

MINUTES  
SPECIAL MEETING  
BOARD OF DIRECTORS  
PARADISE IRRIGATION DISTRICT  
MAY 23, 2018

The special meeting of the Board of Directors of the Paradise Irrigation District was called to order at 2:00 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

ROLL CALL

BOARD MEMBERS ABSENT: Division 5 Director seat vacant following a letter of resignation submitted to the District Secretary from Cliff Jacobson on May 17, 2018.

STAFF PRESENT: Interim District Manager Kevin Phillips and Secretary Georgeanna Borrayo

ALSO PRESENT: PID Legal Counsel Emily LaMoe and members of the public

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

PUBLIC  
PARTICIPATION

Director Sulik stated this Resolution is in response to a member of the public who spoke at the May 16, 2018 Board of Directors Meeting where the public member had misinformation and spoke falsehoods. Director Sulik added he coordinated this agenda item because he wants to set the record straight that the Board has supreme confidence in Interim Manager Kevin Phillips.

OPEN SESSION:

RESOLUTION OF  
CONFIDENCE  
ADOPTED  
REGARDING  
KEVIN PHILLIPS  
(Item 3.a.)

Director Rice commented she had not met Kevin Phillips prior to serving on the Board, but in all her interactions with Kevin, she has known him to be a person of good character, professional, and honest.

It was moved by Director Wentland and seconded by Director Rice to adopt Resolution No. 2018-06, a Resolution of confidence by the Board of Directors of the Paradise Irrigation District regarding Kevin Phillips. Directors' votes were polled as follows by roll call:

AYES: Directors Sulik, Rice, Kellogg, and Wentland

NOES: None

ABSENT: Division 5 Director Seat Vacant

**Motion passes 4-0**

Attorney Emily LaMoe reported on Thursday, May 17, 2018, Director Cliff Jacobson emailed the District Secretary a letter of resignation. The District must notify the county elections official within 15 days of the date of vacancy, or by June 1, 2018. The Board of Directors has 60 days to appoint an individual to fill the vacancy, or call for an election. If it does not do so, the Board of Supervisors can fill the vacancy.

DIRECTOR  
VACANCY,  
DIVISION 5  
RESIGNATION OF  
CLIFF JACOBSON  
(Item 3.b.)

Director Jacobson was elected in November of 2016 and the vacancy occurred in the first half of his term of office. The person appointed to fill the vacancy shall hold office until the next general district election in November 2018, and thereafter until the person elected to fill the vacancy assumes office in December 2018. The individual elected in

CONTINUED –  
DIRECTOR  
VACANCY,  
DIVISION 5  
RESIGNATION OF  
CLIFF JACOBSON

November shall serve the remainder of Director Jacobson's original term – until December 2020. In order to be appointed or elected to the position of director of Division 5, a candidate must be a registered voter in the district and a resident of Division 5.

It was moved by Director Sulik and seconded by Director Rice to authorize filling the Division 5 Director vacancy by appointment, setting the deadline for receiving letters of interest as June 15, 2018, and setting a special meeting of the Board to consider candidate letters of interest for appointment on Tuesday, June 26, 2018 at 6:30 p.m.

AYES: Directors Sulik, Rice, Kellogg, and Wentland  
NOES: None  
ABSENT: Division 5 Director Seat Vacant

**Motion passes 4-0**

DESIGNATION OF  
DISTRICT LABOR  
NEGOTIATORS RE:  
UNREPRESENTED  
POSITION OF  
DISTRICT MANAGER  
(Item 3.c.)

Attorney Emily LaMoe confirmed the next step as the Board moves forward in the final stages of selecting a candidate for the position of District Manager, is to take action to designate labor negotiators.

It was moved by Director Rice and seconded by Director Sulik to designate Richard O'Donnell with Koff & Associates and PID Legal Counsel Emily LaMoe as District Labor Negotiators regarding unrepresented position of District Manager.

AYES: Directors Sulik, Rice, Kellogg, and Wentland  
NOES: None  
ABSENT: Division 5 Director Seat Vacant

**Motion passes 4-0**

RESOLUTION NO.  
2018-07 ADOPTED  
SETTING THE JUNE  
2018 REGULAR  
MEETING OF THE  
BOARD OF  
DIRECTORS ON  
JUNE 12, 2018 AT  
6:30 PM  
(Item 3.d.)

Attorney Emily LaMoe indicated at its May regular meeting, the Board acted to cancel the June regular meeting and set a special meeting for June 12, 2018. The Board cannot consider or act on the financial terms of the manager's contract at the June special meeting. Contract review and approval for a local agency executive must occur at a regular meeting. Such consideration and action can be taken, if properly agendized, at the July regular meeting. The Board, however, may by resolution entered upon its minutes fix any day of the month for its regular monthly meeting. The change shall not be effective until the resolution proposing it has been published once a week for two successive weeks in a newspaper published in the office county. If the Board desires a June regular meeting, a resolution is provided for consideration.

It was moved by President Wentland and seconded by Director Rice to adopt Resolution No. 2018-07 setting the June 2018 regular meeting of the Board of Directors of the Paradise Irrigation District to be held on Tuesday, June 12, 2018 at 6:30 p.m. Directors' votes were polled as follows:

AYES: Directors Sulik, Rice, Kellogg, and Wentland  
NOES: None  
ABSENT: Division 5 Director Seat Vacant

**Motion passes 4-0**

CLOSED SESSION

President Wentland announced closed session discussion items. As there were no comments regarding closed session, the Board adjourned to closed session at 2:27 p.m. regarding the following:



- 4.a. Conference with Labor Negotiators Richard O'Donnell with Koff & Associates and PID Legal Counsel Emily LaMoe regarding unrepresented position, District Manager (Government Code section 54957.6).

CLOSED SESSION -  
CONTINUED

*Closed Session Announcement: The Board gave direction to the District's negotiators to begin negotiating an employment agreement for District Manager with Ed Fortner, Jr. The terms and conditions of the employment agreement will be discussed at a regular meeting of the Board of Directors, as well as any action to approve the employment agreement.*

- 4.b. Public Employee Discipline/Dismissal/Release. Pursuant to Government Code section 54957.

*Closed Session Announcement: At the May 16, 2018 Board meeting, by a vote of 5-0, the Board accepted the resignation of Bill Scarborough and agreed that the District will contribute \$2,101.17 per month to Mr. Scarborough's health benefits for a period of six months. Directors Wentland, Sulik, Rice, Jacobson and Kellogg voted in favor.*

President Wentland reconvened the special meeting at 4:25 p.m. and provided a closed session announcement regarding agenda items 4.a. and 4.b. as listed above in italicized print.

CLOSED SESSION  
ANNOUNCEMENT

It was moved by President Wentland to adjourn the meeting. The special meeting was adjourned at 4:28 p.m.

ADJOURNMENT

  
Georgeanna Borrayo, Secretary

  
Daniel Wentland, President