

MINUTES
REGULAR MEETING
BOARD OF DIRECTORS
PARADISE IRRIGATION DISTRICT
FEBRUARY 16, 2022

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 Bob Matthews, Alan Hinman, Brian Shaw, Vice President Marc Sulik and President Shelby Boston (Director Shaw participating remotely via Zoom meeting platform).

ROLL CALL

BOARD MEMBERS ABSENT: None

STAFF PRESENT: District Manager Tom Lando, Assistant District Manager Mickey Rich, Finance & Accounting Manager / Treasurer Brett Goodlin, District Engineer Blaine Allen, Administrative Assistant Sarah Fenton, and Secretary Georgeanna Borrayo

ALSO PRESENT: PID Legal Counsel – Dustin Cooper, Consultants Sami Kader, Colleen Boak, and Esmeralda Diego with Water Works Engineers, Consultant Nicole Maddox with APTIM, and members of the public.

It was moved by Director Sulik and seconded by Director Hinman to adopt Resolution No. 2022-04; 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:

RESOLUTION NO.
2022-04 ADOPTED
RE-AUTHORIZING
REMOTE
MEETINGS
CONSISTENT WITH
AB 361
(Item 2)

AYES: Directors Matthews, Sulik, Hinman, Shaw, and Boston

NOES: None

ABSENT: None

Motion passes 5-0

No public comments were received.

PUBLIC
PARTICIPATION

President Boston announced the Board will adjourn to closed session to discuss agenda item 4.a., 4.b. and 4.c. Following an opportunity for public comment, the Board adjourned to closed session at 6:33 p.m. regarding the following:

CLOSED SESSION
(Item 4.a., 4.b. & 4.c)

4.a. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (California Government Code section 54956.9 (d)(1).) Pacific Gas & Electric Company Bankruptcy Proceedings, including PID claim against Fire Victim Trust. Bankruptcy Case No. 19-30088 (DM).

Closed Session Announcement: Direction has been provided to Legal Counsel.

CONTINUED –
CLOSED SESSION

4.b. CONFERENCE WITH LABOR NEGOTIATORS (California Government Code section 54957.6):
PID Labor Negotiator: Tom Lando, District Manager and Mickey Rich, Assistant District Manager.
Employee Organization: Management Unit represented by Teamsters Local 137

Closed Session Announcement: Direction has been provided to PID Labor Negotiator.

4.c. CONFERENCE WITH LABOR NEGOTIATORS (California Government Code section 54957.6): Conference with PID Labor Negotiator Representatives Tom Lando and Mickey Rich regarding Unrepresented Position, Finance & Accounting Manager.

Closed Session Announcement: A recommendation for a new Employment Agreement with Brett Goodlin will be considered in open session.

BOARD RECESS

Following adjournment of closed session at 7:28 p.m., President Boston called for a board recess at 7:29 p.m.

MEETING
RECONVENED

President Boston reconvened the regular meeting at 7:32 p.m. to continue business with agenda item 5 – Closed Session Announcement.

CLOSED SESSION
ANNOUNCEMENT
(Item 5)

President Boston provided closed session announcement information regarding agenda items 4.a., 4.b., and 4.c. as listed in italicized print under each closed session item above.

APPROVAL OF
CONSENT
CALENDAR
(Item 6.a. – 6.c.)

Board members reviewed consent calendar items as follows

6.a. Approval of Meeting Agenda Order

6.b. Approval of Minutes for Regular Meeting of January 19, 2022

6.c. Approval to Award Contract to Northstate Aggregate, Inc. for 2022 Sand and Base Rock Deliveries

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

AYES: Directors Matthews, Sulik, Hinman, Shaw, and Boston

NOES: None

ABSENT: None

Motion passes 5-0

TREASURER'S
REPORT FOR
PERIOD ENDING
JAN. 31, 2022
(Item 7.a.)

Board members reviewed a written Treasurer's Report from Finance & Accounting Manager Brett Goodlin for the period ending January 31, 2022, highlighting the District's cash position, debt service analysis, operational overview, and recovery funding.

It was moved by Director Sulik and seconded by Director Shaw to accept the Treasurer's Report for the period ending January 31, 2022.

AYES: Directors Matthews, Sulik, Hinman, Shaw, and Boston

NOES: None

ABSENT: None

Motion passes 5-0

Board members reviewed accounts payable expense reports for the month of January 2022. It was moved by Director Hinman and seconded by Director Sulik to approve General Fund check numbers 57361 through 57469 for the month of January 2022 totaling \$1,163,709.91, exclusive of voided check number 57370, and authorization of a similar amount allowing or adjusting for extraordinary budget or Board approved items during the month of February 2022.

AYES: Directors Matthews, Sulik, Hinman, Shaw, and Boston

NOES: None

ABSENT: None

Motion passes 5-0

EXPENSE
APPROVAL
REPORT
APPROVED FOR
THE MONTH OF
JANUARY 2022
(Item 7.b.)

Board members reviewed written staff report updates from Customer Service, Field Operations, Water Treatment, and Engineering. District Manager Tom Lando added the draft PID "Options Study" is now available. Community members are invited to attend a March 10 meeting from 6 to 8 p.m. to receive an update on the current progress of the report and learn about the various options the district might consider toward ensuring greater financial stability.

INFORMATIONAL
PID STAFF AND
CONSULTANT
REPORT UPDATES
(Item 8.a. – 8.h.)

Water Works Engineers provided an overview regarding reports presented in the agenda packet relating to the Water Supply Recovery Program and Engineering Support Services. Consultant Nicole Maddox with Aptim Environmental & Infrastructure discussed information regarding Public Assistance and Disaster Recovery Management Services in support of the recovery efforts relating to each FEMA project water system component. The district's appeal to restore funding for leaking mains has been denied. We have reached out to CalOES to discuss the next steps. Water Works Engineer Sami Kader noted the district is working through multiple angles, indicating the project to replace contaminated mains has been approved under the application through the SRF/ASADRA funding process. **Informational updates only; no Board action taken.**

Ad Hoc Customer Recovery Support Committee: Chairperson Shelby Boston reported agenda items for the January 24, 2022 meeting included metering interim water, which was tabled for further information. Consideration of a policy change regarding delinquent accounts and a moratorium on discontinuance of water service for non-payment was reviewed with the committee. The Board will review a proposed policy change relating to Delinquent Accounts under agenda item 11.c. this evening.

INFORMATIONAL
COMMITTEE
REPORT UPDATES
(Item 9.a. & 9.b.)

Ad Hoc Strategic Planning Committee: Chairperson Shelby Boston indicated the committee evaluated the progress of the PID Strategic Business Plan at the February 4 meeting, noting a progress report is included in the agenda packet under agenda item 8.b. Staff has done a great job in moving the goals forward. The committee discussed identifying areas the board may want to revisit. Chairperson Boston recommended reevaluating in six months for an annual assessment to consider adding or deleting information in the Strategic Business Plan.

No unfinished business to report.

UNFINISHED
BUSINESS

Staff reported following the 2018 Camp Fire, the District put its water rights petition project on hold. Board consideration is requested to continue the water rights petition process. Staff referenced the board memo which provides background information relating to this project as follows:

NEW BUSINESS:

In 2007, the District filed Petitions to Change Permits 271 and 16040 with the State Water Resources Control Board (SWRCB) seeking a change in the authorized place of use,

WATER RIGHTS
PROJECT – PID
PETITION
PROCESS
(Item 11.a.)

CONTINUED –
WATER RIGHTS
PROJECT – PID
PETITION
PROCESS

addition of direct diversion as a method of diversion, and addition of hydropower as a purpose of use. Petition for Extension of Time for Permit 16040 was also filed to allow additional time in which to put water to beneficial use.

Since 2007, the District has amended its Petitions to include a new point of diversion at the Raw Water Bypass facility and adjusted its requested place of use. The Petitions are still pending approval with the SWRCB. The District must issue and adopt an environmental document pursuant to the requirements of the California Environmental Quality Act (CEQA) for the changes set forth in the Petitions before they will be approved by the SWRCB. The District will need to prepare an Environmental Impact Report for this purpose.

Staff further confirmed this is an approved project and does not require contract amendments. A summary of costs for Phase 1 CEQA to be completed by De Novo Planning Group, as well as the work to be completed by Wagner & Bonsignore to process the petitions is as follows:

Wagner & Bonsignore Engineers: Estimated Budget – It is expected that the foregoing tasks will run through 2024 and will require a budget of \$60,000 to \$75,000. This amount does not include preparation for or participation in a SWRCB hearing, if necessary, for approval of the Petitions.

De Novo Planning Group: The projected budget for the PID Water Rights CEQA Phase 1 is \$118,575.

It was moved by Director Hinman and seconded by Director Sulik to authorize approval to continue with PID Water Rights Petition Process based on the summary of costs provided by De Novo Planning Group for Phase 1 CEQA, as well as the work to be completed by Wagner & Bonsignore to process the petitions.

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

Motion passes 5-0

CAPITAL
IMPROVEMENT
PLANNING
(Item 11.b.)

Colleen Boak with Water Works Engineers reported on development of a Capital Asset tool to support ongoing financial analysis for the District. Information has been organized into an Excel-based Capital Asset tool for the District's use including all owned assets, replacement and remaining value, as well as all currently planned capital projects. Staff requests the Board consider adopting the Capital Asset tool and memo for use in the District's financial analysis efforts.

It was moved by Director Hinman and seconded by Director Matthews to adopt the Capital Asset tool and memo developed by Water Works Engineers and authorize staff to incorporate these capital planning efforts into the District's ongoing financial analysis.

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

Motion passes 5-0

BILLING
PROCEDURES –
DELINQUENT
ACCOUNTS

Staff reported PID has not performed shut offs for non-payment of bill since November of 2018. Because of the District's ability to collect via county assessment, water shut off is not a necessary collection activity. Staff is requesting a 180-day moratorium on water shut offs for non-payment and an amendment to its current delinquent accounts policy.

It was moved by Director Sulik and seconded by Director Hinman to approve making the proposed changes to PID's Policy & Procedures, Section 7.8.3 Delinquent Accounts as proposed and approve a 180-day moratorium on water shut offs for non-payment.

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

BILLING
PROCEDURES RE:
DELINQUENT
ACCOUNTS,
AMENDMENT TO
§7.8.3 OF PID
POLICY &
PROCEDURES
(Item 11.c.)

Board members considered reclassification of the current Assistant Engineer position title based on staff recommendation. It was moved by Director Hinman and seconded by Director Sulik to authorize approval to reclassify the position title of Assistant Engineer to District Engineer.

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

RECLASSIFICA-
TION OF POSITION
ASST. ENGINEER
TO DISTRICT
ENGINEER
(Item 11.d.)

The District entered into a Limited Term Employment Agreement with Brett Goodlin effective November 29, 2021 with the conclusion of the limited term 90 calendar days after the effective date. Brett has done an excellent job. The recommendation is to enter into a new Employment Agreement with Brett Goodlin effective February 26, 2022 with a salary of \$80,000 per annum, payable in installments at the same time as the other employees of the District are paid and subject to customary withholdings. Finance and Accounting Manager will receive the same benefits as provided to District's management employees which includes holidays, sick leave, vacation leave, retirement benefits and payments, health insurance, vision insurance, dental insurance, disability insurance, and life insurance.

NEW
EMPLOYMENT
AGREEMENT
APPROVED WITH
BRETT GOODLIN
AS FINANCE &
ACCOUNTING
MANAGER
(Item 11.e.)

It was moved by Director Matthews and seconded by Director Sulik to authorize a new Employment Agreement with Brett Goodlin as Finance & Accounting Manager and authorize the President to execute agreement on behalf of the District.

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

Staff reported having recent issues with both Vac Units, which included a serious break in one of the units. A new unit is available for delivery in early February for \$120,000 plus approximately \$10,000 for installation of auxiliary hydraulics. Comparable units are \$180,000 with a waitlist. To offset the emergency purchase, the District will be postponing purchase of the two dump trucks budgeted for \$160,000.

EQUIPMENT
PURCHASE
APPROVED FOR
VAC UNIT
(Item 11.f.)

It was moved by Director Shaw and seconded by Director Hinman to authorize the purchase of a 2021 Mclaughlin VX50-800 from RDO Equipment for a not to exceed price of \$150,000.

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

COMMITTEES OF
THE DISTRICT FOR
2022 (Item 11.g.)

President Boston confirmed the following committee assignments for 2022:

Standing Committees:

Administration & Personnel: Directors Alan Hinman & Shelby Boston (Chairperson)

Finance: Directors Bob Matthews & Alan Hinman (Chairperson)

Community Relations: Directors Bob Matthews & Marc Sulik (Chairperson)

Town of Paradise / PID Liaison: Directors Shelby Boston & Marc Sulik

Ad Hoc Committees & Delegate Appointments:

Ad Hoc Negotiating Committee: Directors Alan Hinman & Shelby Boston (Chairperson)

Ad Hoc Demonstration Garden Committee: Director Marc Sulik with public members

Ad Hoc Strategic Planning Committee: Directors Bob Matthews & Brian Shaw (Chairperson)

Ad Hoc Customer Recovery Support Committee: Directors Brian Shaw & Shelby Boston (Chairperson)

Ad Hoc District Manager Recruitment Committee: Directors Shelby Boston & Marc Sulik (Chairperson)

ACWA Joint Powers Insurance Authority Director Representative: Director Alan Hinman
Alternate: Brett Goodlin, Finance & Accounting Manager

VACANCIES IN
BOARD OF
DIRECTORS –
NOMINATION
PROCESS
(Item 11.h. Tabled;
Referred to
Administration &
Personnel
Committee)

Staff reported the proposed revisions to PID Policy & Procedures Manual under Chapter 2.4.B, Filling of Vacancies, were presented to the Board of Directors on June 17, 2020. During this meeting, a few additional suggestions were made in reference to holding a special meeting to facilitate the process for appointment of director to fill vacancy and noting the appointee would participate as a voting director at the next scheduled Board of Directors meeting. The proposed amendments have not been formally adopted; however, the Board has had an opportunity to use this nomination process to fill the prior Division 1 director vacancy by appointment and most recently, to fill the current Division 5 director vacancy.

Director Hinman commented on the February 9, 2022 special meeting where the Board considered candidates for the Division 5 director vacancy and indicated the voting process felt awkward as the Board worked through the process where the roll call vote resulted in a 2-2 tie. Board members agreed to table this item and refer back to the Administration and Personnel committee for further review and recommendation.

DIRECTORS'
COMMENTS
(Item 12)

Director Shaw: Welcomed Director Bob Matthews to the Board and expressed appreciation to PID employees for their continuing work to help rebuild our community.

Director Matthews: Commented he is happy to serve on the Board of Directors and noted he is very impressed with the quality of people that work at the District.

Director Sulik: Welcomed Director Matthews to the Board and thanked the Distribution Department for preparing the quotation information for purchase of the Vac Unit.


Director Hinman: Thanked PID employees and consultants for their work.

Director Boston: Echoed all comments made and stated it is a pleasure to serve on the PID Board and work with staff.

ADJOURNMENT OF
MEETING

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 8:50 p.m.


Georgeanna Borraro, Secretary


Shelby Boston, President