



# Paradise Irrigation District

6332 Clark Rd, Paradise, CA 95969 · 530-877-4971 · Fax: 530-876-0483 · [www.pidwater.com](http://www.pidwater.com)

## AGENDA SPECIAL MEETING

PARADISE IRRIGATION DISTRICT  
BOARD OF DIRECTORS  
6332 CLARK ROAD, PARADISE, CA 95969

**MONDAY, JUNE 27, 2022 – 8:00 AM**

- ❖ *The Board of Directors is committed to making its meetings accessible to all citizens. Any persons requiring a special accommodation to participate in the Board of Directors meeting is requested to contact the District Secretary at 530-877-4971, extension 2039 at least three business days prior to the date of the meeting to provide time for any such accommodation.*

- ❖ *The following options are available for members of the public interested in participating in the meeting remotely:*

*Via Zoom Meeting:* <https://us02web.zoom.us/j/88192841237>

*Telephone:* +1 669 900 6833 US (San Jose)

*Meeting ID:* 881 9284 1237

*To improve participation during the meeting, we will be accepting public comments from Zoom Meeting participants during the meeting. The Board cannot take action on any matter not on the agenda. Public comments specific to an agenda item will be read directly after the agenda item and before the Board votes on an item.*

*Via Email or Telephone: Public comment will be accepted by email with the subject line PUBLIC COMMENT ITEM NO. \_\_\_\_ to [gborrayo@paradiseirrigation.com](mailto:gborrayo@paradiseirrigation.com) or telephone (530) 876-2039 prior to 7:30 a.m. on the day of the meeting.*

1. **OPENING:**

- a. Call to Order
- b. Roll Call

(Pages 2-4) 2. **AB 361 and Remote Meeting Guidance:** Adopt Resolution No. 2022-10 Re-Authorizing Remote Meetings Consistent with AB 361. *Action may be taken. (Roll Call Vote)*

3. **PUBLIC COMMENT:** Individuals will be given an opportunity to address the Board regarding matters not scheduled on the agenda, although the Board cannot take action on any matter not on the agenda. Comments will be limited to 3 minutes per speaker. Opportunity for public comment on agenda items will be provided at the time they are discussed by the Board with comments limited to 3 minutes per agenda item.

4. **NEW BUSINESS:**

(Pages 5-6)

- a. **Director Vacancy, Division 1** (District Manager Tom Lando): Review options and provide direction in reference to filling the Division 1 Director vacancy following the resignation of Brian Shaw effective June 17, 2022 and consider setting a special meeting date to interview candidates for the vacancy. *Action may be taken.*
- b. **IBEW Local 1245 – Contract Ratification** (District Manager Tom Lando): Ratify the proposed Tentative Agreement between Paradise Irrigation District and IBEW Local Union 1245 and update the terms of the Agreement in the Rules and Regulations Governing Employment Conditions, Salaries, and Benefits for Employees in the General Unit effective July 1, 2022 through June 30, 2027. *Action may be taken.*

5. **ADJOURNMENT**



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DATE: June 22, 2022  
TO: Board of Directors  
FROM: Tom Lando, District Manager  
Georgeanna Borrayo, Board Secretary  
SUBJECT: AB 361 Compliance – Brown Act/COVID-19 Teleconference and Remote Meeting Requirements  
06/27/2022 Special Board of Directors Meeting

## Background:

The Board of Directors adopted Resolution No. 2021-15 (Authorizing Remote Meetings Consistent with AB 361) on October 20, 2021, enabling board members to attend public meetings in person or remotely. The resolution lapses every 30 days. Therefore, subsequent resolutions re-authorizing remote meetings need to be adopted at least every 30 days to remain in effect, and were previously adopted by the Board on the following dates:

- November 17, 2021 (Resolution No. 2021-16)
- December 15, 2021 (Resolution No. 2021-17)
- January 6, 2022 (Resolution No. 2022-01)
- January 19, 2022 (Resolution No. 2022-02)
- February 16, 2022 (Resolution No. 2022-04)
- March 16, 2022 (Resolution No. 2022-05)
- April 12, 2022 (Resolution No. 2022-06)
- April 20, 2022 (Resolution No. 2022-07)
- May 18, 2022 (Resolution No. 2022-08)
- June 15, 2022 (Resolution No. 2022-09)

Adopting the resolution does not prohibit the public from attending meetings in person. Public attendance will be determined by the Board based on current conditions and health and safety considerations.

In September of 2021, California Legislature and Governor Gavin Newsom enacted AB 361, “Open Meetings: State and Local Agencies: Teleconferences.” The bill amends Government Code section 54953 and clarifies Brown Act Requirements regarding remotely-attended public meetings as outlined in the following resolution.

If the Board desires to adopt the following subsequent resolution re-authorizing remote meetings, the recommended form of motion is:

“I move to adopt **Resolution 2022-10** Re-Authorizing Remote Meetings Consistent with AB 361.”

**Budgetary Impact:** None

Attachments: (1)

- Resolution No. 2022-10 (Re-Authorizing Remote Meetings Consistent with AB 361)

RESOLUTION NO. 2022-10 (**SUBSEQUENT**)

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE PARADISE IRRIGATION DISTRICT RE-AUTHORIZING REMOTE MEETINGS CONSISTENT WITH AB 361

WHEREAS, the Paradise Irrigation District (“District”) is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of Paradise Irrigation District’s legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the District’s legislative bodies conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote participation in meetings by members of a legislative body by audio or video or both, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition of remote meetings is a declaration of a state of emergency by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, the Board of Directors previously adopted a Resolution, Number 2021-15 on October 20, 2021, finding that the requisite conditions exist for the District’s legislative bodies to conduct remote meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, as a condition of extending the use of the provisions found in section 54953(e), the Board of Directors must reconsider the circumstances of the state of emergency; and the Board of Directors has done so; and

WHEREAS, emergency conditions persist in the District, specifically, on March 4, 2020 the Governor proclaimed State of Emergency to exist in California due to the COVID-19 pandemic, which proclamation is still active; and

WHEREAS, state and local officials have recommended social distancing measures, including masks, to slow the spread of COVID-19 and contagious variants, and to protect the vulnerable and immunocompromised members of the community; and

WHEREAS, the Board does hereby find that the state of emergency continues to directly impact the ability of members to meet in-person; and

WHEREAS, as a consequence of the state of emergency and recommended social distancing measures, the Board of Directors does hereby find that the legislative bodies of Paradise Irrigation

District shall continue to conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such legislative bodies shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

WHEREAS, the public may attend meetings and comment by calling in or by using the Zoom platform as described in meeting agendas.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF PARADISE IRRIGATION DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Re-ratification of Governor's Proclamation of a State of Emergency. The Board hereby ratifies the Governor of the State of California's Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020.

Section 3. Remote Teleconference Meetings. The District's General Manager, Secretary, and legislative bodies are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, continuing to conduct open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 4. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) 30 days from adoption of this Resolution or (ii) such time the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the District's legislative bodies may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED by the Board of Directors of Paradise Irrigation District, this 27th day of June, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

PARADISE IRRIGATION DISTRICT:

\_\_\_\_\_  
Georgeanna Borrayo  
Secretary to the Board of Directors

\_\_\_\_\_  
Shelby Boston  
President, Board of Directors



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DATE: June 22, 2022  
TO: Board of Directors  
FROM: Tom Lando, District Manager  
Georgeanna Borrayo, District Secretary  
SUBJECT: Director Vacancy – Division 1  
06/27/2022 Special Board of Directors Meeting

## Background – Filling Vacancies:

A list of events causing vacancy in office is set forth in Government Code section 1770. Among other events, a vacancy occurs upon the resignation of a board member. On Friday, June 17, 2022, Brian Shaw submitted his resignation as Director, Division 1, which occurs during the first half of his term of 4 years commencing December 4, 2020 to December 6, 2024.

The requirements for filling the vacancy are as follows:

- The District must notify the county elections official within 15 days of the date of vacancy, or by July 2, 2022.
- The remaining members of the district board can fill the vacancy by appointment or by calling an election within 60 days of the vacancy. If no action is taken for a period of 60 days immediately subsequent to a vacancy on such a board, the Board of Supervisors shall have the authority to fill the vacancy by appointment. Although rarely utilized, the law does provide for an alternative appointment in that the PID board may call for an election to fill the vacancy in lieu of appointment. The obligation to call an election becomes mandatory if the seat remains vacant for 90 days. (Gov. Code § 1780, subdivision (g)(1).)
- If the vacancy is filled by appointment, the person appointed shall serve until the next general election in November 2022, and thereafter until the person elected to fill the vacancy assumes office in December 2022. A notice of vacancy must be posted in three or more conspicuous locations at least 15 days before an appointment to fill the vacancy can be made.

An additional suggestion would be to consider setting a special meeting date to meet and interview interested candidates for the director seat. In consideration of the 15-day posting requirement and director availability, the earliest recommendation for a special meeting would be during the week of July 25, 2022.

If the Board desires to fill the vacancy by appointment and set a special meeting date, the recommended form of motion would be:

"I move to authorize staff to distribute a press release after the Board meeting announcing the District is seeking candidates to serve as an appointed director for the Division 1 director seat and authorize setting a special meeting date on \_\_\_\_\_, 2022 at \_\_\_\_\_ (time) to meet with qualified candidates who have expressed interest in the Division 1 Director vacancy."

## PARADISE IRRIGATION DISTRICT DIVISION 1 BOUNDARY