

MINUTES

REGULAR MEETING BOARD OF DIRECTORS PARADISE IRRIGATION DISTRICT MAY 20, 2020

The regular meeting of the Board of Directors of the Paradise Irrigation District was called to order at 6:31 p.m. by President Marc Sulik, followed by an Invocation and the Pledge of Allegiance to the Flag of the United States of America.

OPENING

BOARD MEMBERS PRESENT: Directors Dan Hansen, Gregg Mowers, Brian Shaw, Vice-President Shelby Boston, and President Marc Sulik

ROLL CALL

BOARD MEMBERS ABSENT: None

STAFF PRESENT: District Manager Kevin Phillips, IT Manager Mickey Rich, and Secretary Georgeanna Borrayo

ALSO PRESENT: Finance & Accounting Manager Ross Gilb, PID Legal Counsel (Participating Remotely) Attorney Emily LaMoe, Consultants Sami Kader & Colleen Boak with Water Works Engineers, and members of the public

President Sulik announced due to risks associated with COVID-19, community members may fully participate in the meeting via Facebook Livestream. Online participants must post their comments regarding items not on the agenda on the Livestream thread by 6:45 p.m. at which time public comments will be read to the Board members. Public comment regarding agenda items will be read directly after the agenda item and before the Board votes on an item.

President Sulik announced closed session item 2.a. As there were no public comments, the Board adjourned to closed session at 6:33 p.m. regarding the following:

CLOSED SESSION:
CONFERENCE
WITH LEGAL
COUNSEL –
EXISTING
LITIGATION
(Item 2.a.)

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (California Government Code section 54956.9). Paradise Irrigation District v. Pacific Gas & Electric.

President Sulik reconvened the regular meeting at 7:07 p.m. and announced direction has been given to Legal Counsel regarding closed session item 2.a. above.

CLOSED SESSION
ANNOUNCEMENT

Board members reviewed consent calendar items as follows:

APPROVAL OF
CONSENT
CALENDAR
(Item 3)

- 3.a. Approval of Meeting Agenda Order
- 3.b. Approval of Minutes: Regular Meeting of April 15, 2020

It was moved by Director Mowers and seconded by Director Shaw to approve the Consent Calendar as presented.

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

Motion passes 5-0

PUBLIC
PARTICIPATION
(Item 4)

Customer Leslie Cook stated she feels PID has been very inefficient and unhelpful to victims of the Camp Fire. In February, they paid for a backflow assembly and are still waiting for it to be installed; adding, this has held up construction on their house so severely they may not be able to rebuild there. Board members indicated staff will review the situation and contact her.

RECOVERY
PROCESS STATUS
UPDATE
(Item 5)

Consultants Sami Kader and Colleen Boak with Water Works Engineers provided an informational update on the PID Water Supply Recovery Program.

Project 1 – Standing Structure: To date, 100% of mains and meters serving standing structures have been cleared and issued letters lifting the Water Quality Advisory. The remaining 145 dead end mains which serve no standing structure, are slated for clearing.

Over 1,500 Interim Water Services have been installed and new requests continue at a rate of 75-90 per month. The current backlog of outstanding Interim Water Requests is 430. The District is working to move through the backlog more efficiently by categorizing the requests based on main clearance status. Circumstances that can slow installation include the following factors: 1) Many are on uncleared mains, which have to wait for main clearance, and 2) Many are damaged at the service due to the fire or lot clearing activities.

Project 2 – Service Lateral Replacement Program Update: To date, 286 service laterals have been replaced by the contractor, Sutton Enterprises. An additional 239 service laterals have been replaced by PID crews since the November 8, 2018 Camp Fire.

Project 3 – Meter and Service Assembly Replacement has two parts:
Part 1 – Meter and AMI system selection and purchase (Spring/Summer 2020)
Part 2 – Installation contractor selection and construction (late 2020/early 2021).

Project 4 – Reservoir B Replacement Project Update: The District is in communication with FEMA regarding the District's project funding application. The targeted timeframe for Reservoir B replacement is summer 2021.

DISTRICT
MANAGER'S
REPORT
(Item 6)

Manager Phillips provided a verbal update on the following: 1) FEMA claim process and anticipated timeline for obligation of funds. FEMA issued a letter denying the District's time extension request through July 8, 2020 under the Public Assistance (Section 428) Application pertaining to water meters and AMI system, and Water transmission and distribution pipes and appurtenances. FEMA has also reassigned a majority of its staff working with PID and assigned new representatives; 2) Backfill funding update regarding the Governor's new budget proposal to cut \$7.3 million promised to PID; and 3) COVID-19 response update.

TREASURER'S
REPORT ACCEPTED
PERIOD ENDING
APRIL 30, 2020
(Item 7)

Board members reviewed a written Treasurer's Report prepared by Treasurer Ross Gilb for the period ending April 30, 2020 highlighting the District's cash position, debt service analysis, and operational and recovery related expenditures. A cash flow analysis review showed various scenarios showing a worst-case scenario with no backfill funding and FEMA funds, and a best-case scenario where the state backfill funding to PID is reinstated into the state's budget.

It was moved by Director Boston and seconded by Director Mowers to accept the Treasurer's Report as presented for the period ending April 30, 2020.

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

Members of the Board reviewed accounts payable expense reports for the month of April 2020. It was moved by Director Boston and seconded by Director Shaw to approve General Fund Check Numbers 54745 through 54834 for the month of April 2020 totaling \$964,414.65, and authorization of a similar amount allowing or adjusting for extraordinary budget or Board approved items during the month of May.

APPROVAL OF
EXPENSE REPORT
FOR THE MONTH
OF APRIL 2020
(Item 8)

AYES: Directors Hansen, Boston, Mowers, Shaw, and Sulik
NOES: None
ABSENT: None
Motion passes 5-0

Attorney Emily LaMoe indicated there is no legal report update for open session this evening.

LEGAL REPORT
(Item 9)

Community Relations Committee: Directors Boston and Sulik reported meeting on May 5, 2020. Discussion included updates regarding the Sustainability Study, COVID-19 response and phasing back into operations at the District office, removal of trees near the PID Demonstration Garden, and the Consumer Confidence Report and communication ideas for distribution of this information. Katie Salcido with the Census Bureau discussed the desire to partner with PID to get the word out for residents to complete the Census 2020. The next committee meeting is scheduled on July 7th at 8:00 a.m.

COMMITTEE
REPORTS
(Item 10)

Manager Phillips confirmed the District has a building located at the B Reservoir that was used for document storage, which was destroyed during the Camp Fire. The District received three bids for debris removal services; however, his recommendation is to table this item to complete and file the necessary CEQA documentation with the Butte County Clerk-Recorder. Board members concurred to table this item until the June Board meeting.

UNFINISHED
BUSINESS:
DEBRIS REMOVAL
SERVICES FOR
STORAGE
BUILDING
(Item 11.a. Tabled)

Consultant Sami Kader with Water Works Engineers outlined information regarding consideration of Amendment 2 to allow for continuation of the services being provided under the original Agreement through October 2020, as well as additional scope of services as follows:

NEW BUSINESS:

1. Continued Program Management and GIS maintenance for the Recovery Program.
2. Planning and support of Long-Term System Surveillance Support.
3. Continued contract management of the Service Lateral Replacement Program.
4. Development of Bid Documents for the Customer Water Meter Replacement Project.

AMENDMENT 2 -
PROFESSIONAL
SERVICES
AGREEMENT FOR
DISASTER
RECOVERY
MANAGEMENT
SERVICES
APPROVED
(Item 12.a.)

It was moved by Director Boston and seconded by Director Hansen to authorize approval of Amendment 2 subject to legal review, and direct staff to increase Water Works Engineers contract not-to-exceed amount to \$2,850,000.00 for disaster recovery engineering services being provided under the original Agreement dated March 14, 2019.

AYES: Directors Hansen, Boston, Mowers, Shaw, and Sulik
NOES: None
ABSENT: None
Motion passes 5-0

Colleen Boak with Water Works Engineers reported Children's Community Charter School (CCCS) has completed the construction of a water main extension, public fire hydrant, and service stub as outlined in the terms of the Water Service Facilities Agreement approved by the Board in October of 2018. The additional infrastructure will serve to support improvements to the existing charter school located at 6830 Pentz Road, APN

CONVEYANCE OF
PIPELINE –
CHILDREN'S
COMMUNITY
CHARTER SCHOOL

CONTINUED –
CONVEYANCE OF
PIPELINE FOR
CHILDREN'S
COMMUNITY
CHARTER SCHOOL
(Item 12.b.)

050-220-126. All improvements fell within an existing 60' wide non-exclusive easement along Rockhouse Lane including proper setbacks.

It was moved by Director Mowers and seconded by Director Shaw to authorize acceptance of the Conveyance of Pipeline from the Children's Community Charter School consisting of approximately 180 feet of 8-inch C-900 pipe and public hydrant located within the non-exclusive easement along Rockhouse Lane at 6830 Pentz Road.

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

Motion passes 5-0

DISTRICT
ENGINEERING
SERVICES
PROPOSAL
(Item 12.c. Tabled
until next month)

Manager Phillips indicated the District does not currently have an engineer in-house to provide general engineering support tasks for the District's needs. The proposal provided by Water Works Engineers is intended to be a flexible tool to support the District as needed and requested for services such as project management, engineering support for the District and GIS Maintenance and Water Modeling.

As a result of the Governor's new budget proposal to cut \$7.3 million backfill funding to PID, Board members concurred to table this item until next month when the District may have a better fiscal picture regarding the state backfill funding.

UPDATE TO WATER
QUALITY ADVISORY
APPROVED
(Item 12.d.)

Staff reported the District issued a Do-Not-Drink Water Quality Advisory on December 20, 2018 following the 2018 Camp Fire. Since the Camp Fire, PID has performed extensive recovery work and developed and implemented a massive water quality testing program. As a result of this testing and analysis of the data gathered, the District is revising the Water Quality Advisory originally issued December 20, 2018 with three categories:

Category 1: Surviving Structures (The home or business existed before the 2018 Camp Fire and remained standing after).

Category 2: New Builds/Rebuilds (Built after November 2018, has a permanent backflow device and certificate of occupancy).

Category 3: Temporary/Pre-build (Lots with interim water service. May have a temporary camping permit or in process of rebuild).

It was moved by Director Shaw and seconded by Director Mowers to accept the amended Water Quality Advisory to be effective May 20, 2020.

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

Motion passes 5-0

UPDATE TO
CHAPTER 7 OF PID
POLICY &
PROCEDURES –
DISCONTINUANCE
OF WATER
(Item 12.e.)

Staff reported last year, the California Legislature passed SB 998 and the Governor signed into law – The Water Shut Off Protection Act. SB 998 changes the requirements and procedures for the discontinuation (i.e., termination) of water service to a residence. To meet compliance under California law, the proposed revision to Chapter 7 of the PID Policy and Procedures manual is presented for Board consideration and has been vetted through the District's legal counsel.

It was moved by Director Hansen and seconded by Director Boston to accept the revisions to Chapter 7 of the District's policy and procedures manual following completion of legal review.

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

Motion passes 5-0

Staff indicated the proposed temporary policy and short-term telecommuting agreement are an important part of the District's pandemic response. The attached policy outlines the proposed requirements and procedures to allow telework arrangements. Discussion included a suggestion to amend the wording in the first sentence under the Safety section to indicate, "safe and ergonomic manner" and providing an ergonomic training document for all employees.

It was moved by Director Mowers and seconded by Director Boston to accept the Temporary Telecommuting Policy and Short-term Telecommuting Agreement as presented with the addition of ergonomic training.

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

Motion passes 5-0

Manager Phillips reported the District has an Emergency Response Plan that contains various action plans for staff to refer to when planning for and responding to a natural or other emergency. Staff desires to add the following Pandemic Response Plan to be included in the District's existing Emergency Response Plan. Additional recommendations included adding employee temperature screening and verbiage regarding cleaning shared workspaces under section 9.4 – Disinfection.

It was moved by Director Hansen and seconded by Director Mowers to accept the Pandemic Response Plan with additional recommendations as noted above.

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

Motion passes 5-0

Information Systems Manager Mickey Rich reported audio and video upgrades to the District's Board room are recommended. The existing system was installed in 2012 and uses outdated technology and was not designed for streaming or telecommunication. The proposed updates include improvements to allow for better sound and video quality for broadcasting and telemeetings, as well as necessary audio and video upgrades to existing equipment. The quote also includes soundproofing to decrease the echo in the room. The proposed not to exceed cost for all upgrades is \$17,987.31. The not to exceed cost for minimum improvements of soundproofing and sound feed for audio only to allow for better communication for distant or online participants is \$4,910.14.

Board members concurred to table this item until the District has a better fiscal picture regarding the state backfill funding. Staff will contact Sounds by Dave about extending the pricing. In the interim, Director Mowers offered to reach out to Rotary about possible sponsorship of this project and IT Manager Mickey Rich will contact the North Valley Community Foundation about grant funding opportunities. **Item tabled.**

CONTINUED –
CHAPTER 7
POLICY REVISION
APPROVED RE:
DISCONTINUANCE
OF WATER

TEMPORARY
TELECOMMUTING
POLICY & EMPLOYEE
AGREEMENT
APPROVED
(Item 12.f.)

PANDEMIC RESPONSE
PLAN ACCEPTED
(Item 12.g.)

PURCHASE REQUEST
FOR UPGRADES TO
BOARD CONFERENCE
ROOM AUDIO / VIDEO
(Item 12.h. Tabled)

COMMUNITY
DISASTER LOAN
PROGRAM –
AUTHORIZING
RESOLUTION NO.
2020-04 ADOPTED
(Item 12.i.1.)

Staff reported Resolution No. 2020-04 authorizes the District Manager to request a loan under the Community Disaster Loan (CDL) Program through the Federal Emergency Management Agency (FEMA). The CDL Program loan would be an emergency fund the District can later draw on with Board approval. The CDL Program makes available low interest loans and interest does not accrue on the loan until funds are drawn down. The loan can also be forgiven.

It was moved by President Sulik and seconded by Director Shaw to adopt Resolution No. 2020-04 to authorize the District Manager of Paradise Irrigation District, Kevin Phillips, to request a loan under the Community Disaster Loan Program of the Federal Emergency Management Agency for a maximum amount of \$1,329,504.00, with the Loan only to be drawn on upon Board approval. Directors' votes were polled as follows by roll call:

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

Motion passes 5-0

COMMUNITY
DISASTER LOAN
COLLATERAL
SECURITY
RESOLUTION NO.
2020-05 ADOPTED
(Item 12.i.2.)

Staff reported the Community Disaster Loan (CDL) Collateral Security Agreement Resolution is to pledge collateral security to the Federal Emergency Management Agency on the Promissory Note for a Community Disaster Loan for \$1,329,504.00.

It was moved by Director Boston and seconded by Director Mowers to adopt Resolution No. 2020-05 authorizing the Local Government Resolution – Collateral Security to the Federal Emergency Management Agency on the Promissory Note for a Community Disaster Loan. Directors' votes were polled as follows by roll call:

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

Motion passes 5-0

APPROVAL TO
PURCHASE GLASS
BARRIER FOR
DISTRICT OFFICE
(Item 12.j.)

Staff indicated the District office is presently closed to the public due to the health concerns surrounding the COVID-19 pandemic. The current configuration of the front counter is open with no protection from the public. To protect the employees from any security or health concerns, staff is recommending installation of a glass barrier that would seal off the public area from the staff area. The District requested proposals from three companies and received two bids. Board members would like to have the full enclosure design with sliding windows and the speaker feature. Additional comments included postponement of installation until the District has information regarding reinstatement of the backfill funding and having the glass barrier in place before the District office opens fully to the public.

Contingent upon PID's backfill funding being reinstated by the state, it was moved by Director Boston and seconded by Director Shaw to approve the purchase and installation of a glass barrier at the PID Administration Building from Miller Glass for an amount not to exceed \$14,400.00.

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

Motion passes 5-0 subject to backfill funding being reinstated by the state.

Director Mowers: Reinstatement of the backfill funding to PID has been mentioned very often this evening as a factor for the Board's decision to table Board action on some agenda items. It is important for the public to know PID is here for the duration and may have to make some decisions that may not seem quite user friendly. The intention is to keep PID whole and make responsible decisions.

Director Boston: Going back to earlier discussion this evening around customer concerns about trying to get their needs met through the District's great Customer Service staff, we are all here to help, including members of the Board. It has been almost 2 years since the Camp Fire, and it is pretty impressive how far we have come.

Director Hansen: Indicated he would like the District's contractors to know the District is behind them. The Board will do its best to look at everything and examine all possibilities to keep the water flowing.

Director Shaw: Stated he realizes there is a lot of public fear and concern regarding decisions the Governor has made regarding budget cuts. The District is pushing to get the community rebuilt and will do its best to make that process as seamless as possible to move the recovery efforts forward.

President Sulik: Addressed the employees, stating the news has not been positive this past week. The Board is here to move the District forward and will do everything possible to keep the District whole.

President Sulik announced closed session items 14.a. and 14.b. As there were no public comments, the Board adjourned to closed session at 10:25 p.m. regarding the following:

CLOSED SESSION
(Item 14.a. & 14.b.)

- 14.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: There was no discussion in closed session pertaining to this item.

- 14.b.. CONFERENCE WITH LABOR NEGOTIATORS (California Government Code section 54957.6). Agency designated representative – Kevin Phillips and PID Legal Counsel.
Negotiations with IBEW Local 1245 and Teamsters Local 137.

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

President Sulik reconvened the regular meeting at 10.47 p.m. and provided closed session announcement information regarding agenda items 14.a. and 14.b. as listed above in italicized print.

CLOSED SESSION
ANNOUNCEMENT

It was moved by President Sulik to adjourn the meeting. The regular meeting was adjourned at 10:49 p.m.

ADJOURNMENT


Georgeanna Borrayo, Secretary


Marc Sulik, President