

MINUTES
REGULAR MEETING
BOARD OF DIRECTORS
PARADISE IRRIGATION DISTRICT
NOVEMBER 17, 2021

The regular meeting of the Board of Directors of the Paradise Irrigation District (PID) was called to order at 6:30 p.m. by President Shelby Boston, followed by a reflection and the Pledge of Allegiance to the Flag of the United States of America.

OPENING

BOARD MEMBERS PRESENT: Directors Alan Hinman, Marc Sulik, Vice-President Dan Hansen, and President Shelby Boston
(Director Brian Shaw present at 6:35 p.m. via telephone conferencing during the closed session portion only)

ROLL CALL

STAFF PRESENT: District Manager Tom Lando, Finance & Accounting Manager Miranda Hillskemper, Assistant Engineer Blaine Allen, Administrative Assistant Sarah Fenton, and Secretary Georgeanna Borrayo

ALSO PRESENT: Consultant Sami Kader with Water Works Engineers, Nicole Maddox with APTIM, and members of the public.

Resident Loren Harvey commented on the district's meter installation project and plans to restore charges for water quantity use as meters are being installed throughout the district. Mr. Harvey stated he feels the district should begin charging for water quantity use after completion of the meter installs. Additional comments included a suggestion that PID meetings be available to view on YouTube and tying employee wages to the annual cost of living index.

PUBLIC
PARTICIPATION
(Item 2.)

President Boston announced the Board will adjourn to closed session to discuss agenda items 3.a. and 3.b. Following an opportunity for public comment, the Board adjourned to closed session at 6:35 p.m. to discuss the following:

CLOSED SESSION
DISCUSSION
(Item 3.a. & 3.b.)

3.a. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (California Government Code section 54956.9): Neil Essila et al v. Paradise Irrigation District et al. Butte County Superior Court Case No. 17CV02546.

Closed Session Announcement: Direction has been provided.

3.b. CONFERENCE WITH LABOR NEGOTIATORS (Government Code section 54957.6):

Agency designated representatives: Tom Lando, District Manager and Mickey Rich, Assistant District Manager.

Employee Organizations: Management Unit represented by Teamsters Local 137
General Unit represented by IBEW Local 1245

Closed Session Announcement: Direction has been provided to agency designated representative.

President Boston reconvened the regular meeting at 7:44 p.m. and provided closed session announcement information regarding agenda items 3.a. and 3.b. as listed in italicized print under each close session item above.

CLOSED SESSION
ANNOUNCEMENT
(Item 4.)

DIRECTOR SHAW
EXCUSED

APPROVAL OF
CONSENT
CALENDAR
(Item 5.a. – 5.d.)

*Item 5.e. removed
from Consent
Calendar for
discussion*

President Boston further announced Director Shaw will not be available to participate in the remainder of the meeting this evening.

President Boston requested Item 5.e. to re-authorize remote meetings consistent with AB 361 be removed from the Consent Calendar for discussion. She further recommended this agenda item be placed at the beginning of future meeting agendas.

5.a. Approval of Meeting Agenda Order

5.b. Approval of Minutes of Regular Meeting of October 20, 2021

5.c. Approval of Minutes for Special Meeting of November 3, 2021

5.d. Approval of Employee Awards Recognition & closure of District Facilities at 1:00 p.m. on December 16, 2021.

5.e. Approval to Adopt Resolution No. 2021-16 Re-Authorizing Remote Meetings Consistent with AB 361

It was moved by Director Hinman and seconded by Director Sulik to approve the Consent Calendar as amended with the removal of item 5.e. above for discussion.

AYES: Directors Hinman, Hansen, Sulik, and Boston

NOES: None

ABSENT: Director Shaw

Motion passes 4-0

RESOLUTION NO.
2021-16 ADOPTED
RE-AUTHORIZING
REMOTE
MEETINGS
CONSISTENT WITH
AB 361
(Item 5.e. – removed
from Consent
Calendar above)

Staff reported the Board of Directors previously adopted Resolution No. 2021-15 on October 20, 2021, making the required findings of emergency and social distancing measures and authorizing remote meetings pursuant to Government Code section 54953, paragraph (e). The Board must then continue to re-adopt the findings made in the resolution every 30 days by a subsequent resolution.

It was moved by Director Sulik and seconded by Director Hinman to adopt Paradise Irrigation District Resolution No. 2021-16, a resolution of the Board of Directors of the Paradise Irrigation District re-authorizing remote meetings consistent with AB 361. Directors' votes were polled as follows by roll call:

AYES: Directors Hinman, Hansen, Sulik, and Boston

NOES: None

ABSENT: Director Shaw

Motion passes 4-0

ACCEPTANCE OF
TREASURER'S
REPORT FOR
PERIOD ENDING
OCTOBER 31, 2021
(Item 6.a.)

Board members reviewed a written Treasurer's Report presented by Finance & Accounting Manager Miranda Hillskemper for the period ending October 31, 2021 highlighting the District's cash position, debt service analysis, operational overview, and recovery funding. In reference to the District's insurance claim for fencing damaged in the 2018 Camp Fire, staff has encountered challenges in obtaining bids from contractors for repair of fencing at the various locations throughout the district where damage occurred.

It was moved by Director Hansen and seconded by Director Sulik to accept the Treasurer's Report for the period ending October 31, 2021 as presented.

AYES: Directors Hinman, Hansen, Sulik, and Boston

NOES: None

ABSENT: Director Shaw

Motion passes 4-0

Board members reviewed accounts payable expense reports for the month of October 2021. It was moved by Director Sulik and seconded by Director Hinman to approve General Fund check numbers 56952 through 57121 for the month of October 2021 totaling \$1,218,840.65, exclusive of voided check numbers 56996 and 57082, and authorization of a similar amount allowing or adjusting for extraordinary budget or Board approved items during the month of November 2021.

EXPENSE
APPROVAL
REPORT FOR THE
MONTH OF
OCTOBER 2021
(Item 6.b.)

AYES: Directors Hinman, Hansen, Sulik, and Boston

NOES: None

ABSENT: Director Shaw

Motion passes 4-0

Board members received verbal and written staff report updates from the District Manager, Customer Service, and graphs relating to water supply. District Manager Tom Lando commented on the following: 1) PID Options Study: Staff has been working with GEI Consultants to help analyze alternatives using the ranking system that GEI has developed. A draft Options Evaluation Report may be developed by the end of the year; and 2) Two separate incidents involving damage to PID water main where the contractor did not verify utilities by calling USA North. The District is pursuing options for reimbursement and will present information to the Board for discussion at a future meeting.

INFORMATIONAL
PID STAFF AND
CONSULTANT
REPORT UPDATES
(Item 7.a. – 7.g.)

Engineering Consultant Sami Kader with Water Works Engineers highlighted information presented in reports included in the Board Packet regarding the Water Supply Recovery Program and status of engineering support services to the Paradise Irrigation District. The Meter Installation and Service Lateral Replacement project continues at a similar pace of installation at a rate of 80 to 100 per month and we remain ahead of issued building permits. For the Meter Replacement Program, work continues regarding planning for installation of the collectors and repeaters. President Boston recommended having the Meter Replacement Program Map available to customers on the District's website to view areas where meters have been installed.

Under the Special District Funds Grant Application noted as Task 15 in the District Engineering update, development of procurement documents is underway for contracted services to install solar equipment at PID tank sites. Water Works Engineering will be working with PID staff to advertise the Request for Proposals and anticipate to be back before the Board in January to consider award of contract.

Consultant Nicole Maddox with Aptim Environmental & Infrastructure provided a FEMA Project Status Report update regarding Public Assistance and Disaster Recovery Management Services in support of the recovery efforts. Work continues with PID staff regarding reimbursement for various FEMA projects, noting there are a couple reimbursement packets in process that are close to being finalized for submittal.

No committee meeting updates to report this month.

COMMITTEE
REPORTS

No unfinished business to report.

UNFINISHED
BUSINESS

Staff reported customers who needed water prior to the metering project purchased a backflow prevention device from PID on the basis that if FEMA funding were available, the cost for this purchase would be reimbursed. The Board previously approved a not-to-exceed amount of \$1,006,326.00 to provide account credits to those customers who purchased interim backflow devices from the district. 835 of the 2,638 (30%) of customers

NEW BUSINESS:

ACCOUNT
CREDITS FOR
BACKFLOW
PURCHASES

CONTINUED:
ACCOUNT
CREDITS FOR THE
PURCHASE OF
BACKFLOW
PREVENTION
DEVICES
APPROVED
(Item 10.a.)

who qualified for the account credit did not respond by the September 1, 2021 deadline. Occasionally, a customer will still ask for the refund. If approved, account credits will range from \$380.85 to \$791.37 depending on size of the device originally purchased.

It was moved by Director Hansen and seconded by Director Hinman to grant the District Manager the discretion to issue account credits ranging from \$380.85 to \$791.37 for purchase of backflow prevention devices.

AYES: Directors Hinman, Hansen, Sulik, and Boston
NOES: None
ABSENT: Director Shaw

Motion passes 4-0

APPROVAL TO
RESUME LATE
FEES &
CONVENIENCE
FEES
(Item 10.b.)

Following the 2018 Camp Fire, the District waived all late penalties to customers. In March of 2020, the District began waiving the credit card convenience fees and has not actively shutoff water service to customers for nonpayment.

Staff plans to revert to its pre-fire and pre-COVID 19 business procedures beginning January 1, 2022 and will notify customers on their water bills and PID newsletter.

Board direction given to resume late fees and convenience fees.

PROPERTY
DISCUSSION RE:
REAL ESTATE
ASSESSMENT OF
PID PROPERTIES
(Item 10.c.)

Staff has performed a preliminary analysis of PID's properties and recommends enlisting the assistance of professional real estate services for the advice and management of any potential real estate sales of surplus property.

It was moved by Director Sulik and seconded by Director Hansen to authorize staff to develop a Request for Proposal for realtor services to provide recommendations and to manage any potential sale of surplus property.

AYES: Directors Hinman, Hansen, Sulik, and Boston
NOES: None
ABSENT: Director Shaw

Motion passes 4-0

FIRST
AMENDMENT TO
DISTRICT
MANAGER
EMPLOYMENT
AGREEMENT
APPROVED
(Item 10.d.)

Board members considered an amendment to the Employment Agreement for District Manager Tom Lando to add Section 8(c), which provides language that if Employee is terminated other than for cause and while still willing and able to perform the duties of District Manager, District agrees to pay Employee a cash payment equal to three months base salary at the time of termination.

It was moved by Director Hinman and seconded by Director Sulik to approve the First Amendment to Employment Agreement with Tom Lando effective November 17, 2021.

AYES: Directors Hinman, Hansen, Sulik, and Boston
NOES: None
ABSENT: Director Shaw

Motion passes 4-0

EMPLOYMENT
AGREEMENT FOR
FINANCE &
ACCOUNTING
MANAGER
APPROVED
(Item 10.e.)

Manager Tom Lando reported the District has extended an offer of employment to Brett Goodlin to fill the position of Finance and Accounting Manager of the Paradise Irrigation District. This shall be a Limited Term Employment Agreement of 90 calendar days after its effective date unless both parties agree otherwise in a writing approved by the Board of Directors.

It was moved by Director Hansen and seconded by Director Sulik to approve the Limited Term Employment Agreement with Brett Goodlin for the position of Finance and Accounting Manager.

AYES: Directors Hinman, Hansen, Sulik, and Boston

NOES: None

ABSENT: Director Shaw

Motion passes 4-0

Director Sulik: Expressed appreciation to Water Works Engineers for their work in the recovery efforts. Recovery of the water system has been a struggle and Water Works Engineers has been extraordinary.

Director Hinman: Acknowledged Water Works Engineers and APTIM consultants for their work and wished everyone a Happy Thanksgiving.

There being no further business, it was moved by President Boston to adjourn the meeting. The regular meeting of the PID Board of Directors was adjourned at 7:27 p.m.

CONTINUED –
EMPLOYMENT
AGREEMENT FOR
FINANCE &
ACCOUNTING
MANAGER

DIRECTORS'
COMMENTS
(Item 11.)

ADJOURNMENT OF
MEETING


Georgeanna Borrayo, Secretary


Shelby Boston, President