

MINUTES

SPECIAL MEETING BOARD OF DIRECTORS PARADISE IRRIGATION DISTRICT JUNE 26, 2018

The special meeting of the Board of Directors of the Paradise Irrigation District was called to order at 6:30 p.m. by President Dan Wentland, followed by an Invocation and the Pledge of Allegiance to the Flag of the United States of America.

OPENING

BOARD MEMBERS PRESENT: Directors Marc Sulik, Anne Rice, Bill Kellogg, and President Dan Wentland (Robert Prevot appointed to fill the Division 5 director vacancy following action taken under agenda item 3.a. and 3.b.)

ROLL CALL

BOARD MEMBERS ABSENT: None

STAFF PRESENT: Interim District Manager Kevin Phillips, WTP Superintendent Jim Passanisi, and Secretary Georgeanna Borrayo

ALSO PRESENT: Members of the public

There were no comments regarding matters not scheduled on the agenda.

PUBLIC
PARTICIPATION
(Item 2)

Staff reported on May 24, 2018 the District issued a Press Release announcing a vacancy exists in the Office of Director, Division 5, of the Paradise Irrigation District. The District received letters from two candidates, Robert Prevot and Lee Brown. Both candidates are residents of Division 5 and registered voters at the address provided. The appointed candidate to fill the Division 5 vacancy will serve until the next general district election in November 2018, and thereafter until the person elected to fill the vacancy assumes office in December 2018.

APPOINTMENT OF
ROBERT PREVOT
TO DIRECTOR,
DIVISION 5
SUCCEEDING
CLIFF JACOBSON
(Item 3.a.)

Following an opportunity for the candidates to provide information about their background and interest to serve on the PID Board of Directors, it was moved by Director Rice and seconded by Director Sulik to appoint Robert Prevot to fill the Division 5 Director vacancy on the Board of Directors for the Paradise Irrigation District. Directors' votes were polled as follows by roll call:

AYES: Directors Sulik, Rice, and Wentland

NOES: Director Kellogg

ABSENT: Division 5 Director Seat Vacant

Motion passes 3-1

The Oath of Office was administered by the Secretary and Mr. Prevot took the seat to serve in the Office of Director, Division 5, of the Paradise Irrigation District for a term to expire December 7, 2018.

OATH OF OFFICE
ROBERT PREVOT,
OFFICE OF
DIRECTOR, DIV. 5
(Item 3.b.)

NEW BUSINESS:
RESERVOIR B
REPLACEMENT
PROJECT –
WATERWORKS
ENGINEERS
CONTRACT
AMENDMENT NO. 2
APPROVED FOR
ADDITIONAL
ENVIRONMENTAL
ALTERNATIVES
ASSESSMENT

(Item 4.a.)

Staff reported upon submission of the CEQA documentation to the State Water Resources Control Board, State Revolving Fund (SRF) Environmental Unit (EU), the EU required an additional document (Alternatives Analysis) be prepared to meet the requirements of a recent federal order tied to projects funded through the SRF program. This was not an environment requirement at the time this project was contracted with Waterworks Engineers, and is in addition to the current contract scope and cost.

It was moved by Director Rice and seconded by Director Sulik to authorize Waterworks Engineers Contract Amendment 2 for additional CEQA work regarding an Alternatives Analysis required by the State Revolving Fund Loan Environmental Unit in the amount of \$7,100, for a revised contract total not to exceed \$781,064.

AYES: Directors Sulik, Rice, Prevot, Kellogg, and Wentland

NOES: None

ABSENT: None

Motion passes 5-0

TANK C
REHABILITATION
PROJECT –
PLANING & DESIGN
CONTRACT
AMENDMENT NO. 2
WITH HARPER &
ASSOCIATES
ENGINEERING
APPROVED FOR
ADDITIONAL WORK
RE: BID DOCUMENT
GENERAL AND
SUPPLEMENTARY
CONDITIONS

(Item 4.b.)

Staff reported the District and Harper & Associates Engineering executed a contract and a notice to proceed was issued on October 31, 2017 regarding evaluation of water storage tanks C, D. & E. The District amended the contract on February 5, 2018 directing Harper & Associates to provide services for Tank C only based on a new corrosion evaluation and prioritization report.

For many years, the District has been using General Conditions with modified Special Conditions for each project in the bid documents based on the Standard Specifications of the State of California, Business, Transportation & Housing Agency, Department of Transportation dated May 2006. Recently, the District's Legal Counsel recommended using a different set of General and Supplementary conditions for future projects. Because Harper & Associates Engineering (HAE) completed the bid documents for the Tank C Project, they will need to do additional work to replace new General Conditions, and modify the Special Conditions based on the project's specifications.

It was moved by Director Sulik and seconded by Director Rice to authorize the Interim District Manager to execute a contract Amendment No. 2 with Harper & Associates Engineering, Inc. to include new General and Modified Supplementary Conditions in the bid documents in the amount of \$3,000, for a revised contract total not to exceed \$82,000.

AYES: Directors Sulik, Rice, Prevot, Kellogg, and Wentland

NOES: None

ABSENT: None

Motion passes 5-0

RESOLUTION NO.
2018-09 ADOPTED
TERMINATING
GRANT
AGREEMENT WITH
THE DIVISION OF
BOATING &
WATERWAYS FOR
THE NORTH LAKE
BOAT LAUNCH
FACILITY PROJECT
(Item 4.c.)

In June 2015, the District received a \$670,000 grant for the construction of the North Lake Boat Launching Facility from the State of California Natural Resources Agency; Department of Parks and Recreation; Division of Boating and Waterways (DBW). Earlier this year, a review of the Grant Agreement by the PID Ad Hoc Committee and the District's Legal Counsel was completed, and the District sent comments to DBW regarding concerns with the Agreement. The District received a response from DBW on April 17, 2018. At a regular Board meeting on May 16, 2018, the Interim District Manager was authorized to send written notice to the DBW requesting termination of the Grant Agreement. DBW requires the District provide a resolution and an official notice of intent letter to terminate the Grant Agreement.

It was moved by Director Rice and seconded by President Wentland to adopt Resolution No. 2018-09 that documents the District receiving the Division of Boating and Waterways Grant Agreement C4123010, and the District's intent to terminate the Agreement. Directors' votes were polled as follows by roll call:

AYES: Directors Sulik, Rice, Prevot, Kellogg, and Wentland
NOES: None
ABSENT: None

Motion passes 5-0

President Wentland opened nominations for the office of Vice President for the remainder of 2018 succeeding former Vice President Cliff Jacobson who resigned from the Board of Directors on May 17, 2018.

President Wentland nominated Anne Rice; nomination seconded by Director Kellogg. As there were no further nominations, President Wentland called for a vote on the nomination to elect Director Rice for the office of Vice President.

AYES: Directors Sulik, Rice, Prevot, Kellogg, and Wentland
NOES: None
ABSENT: None

Motion passes 5-0

President Wentland indicated his recommendation is to appoint Director Bob Prevot to serve on the committees that Cliff Jacobson participated on as assigned for 2018. The committees are Administration & Personnel, Finance, and ACWA Joint Powers Insurance Authority Director Representative for Paradise Irrigation District. Board members were in concurrence. The District Secretary will provide an updated list of committee assignments.

President Wentland announced closed session discussion items. As there were no comments regarding closed session, the Board adjourned to closed session at 7:09 p.m. regarding the following:

- 5.a. CONFERENCE WITH LABOR NEGOTIATORS (Government Code section 54957.6)
Employee organizations: General Unit represented by I.B.E.W., Local 1245 and Management Unit
PID designated representative: Emily LaMoe

Closed Session Announcement: Direction has been given to staff.

- 5.b. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Paragraph (a) of subdivision (d) of 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 given to staff.

President Wentland reconvened the special meeting at 7:31 p.m. and provided a closed session announcement regarding agenda items 5.a. and 5.b. as listed above in italicized print.

CONTINUED –
RESOLUTION NO.
2018-09 ADOPTED
TERMINATING
GRANT
AGREEMENT WITH
THE DIVISION OF
BOATING &
WATERWAYS

ELECTION AND
APPOINTMENT OF
DIRECTOR
ANNE RICE TO
SERVE AS VICE
PRESIDENT FOR
THE REMAINDER OF
2018
(Item 4.d.)

COMMITTEES OF
THE DISTRICT –
APPOINTING A
REPLACEMENT
(Item 4.e.)

CLOSED SESSION
(Item 5.a. & 5.b.)

CLOSED SESSION
ANNOUNCEMENT

ADJOURNMENT

It was moved by President Wentland to adjourn the meeting. The special meeting was adjourned at 7:32 p.m.

Georgeanna Borrayo, Secretary

Daniel Wentland, President

PENDING BOARD APPROVAL