



Paradise Irrigation District

6332 Clark Rd, Paradise, CA 95969 · 530-877-4971 · Fax: 530-876-0483 · www.pidwater.com

AGENDA

SPECIAL MEETING

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

WEDNESDAY, OCTOBER 19, 2022 – 5:30 PM

- ❖ *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 or telephone (530) 876-2039 prior to 4:30 p.m. on the day of the meeting.

1. **OPENING:**
 - a. Call to Order
 - b. Public & Board Members; please silence your cell phones
 - c. Roll Call
2. **AB 361 – REMOTE MEETINGS (SUBSEQUENT RESOLUTION):** Adopt Resolution No. 2022-20 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. **PRESENTATION – PID RETIREMENT PROGRAM:** Presentation by Shawn Baker, Regional Vice President with Mission Square Retirement, to provide an informational update and answer questions regarding fiduciary duties and responsibilities with respect to the District's retirement program. *Information item only.*
5. **DIRECTORS' COMMENTS:** *Information item only.*
6. **ADJOURNMENT OF PID SPECIAL BOARD OF DIRECTORS MEETING**



Paradise Irrigation District

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DATE: October 5, 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
10/19/2022 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)
- June 27, 2022 (Resolution No. 2022-10)
- July 20, 2022 (Resolution No. 2022-11)
- August 17, 2022 (Resolution No. 2022-16)
- September 6, 2022 (Resolution No. 2022-18)
- September 21, 2022 (Resolution No. 2022-19)

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 2022-20 Re-Authorizing Remote Meetings Consistent with AB 361."

Budgetary Impact: None

Attachments: (1)

- Resolution No. 2022-20 (Re-Authorizing Remote Meetings Consistent with AB 361)

RESOLUTION NO. 2022-20 (**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 19th day of October, 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



Fiduciary Support and Education

Overview



50 Years Serving the Public Sector

This year we celebrate 50 years of helping public service employees achieve their retirement goals. And for 50 years our mission has been the same.

Thank you for letting us serve you.

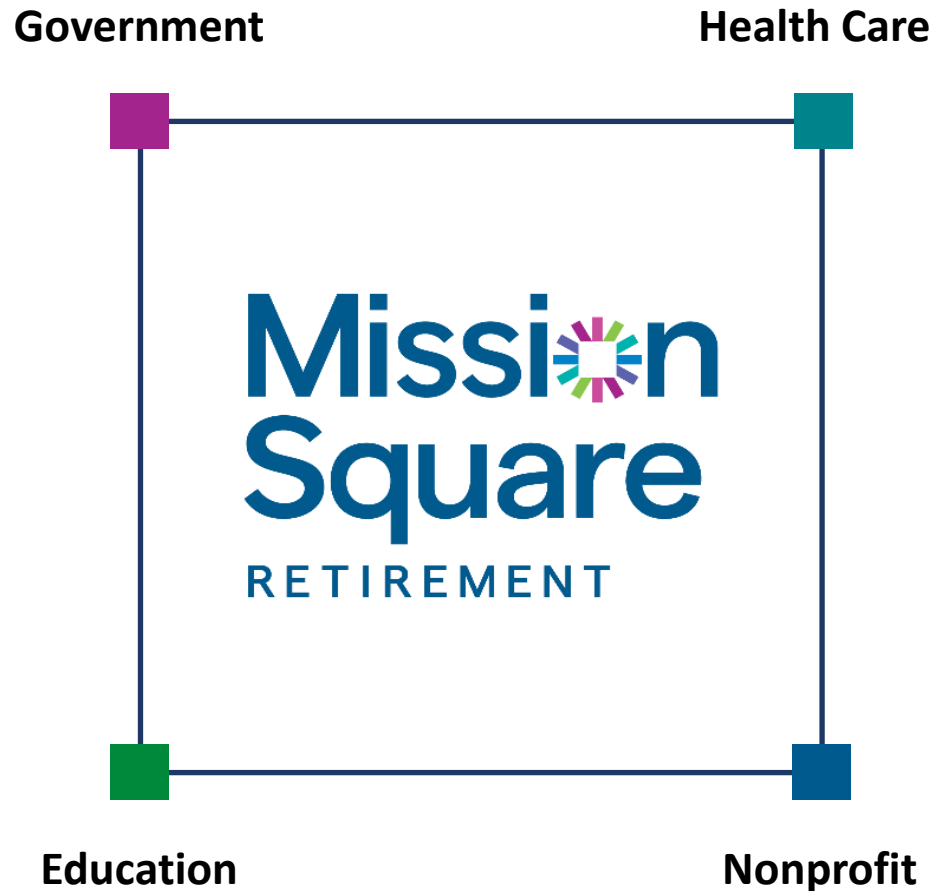


Invest in a shared sense of service.™





The Mission and the Square



A message from
CEO and President
Lynne Ford



Our Approach



Provide Positive
Experiences



Serve More
Employees



Deliver the Right
Products, Services,
& Solutions



Promote Long-Term
Financial Wellness



Our Participant Engagement Program



Data-Driven
Solutions



Personalized
Retirement Journey



Long-Term Financial
Wellness Education

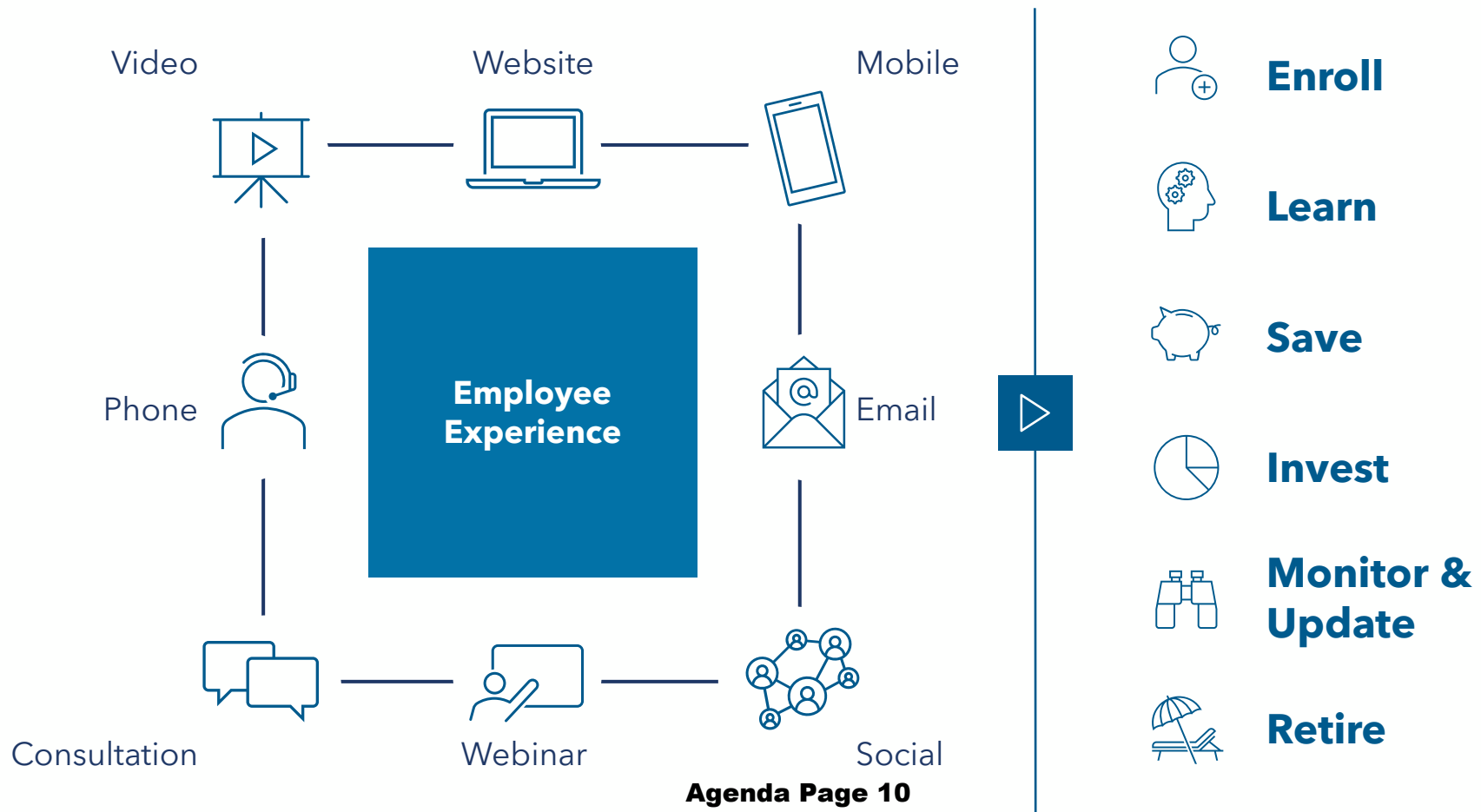


Holistic
Engagement
& Outcomes



Engaging Participants

Using our multichannel approach to drive relevant action.





SECURE 2.0

Highlights Impacting Governmental Plans



Expanding Coverage

- Eliminate “first day of the month” requirement for 457(b) plans
- Mandate automatic features in new 401(k) and 403(b) plans
- Long-term part-time coverage rule to 2 years (currently 3)



Increasing Savings

- Increase RMD age to 75
- Special catch-up for workers (ages 62-64 in House and 60-63 in Senate)
- Saver’s Credit enhancements



Government Workers

- Extend 10% penalty exception to all firefighters, to those with 25 years service, and to corrections officers and forensic security
- Public safety health care premium withdrawals
- Partial income exclusion for plan payments to disabled police, firefighters, EMTs

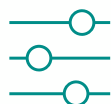
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Important note: Provisions listed here are contained in a House or Senate committee bill and may or may not be preserved in final legislation.



SECURE 2.0

Highlights Impacting Governmental Plans



Plan Design Options

- 403(b) plans can offer CIT investments
- Emergency savings
- Student loan matching
- Distributions for domestic abuse victims



Roth Provisions

- Catch-up contributions 401(k), 403(b) and 457(b) plans MUST be Roth
- Employer contributions MAY be offered as Roth
- No lifetime distributions required for in-plan Roth account (similar to Roth IRA)



Simplification

- Self-certification of unforeseeable emergency withdrawals / hardship
- Self-correction of operational errors in most cases

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Plan Administration Support Checklist

MissionSquare Support

Available in Your Plan

Online enrollment	✓
Online deferral changes	✓
Auto increase	✓
Auto rebalance	✓
Roth contributions	✓
De minimis accounts	✓
Beneficiary designation and updates	✓
Online withdrawals	✓
Emergency withdrawals	✓
MissionSquare plan document maintenance	✓



Fiduciary Trends



Financial
Wellness



Risk
Mitigation



Measuring
Effectiveness



Monitoring
Fees



What is a Fiduciary?

Not exclusively related to title, but instead related to function

- Use discretion in administering the plan, or
- Use discretion in managing the plan, or
- Control plan assets, or
- Provide investment advice for a fee

Source: <https://www.dol.gov/general/topic/retirement/fiduciaryresp>; U.S. Dept of Labor brochure, "Meeting Your Fiduciary Responsibilities."
Plan sponsor and consultant use only.

MissionSquare Retirement does not act in a fiduciary capacity.



Who is a Fiduciary?

For example, plan fiduciaries include:

- Plan trustees
- Plan administrators
- Plan investment committee members
- Plan consultants and advisors
- Discretionary asset managers
- Many service providers

Source: <https://www.dol.gov/general/topic/retirement/fiduciaryresp>; U.S. Dept of Labor brochure, "Meeting Your Fiduciary Responsibilities."
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Tasks of a Fiduciary

Fiduciary

- ✓ Administer the plan
- ✓ Manage the plan and/or its assets
- ✓ Discretionary authority in plan administration
- ✓ Provide investment advice for compensation

Non-Fiduciary

- ✗ Keep participant records
- ✗ Provide education materials
- ✗ Process contributions and withdrawals

MissionSquare Retirement does not act in a fiduciary capacity.



Fiduciary Obligations

- Run the plan solely in the interest of participants and beneficiaries
- Carry out duties with care, skill, prudence, and diligence
- Ensure diversified investment options
- Provide terms of plan documents
- Avoid conflicts of interest
- Pay only reasonable costs

MissionSquare Retirement does not act in a fiduciary capacity.



What Are Fiduciary Responsibilities?

Run the Plan Solely in the Interest of Participants and Beneficiaries

The plan sponsor's interest should not be considered. Nor should a committee consider how a particular action benefits them personally, except as a plan participant.

Act With Prudence

Carry out duties with the care, skill, prudence, and diligence of a prudent person familiar with the matters.

Ensure Diversification

Investment options should offer a broad range of investments that span the risk/return spectrum and allow participants to build an appropriate portfolio.

Distribute Terms of Plan Documents

Examples include basic plan document, adoption agreement, summary plan description, summary annual report, plan amendments, hardship withdrawals, participant loans, and fee disclosures.

Avoid Conflicts of Interest

May not engage in transactions on behalf of the plan that benefits parties related to the plan, such as other fiduciaries, services providers, or the plan sponsor.

Pay Only Reasonable Costs

A cost is considered reasonable if the nature of the goods or services, and the price paid for the goods or services, reflects the action that a prudent person would have taken given the prevailing circumstances at the time the decision to incur the cost was made.

Source: <https://www.dol.gov/general/topic/retirement/fiduciaryresp>; U.S. Dept of Labor brochure, "Meeting Your Fiduciary Responsibilities."

MissionSquare Retirement does not act in a fiduciary capacity. Plan sponsor and consultant use only.



Plan Sponsor Action Items

Helping You Meet Your Fiduciary Responsibilities

The plan sponsor is responsible for:

- Keeping meeting notes
- Ensuring provider conducts the plan review
- Ensure participants are knowledgeable about plan provisions
- Partner with vendor to provide education opportunities to employees



MissionSquare Checklist

Helping You Meet Your Fiduciary Responsibilities

Meet at least annually for a plan review discussion covering the following responsibilities:

- ☐ Review of investments
- ☐ Review of fees
- ☐ Education plan
- ☐ Ongoing education including legislative updates and industry trends
- ☐ Review of plan design options



Fiduciary Education Modules

Helping You Meet Your Fiduciary Responsibilities

Continue our fiduciary education series to learn more.

