to Agenda**

- C. Manager Sutton presented a proposal to augment the monthly TCCA Agenda to include a regular Chair/Vice-Chair Director Report section, providing a dedicated space for reports, questions, concerns from the Board. After discussion, the Board directed Manager Sutton to include such a section prior to the Attorney's Report in future Agendas.

**Discuss and Consider 2022 CVP Operations**

- D. Manager Sutton reported on the status of CVP operational challenges due to dry

hydrology, regulatory issues, low reservoir levels, and restricted Keswick releases, focusing on utilizing remaining transfer water through the end of October.

**Discuss and Consider 2022/2023 Water Transfers**

- E. Manager Sutton provided a summary of 2022 transfer water use, remaining supplies, diversion and delivery details, and invoicing for remaining costs. Manager Sutton also provided an update and forecast related to 2023 water transfer efforts.

**Discuss and Consider Warren Act Contract Renewals**

- F. Manager Sutton reported on the ongoing dialogue with USBR related to Warren Act Contracts and charges related to TCCA water district use of the TC Canal for conveyance of groundwater. Manager Sutton expressed concern about inappropriate charges by USBR pursuant to the Warren Act, inconsistent with the governing statutes and regulations for utilization of transferred works like the Sacramento Canals Unit of the CVP. The Board voiced its unequivocal support for the positions being advocated by Manager Sutton and directed him to proceed accordingly.

**Discuss and Consider Status of Ability to Pay Analysis Study (concludes 9/23)**

- G. Manager Sutton reported on the current TC water district ability to pay status, the upcoming need for a new study if desired prior to September of 2023, and the potential costs, process, rules, and implications of WIIN Act contract conversion. After discussion, no TCCA water districts expressed interest in pursuing a collective effort to undertake an Ability to Pay study, however any water district interested in pursuing such a study may proceed independently.

**Update on WIIN Act Contract Conversion**

- H. Attorney Clark provided an update on the procedural status of the WIIN Act litigation.

**Sites Project Authority**

- I. Manager Sutton and Director Traynham reported on the following Sites JPA activities: Status of Permits and Water Rights efforts; Public Outreach; Finance/Funding/On-Boarding update; and efforts to develop a Sites JPA/TCCA/GCID Cooperative Agreement for reimbursement of costs related to use of Partner facilities.

**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:**

**State Water Resources Control Board Bay-Delta Water Quality Control Plan Proceeding**

A. 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 2021, 2022 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.

**Public Employee Performance Evaluation (Government Code Section 54957)**

**Title: General Manager**

C. No report.

The board re-convened to regular session at 11:55 a.m.

**OPEN SESSION**

**M/S/C-SCHAAD/H.CHARTER-UNANIMOUS**

To increase the General Manager's annual compensation starting on January 1, 2023 in an amount equal to CPI plus 10% of the current GM Salary.

**ADJOURNMENT**

Chairman Zach Dennis adjourned the meeting at 11:57 AM.

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Board Secretary  
Jeffrey P. Sutton

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Chairman  
Zachary Dennis