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**Dan Woolery,**  
*President, Division 3*

**James Rickert,**  
*Vice President, Division 5*

**Ronnean Lund,**  
*Director, Division 1*

**Audie Butcher,**  
*Director, Division 2*

**Steve McCarley,**  
*Director, Division 4*

**Daniel Ruiz,**  
*General Manager*

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# BOARD MEETING

## Final Minutes

March 14, 2024, 6:00 pm

1887 Howard Street, Anderson (Council Chambers)

### 1. Call To Order at 6:02 p.m.

**Directors Present-** Woolery, Rickert, Lund, Butcher, and McCarley

**Staff Present-**Duncan, Miller

### 2. Flag Salute was led by Director McCarley

### 3. Public Participation

Time set aside for members of the public that wish to address the Board regarding operations of the District within the jurisdiction of the Board. Individuals are requested to limit comments to a maximum of three minutes.

**Dana Sandifer-** She was asking what our back up plan regarding the canal improvement will be if there is more rain and we are not able to finish the repairs before water season starts.

### 4. Consent Items

- a. Minutes – Approve the Minutes of the Regular Meeting on February 8, 2024, and the Special Board Meetings on February 3, February 16, and February 19, 2024

A motion was made by Director Rickert to move Item 4.a. (Minutes) down to item 5.a., and it was seconded by Director Butcher. Vote 5-0.

- b. Financial Status Report for Year-to-Date through February 29, 2024

A motion was made to move Item 4.b. (Financial Status Report) down to item 5.b., by Director Lund and it was seconded by Director Rickert. Vote 5-0.

- c. Payroll: Approve the Payroll Check Register for the Month of February 2024
- d. Electronic Federal Tax Payment System (EFTPS) & Automated Clearing House (ACH) – Approve transactions for the Payroll Periods February 1, 2024, and February 16, 2024
- e. Voided and/or missing checks for February 2024

A motion was made to approve the Consent Items 4.c, d, and e, by Director McCarley, and seconded by Director Lund. Vote 5-0.

### 5. Cash Disbursement Journal for February 2024

- a. Minutes-(moved from Item 4.a.)

A motion was made by Director Lund to approve all the minutes with the following changes: February 8, 2024; 7.c. Business Items, add line- that Director McCarley recused himself and left the room, and that Director McCarley returned to the room after the motion was approved, change 7.c. from Public Participation to Public comment, and 7.e. add the words Interim Management to ad hoc committee; 7.f. Public Comment, change sentence to read, "Director Woolery recessed the Board into closed session to consider the following Actions." Under the February 16 minutes, add the "Special" to the top, and it was seconded by Director Rickert. Vote 5-0.

b. Financial Status Report (moved from 4.b. Consent Items)

A motion was made by Director Lund to approve the Financial Status Report, 5b., and it was seconded by Director McCarley. Vote 5-0.

c. Cash Disbursement Journal

A motion was made to approve the Cash Disbursement Journal by Director Lund, and it was seconded by Director Butcher. Vote 5-0.

## 6. Other Business

- a. Operations Manager Report- PowerPoint presentation by Ben Duncan going over all of the projects that are currently underway, and the progress that has been made on the canal for March 2024

## 7. Business Items

- a. Presentation by Ross Perry (Western Shasta Resource Conservation District)  
RE: Lower Clear Creek ACID Siphon Fish Passage. Request for support of alternative #2

### Public Comment

**Matt Arrowsmith-** was asking what the completion date will be on the project

**Mike Berry-** he is an irrigator, and ex Fish & Game employee, says that there is state law which states any alterations to the stream has to provide fish passage, and ACID is out of compliance right now. The non-profits are basically helping ACID meet compliance obligations.

Discussion among the Board; Director Lund has major concerns, needs more information.

**Thad Bettner-** Executive Director of The Sacramento River Settlement Contractors (SRSC), formerly the General Manager of Glenn-Colusa Irrigation District. Said that Alternative #2 is probably the best solution for the fish passage if we are going to do it because they will design the rock the right size, it will be self-cleaning, and as Mike Berry mentioned, as the velocity of the river decreases the flow gets wider and spreads out. If we can get 30 years out of it, it is a pretty good deal.

A motion was made by Director McCarley to move forward with Alternative #2, and it was seconded by Director Rickert. Vote 5-0.

- b. Consider/Approve the Sacramento River Settlement Contractor Non-Profit Corporation applying for a grant to California Department of Fish and Wildlife on behalf of ACID to evaluate Sacramento River diversion alternatives

Director Rickert gave some background information regarding the current ACID diversion site. Most of our District water comes from an old, outdated facility, and it is also the last in stream dam on the Sacramento River. We could have a high flow event that could take out and compromise that structure. If that happens we may not be able to get a permit to put it back, so we need to prepare, and look toward the future. In addition, we need to be proactive, and laser focused to insure we are around for another 100 years. We need to do something; we have a lot of questions but don't have the answers. Therefore, we will need to study it, find out what the alternatives are, and look at our options while working with SRSC. ACID will need to be front and center, as the lead agency of this project.

**Thad Bettner**- Executive Director of The Sacramento River Settlement Contractors (SRSC), commented that the contractor group stands firmly behind ACID and wants to see us successful. The contractor group works with an area of 2.2-million-acre feet of water, covering half a million acres of service area, which runs from north (Redding) to south (Natomas water agency). This is over 200 river miles. He mentioned that they are working with \$20 million of active river restoration grant money, which the majority happens to be in the Redding area. Also, CDFW (California Dept. of Fish & Wildlife) has \$200,000 worth of funding available in which SRCS would apply for it on behalf of ACID. Funding can take from 1-2 years; therefore, he suggests moving on this as soon as possible. He believes that ACID could get 100% of the facility paid for, whatever we do.

#### **Public Comment**

**Mike Berry** said that it is important to pursue this since the fish agencies are making a run at the ACID dam, so getting ahead of it, planning it, and being open-minded about what this looks like will benefit the District.

**Brenda Haynes** is thrilled that Thad Bettner is the executive director of (SRSC) the Sacramento River Settlement Contractors, and that they have been a friend to ACID, and very helpful for many years now. She said that he is the most knowledgeable man about north state water on the planet and that she is appreciative of him being at the meeting and partnering with us. She also said that this is one of the most important decisions that ACID could make since 1914.

A motion was made by Director McCarley to approve the (SRSC) the Sacramento River Settlement Contractors to move forward to apply for the grant from CDFW to study the feasibility of moving the diversion location, and it was seconded by Director Rickert. Vote 5-0.

- c. Discuss & Consider approval to authorize adding Daniel Ruiz as an authorized signatory for NRCS (Natural Resources Conservation Service) Projects, Tri Counties bank account, RBC (Royal Bank of Canada) Investment account, issue a new credit card for Daniel Ruiz and adopt Resolution No. 2024 – 01 updating the Local Agency Investment Fund authorization to transfer money

A motion was made by Director Lund to approve 7.c., and the resolution no. 2024-01, and it was seconded by Director Butcher. Vote 5-0.

- d. Consideration of Finance Manager Employment Agreement with Teresa White

Discussion among the Board regarding the hours worked during a regular day, Director Lund would like to amend the contract to have it read, "the general expectation," would be to have her be there during normal business hours or a specified number of hours.

After discussion among the Board and audience participation, the consensus was that a salaried exempt employee does not legally need to keep hours. They are just expected to get the job done, with no set hours.

A motion was made by Director Rickert to approve the employment agreement for Teresa White, and it was seconded by Director Butcher. Vote 5-0.

- e. Discuss and approve the Shady Lane compaction bid from SMCI. Discuss & appoint SHN as project manager.

**Bill Spoon** gave a breakdown of the job and what will need to be done. Reshape 600 ft. of it, the inlet and outlet sides are washed out, so will be hauling in 200-300 yards of clay to place in the washed-out areas. Clean up the concrete rubble, and then come through and compact the whole ditch.

**Steve Nelson** answered Director Lund's question if their bid cost includes soil samples to confirm compaction. He said that they will be doing some samples as they need to. Also, he responded to a question from Director Lund that they would do some compaction testing if it was necessary. Director Lund asked why they were not going to put down a layer of clay, and Steve responded that the material out there already contains a fair amount of clay already, therefore, it may not be needed.

A motion was made by Director McCarley to approve the bid from Steve Manning Construction, and SHN to move forward with the Shady lane project, and it was seconded by Director Rickert. Vote 5-0.

- f. Discuss and approve the hiring of a temporary employee to fill in for permanent employee out on disability

Ben Duncan talked about the need to hire a temporary employee for the water season to alleviate the crew from working extensive overtime.

A motion was made by Director Lund to approve the contract for a temporary employee, and it was seconded by Director McCarley. Vote 5-0.

- g. Discuss status of Strategic Planning Committee

#### **Public Comment**

**Mike Berry** commented that he feels waiting 3 months would be a better idea to allow Daniel Ruiz (new GM starting on March 18, 2024) to settle into the job, and to be able to have some input into the timeline of when the Strategic Planning Committee would be back.

A motion was made by Director McCarley to table the Strategic Planning Committee meeting for 3 months, and it was seconded by Director Lund. Vote 5-0.

Director Woolery called a recess to closed session at 8:17 p.m.


**8. Closed Session**

**CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION**

- a. Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of California Government Code section 54956.9: 2 potential cases.
- b. Initiation of litigation pursuant to paragraph (4) of subdivision (d) of California Government Code section 54956.9. 1 potential case.

The Board returned from Closed Session to Open Session at 9:25 p.m. and reported that direction was given to legal counsel.

**9. Adjourn at 9:30 p.m.**

  
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Dan Woolery, Board President