

MINUTES  
REGULAR MEETING  
BOARD OF DIRECTORS  
PARADISE IRRIGATION DISTRICT  
AUGUST 19, 2020

The regular meeting of the Board of Directors of the Paradise Irrigation District was called to order at 6:32 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 Gregg Mowers, Brian Shaw, Vice-President Shelby Boston, and President Marc Sulik

ROLL CALL

**BOARD MEMBERS ABSENT:** Division 2 Director Seat vacant following the resignation of Brian Shaw as director for Division 2 effective July 31, 2020.

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

**ALSO PRESENT:** Engineering Consultants Sami Kader and Colleen Boak  
Participating remotely: Attorney Emily LaMoe, Finance & Accounting Manager Ross Gilb, and members of the public

President Sulik announced due to risks associated with COVID-19, community members may fully participate in the meeting via Email and Facebook Livestream. Online participants must post their comments regarding items not on the agenda on the Livestream thread by 6:40 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. The Board will begin discussion on agenda items until 6:40 p.m. at which time the Board will hear public comments submitted.

Manager Phillips commented this will likely be his last Manager's Report as his last day with PID will be August 28 prior to beginning his new position as Town Manager. Expressed appreciation to the Board of Directors, PID Staff and Consultants; adding he has the utmost faith in this team going forward.

DISTRICT  
MANAGER &  
STAFF REPORT  
UPDATES  
(Item 5)

In addition to written staff reports for the Water Treatment Plant and Administrative and Customer Service activity updates, Manager Phillips highlighted the following: 1) Status of FEMA claims; 2) Genterra Consultants have performed the annual surveying of Magalia and Paradise Dams and have begun the secondary evaluation of the Magalia spillway; 3) A meeting was held on August 13 regarding the PID Sustainability Study. Discussion included establishing a community relations firm to begin receiving community input on the options that have been brought forward for the long-term and short-term; and 4) Tesla Battery Backup Program for utilities to acquire battery back-up systems at no cost. This would be for the Water Treatment Plant and Pump Station 2. Water Works Engineers is sizing the battery for peak load.

Public comment received from a Facebook viewer via Livestream stated Kevin Phillips has been a great team member for Paradise Irrigation District and will continue doing a great job for the Town of Paradise.

PUBLIC  
PARTICIPATION  
(Item 3)

APPROVAL OF  
CONSENT  
CALENDAR  
(Item 2)

Board members reviewed consent calendar items as follows:

- 3.a. Approval of Meeting Agenda Order
- 3.b. Approval of Minutes: Regular Meeting of July 15, 2020  
Special Meeting of July 28, 2020  
Special Meeting of July 31, 2020

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

AYES: Directors Boston, Mowers, Shaw, and Sulik  
NOES: None  
ABSENT: Division 2 Director Seat Vacant

**Motion passes 4-0**

RECOVERY  
PROCESS STATUS  
UPDATE (Item 4)

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

Project 1 – Standing Structure & Main Testing and Clearing Program: 91 dead end mains remain to be cleared, which present special challenges and need individual consideration for each site. Discussed graph showing the pattern of orders for Interim Water Service requests and Installation rate. Over the period January 2019 to July 2020 the total number of Interim Water Service orders is 2,234, and total number of installs is 1,863. In reference to Surveillance Monitoring, phase 1 has been completed by Water Works Engineers and Staff.

Project 2 – Service Lateral Replacement Program Update: For the period January 2019 to July 2020, 900 service laterals have been replaced. Currently, the District is seeing approximately 60 building permits issued per month, so plans will continue to use Sutton services to augment the District's ability to meet the need that those building permits represent.

Project 3 – Meter and Service Assembly Replacement has two parts:

Part 1 – Meter and Advanced Metering Infrastructure (AMI) system selection and purchase – Four quality proposals have been received for the Meter and AMI Procurement Project. Proposals are being evaluated and a recommendation for contract award is anticipated by the September Board meeting.

Part 2 – Installation contractor selection and construction (late 2020/early 2021). The Request for Proposal is currently under development.

Project 4 – Reservoir B Replacement Project Update: The District is awaiting FEMA funding decisions regarding the District's project funding application for the replacement of B Reservoir with 2 steel reservoirs on the basis that the mitigation of future fire damage shows a benefit in the benefit-cost analysis.

Water Works Engineers Budget Update: Project continues to be on budget. Current project budgeted through October 2020. A project amendment will be presented to the Board in September to reflect changes in the scope of work and extend services being provided under the original Agreement.

**Information item only; no Board action taken.**



Water Works Engineers reported on the status of additional engineering support services for the District, which will be updated for each Board meeting. Task updates include work relating to two Conveyance of Pipeline Easements, new PG&E easement through the Water Treatment Plant site, Tesla Battery Backup Program, Magalia Dam Engineering Study, and Division of Drinking Water Permit Renewal. **Information item only; no Board action taken.**

DISTRICT  
ENGINEERING  
TASK UPDATE  
(Item 6)

Board members reviewed a written Treasurer's Report from Finance & Accounting Manager Ross Gilb for the period ending July 31, 2020 highlighting the District's cash position, debt service analysis, operational overview, and recovery funding.

TREASURER'S  
REPORT  
ACCEPTED FOR  
PERIOD ENDING  
JULY 31, 2020  
(Item 7)

It was moved by Director Mowers and seconded by Director Boston to accept the Treasurer's Report for the period ending July 31, 2020 as presented.

AYES: Directors Boston, Mowers, Shaw, and Sulik  
NOES: None  
ABSENT: Division 2 Director seat vacant  
**Motion passes 4-0**

Members of the Board reviewed accounts payable expense reports for the month of July 2020. It was moved by Director Boston and seconded by Director Mowers to approve General Fund check numbers 55093 through 55178 for the month of July 2020 totaling \$950,007.13, exclusive of voided check numbers 55113 and 55155, and authorization of a similar amount allowing or adjusting for extraordinary budget or Board approved items during the month of August.

APPROVAL OF  
EXPENSE REPORT  
FOR JULY 2020  
(Item 8)

AYES: Directors Boston, Mowers, Shaw, and Sulik  
NOES: None  
ABSENT: Division 2 Director seat vacant  
**Motion passes 4-0**

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

LEGAL REPORT  
(Item 9)

Ad Hoc District Manager Recruitment Committee: Director Mowers and Sulik reported the committee met to review the District Manager Job Description and recruitment materials. Information Systems Manager Mickey Rich confirmed the job posting has been created and published on various job listings and social media platforms to advertise this opportunity.

COMMITTEE  
REPORTS  
(Item 10)

President Sulik announced there is no unfinished business to report.

UNFINISHED  
BUSINESS

Representatives of the Agricultural Groundwater Users of Butte County discussed the proposed formation of the Tuscan Water District (TWD) to provide, manage, and preserve groundwater and surface water resources to benefit all landowners in the proposed district, and fill a gap in ground and surface water management in the region. PID's support of their efforts to form the Tuscan Water District is requested.

NEW BUSINESS:

Following an opportunity for questions, the Board of Directors directed PID Staff to draft a letter confirming the District's conceptual support for the formation of the proposed Tuscan Water District and present to Legal Counsel prior to issuing the letter of support.

PROPOSED  
FORMATION OF  
TUSCAN WATER  
DISTRICT –  
LETTER OF  
SUPPORT  
(Item 12.a.)

RESOLUTION NO.  
2020-10 ADOPTED  
TO UPDATE  
AUTHORIZED  
REPRESENTATIVES  
RELATING TO PID'S  
CAL OES PROJECT  
APPLICATION  
(Item 12.b.)

Manager Phillips reported the District completed a California Office of Emergency Services (Cal OES) Project Application for the California Disaster Assistance Act Program in 2018. The Board adopted Resolution No. 2018-14 on December 5, 2018 designating the authorized representatives. Resolution No. 2020-10 presented in the Agenda packet is necessary to update the authorized PID representatives.

It was moved by Director Boston and seconded by Director Mowers to adopt Resolution No. 2020-10 to update the authorized representatives to execute for and on behalf of the Paradise Irrigation District relating to the District's Cal OES project application and to provide to the Governor's Office of Emergency Services for all matters pertaining to disaster assistance on behalf of the Paradise Irrigation District. Directors' votes were polled as follows by roll call:

AYES: Directors Boston, Mowers, Shaw, and Sulik  
NOES: None  
ABSENT: Division 2 Director seat vacant

**Motion passes 4-0**

RESOLUTION NO.  
2020-11 ADOPTED  
AUTHORIZING PID  
DESIGNATED  
REPRESENTATIVES  
RE: CAL OES  
HAZARD  
MITIGATION GRANT  
PROGRAM  
#4407-278-053R,  
MAGALIA DAM  
STUDY  
(Item 12.c.)

The Federal Emergency Management Agency (FEMA) have approved and issued Hazard Mitigation Grant Program Funds for the Magalia Dam Study. The total eligible costs are \$1,620,575. FEMA has obligated \$1,207,931 for up to 75 percent federal share; the non-Federal share match is \$402,644. A Designation Applicant's Agent Resolution for Non-State Agencies is required for all applicant to be eligible to receive funding.

It was moved by Director Shaw and seconded by Director Mowers to adopt Resolution No. 2020-11 for Designation of Subrecipient's Agent Resolution Hazard Mitigation Grant Program authorizing representatives who have the authority to execute for and on behalf of the Paradise Irrigation District, and to provide to the Governor's Office of Emergency Services for all matters pertaining to such state disaster assistance. Directors' votes were polled as follows by roll call:

AYES: Directors Boston, Mowers, Shaw, and Sulik  
NOES: None  
ABSENT: Division 2 Director seat vacant

**Motion passes 4-0**

RESOLUTION NO.  
2020-12 ADOPTED  
RE: APPRECIATION  
TO KEVIN PHILLIPS  
FOR HIS SERVICE  
TO PID  
(Item 12.d.)

A Resolution of Appreciation by the Board of Directors to Kevin Phillips was read by President Sulik. It was then moved by Director Boston and seconded by Director Mowers to adopt PID Resolution No. 2020-12, A Resolution of Appreciation to Kevin Phillips for his service to the Paradise Irrigation District. Directors' votes were polled as follows by roll call:

AYES: Directors Boston, Mowers, Shaw, and Sulik  
NOES: None  
ABSENT: Division 2 Director seat vacant

**Motion passes 4-0**

CLOSED SESSION  
(Item 13.a. & 13.b.)

President Sulik announced Closed Session items 13.a. and 13.b. As there were no comments received, the Board adjourned to closed session at 8:10 p.m. regarding the following:

13.a. CONFERENCE WITH LABOR NEGOTIATORS: Conference with PID Labor Negotiator Emily LaMoe regarding Unrepresented Position, Interim District Manager (California Government Code section 54957.6).

Closed Session Announcement: Direction was given to the Labor Negotiator.



13.b. PUBLIC EMPLOYEE APPOINTMENT (California Government Code Section 54957(b) (1). Title: Interim District Manager

CONTINUED –  
CLOSED SESSION

Closed Session Announcement: Direction was given to the Labor Negotiator.

President Sulik reconvened the regular meeting at 8:30 p.m. and provided closed session announcement information regarding agenda items 13.a. and 13.b. as listed in italicized print under each closed session item above.

CLOSED SESSION  
ANNOUNCEMENT  
(Item 13.a. & 13.b.)

*President Sulik announced the Board will consider terms and conditions of an employment agreement with Tom Lando for the position of Interim District Manager and read the recommendation for the terms and conditions as follows:*

PUBLIC  
EMPLOYMENT –  
INTERIM DISTRICT  
MANAGER  
(Item 14)

- 1) *Compensation. \$159,515 in salary per annum payable in installments at the same time as other employees of the District are paid and subject to customary withholdings.*
- 2) *Supplemental Benefits. The Interim District Manager will receive the same holidays and sick leave offered to other District employees. The Interim District Manager will not receive vacation leave, retirement benefits and payments, health insurance, vision insurance, dental insurance, disability insurance, or life insurance.*
- 3) *Term. The term of service of the Interim District Manager contract will begin on August 21, 2020 and will continue until terminated by: (a) the start date of a new District Manager; (b) upon written notice of termination from the Interim District Manager to the Board of Directors; (c) upon written notice of termination by the District's Board of Directors to the Interim District Manager; or (d) nine (9) months from the date of execution of this Agreement.*

Following an opportunity for questions and comments by members of the Board and the public, it was moved by Director Boston and seconded by Director Shaw to approve the contract with Tom Lando for the position of Interim District Manager with the terms as President Sulik stipulated.

INTERIM DISTRICT  
MANAGER  
CONTRACT  
APPROVED

AYES: Directors Boston, Shaw, and Sulik  
NOES: Director Mowers  
ABSENT: Division 2 Director seat vacant

**Motion passes 3-1**

Director Shaw: Indicated it was brought to his attention in Division 2 that quite a few customers now have water supply on Jewell Road and thanked Manager Phillips and PID crews for their work. Further commented on the wildland fires bringing up a lot of bad memories and hoped people find peace over the next few days.

DIRECTORS'  
COMMENTS  
(Item 15)

Director Mowers: Commented he will be departing as Director of Division 5 in a few months and wishes the best to the current Board and upcoming new directors.

Director Boston: The Resolution recognizing Kevin Phillips was very well done and the District has been very fortunate to have him. The decisions to be made as the District moves forward will be challenging; adding she is proud to be a part of the PID Board and to continue serving moving forward. The District has a great team and contractors in place to assist with the recovery efforts.

CONTINUED –  
DIRECTORS’  
COMMENTS

President Sulik: Stated he is going to miss the current Board and expressed appreciation to the two internal candidates that applied for the Interim District Manager position. It was a tough decision and their work is greatly appreciated.

CLOSED SESSION  
(Item 16.a. & 16.b.)

President Sulik announced closed session items 16.a. and 16.b. As there were no public comments, the Board adjourned to closed session at 8:42 p.m. regarding the following:

- 16.a. PUBLIC EMPLOYEE PERFORMANCE EVALUATION AND PUBLIC EMPLOYEE EMPLOYMENT (California Government Code section 54957).  
Title: Distribution Superintendent.

*Closed Session Announcement: Direction has been given to Legal Counsel.*

- 16.b. LABOR NEGOTIATIONS (California Government Code section 54957.6)  
Agency designated representatives – Kevin Phillips and PID Legal Counsel  
Negotiations with IBEW Local 1245

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

CLOSED SESSION  
ANNOUNCEMENT  
(Item 16.a. & 16.b.)

President Sulik reconvened the regular meeting at 9:30 p.m. and provided closed session announcement information regarding agenda items 16.a. and 16.b. as listed in italicized print under each closed session item above.

ADJOURNMENT

It was moved by President Sulik to adjourn the meeting. The regular meeting was adjourned at 9:32 p.m.

  
Georgeanna Borrayo, Secretary

  
Marc Sulik, President