

MINUTES

REGULAR MEETING BOARD OF DIRECTORS PARADISE IRRIGATION DISTRICT DECEMBER 21, 2022

Board Secretary Georgeanna Borrayo administered the Oath of Office for reappointed board members in lieu of election for the November 8, 2022 General Election.

CERTIFICATES OF
APPOINTMENT IN
LIEU OF ELECTION
& OATH OF OFFICE

Board of Directors:

Chris Rehmann, Division 1
Alan Hinman, Division 2
Shelby Boston, Division 3
Marc Sulik, Division 4
Bob Matthews, Division 5

Term:

December 2, 2022 to December 6, 2024
December 2, 2022 to December 4, 2026
December 2, 2022 to December 4, 2026
December 2, 2022 to December 4, 2026
December 2, 2022 to December 6, 2024

NOVEMBER 8, 2022
GENERAL
ELECTION

The regular meeting of the Board of Directors of the Paradise Irrigation District (PID) was called to order at 8:35 a.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, Chris Rehmann, Vice President Marc Sulik, and President Shelby Boston

ROLL CALL

BOARD MEMBERS
ABSENT:

None

STAFF PRESENT:

District Manager Tom Lando, Finance & Accounting Manager Brett Goodlin, District Engineer Blaine Allen, Treatment Plant Superintendent Bill Taylor, Distribution Superintendent Jeff Hill, Office Manager Tiffany Bowen, Secretary Georgeanna Borrayo, and Customer Service and Distribution Staff.

ALSO PRESENT:

Consultants Sami Kader, Colleen Boak and Esmeralda Diego with Water Works Engineers, Nicole Maddox with APTIM, and members of the public

Thomas Wahl commented he was unaware there would no longer be a hose spigot upon installation of the permanent backflow device. PID staff will contact Mr. Wahl regarding his property at 5654 Sierra Park.

PUBLIC COMMENT
(Item 2)

Director Matthews discussed term of office information for the President and Vice President as stated in PID Policy & Procedures section 2.7.B. Currently, the President and Vice President shall not serve in their respective positions for more than two consecutive one-year terms and proposed review of this policy to consider an amendment to the length of term.

ELECTION &
APPOINTMENT OF
OFFICERS FOR
2023 CONTINUED
TO JAN. 18, 2023
BOARD MEETING
(Item 3)

It was moved by Director Matthews and seconded by Director Hinman to continue Election and Appointment of Officers to the January 18, 2023 Board of Directors meeting and agenda review of the Policy & Procedures relating to Term of Office.

AYES: Directors Matthews, Hinman, Rehmann, Sulik, and President Boston

NOES: None

ABSENT: None

Motion passes 5-0

APPROVAL OF
CONSENT
CALENDAR
(Item 4.a. & 4.b.)

Board members reviewed consent calendar items as follows:

- 4.a. Approval of Meeting Agenda Order
- 4.b. Approval of Minutes – Regular Meeting of November 16, 2022

President Boston noted new business agenda item 9.a. will be moved for discussion following the consent calendar. It was moved by Director Sulik and seconded by Director Hinman to approve the Consent Calendar as amended.

AYES: Directors Matthews, Hinman, Rehmann, and Vice President Sulik
NOES: None
ABSTAIN: President Shelby Boston

Motion passes 4-0 with 1 abstention

METERING
PROJECT –
CUSTOMER
LETTER FROM
LINDA REYNOLDS
RE: BILLING FOR
WATER
CONSUMPTION
(Item 9.a.)

District Manager Tom Lando referenced the District's outreach and messaging regarding meter installation outlined in the agenda packet. PID has continued to notify the community about meter installation using a variety of messaging. Prior to meter installation, customers are notified in advance and provided an example bill, so they will know what to expect when water quantity charges resume.

Customer Linda Reynolds addressed the Board of Directors, indicating she feels it is unfair to bill her for water quantity charges when many other customers are not currently being billed for quantity of water used. Ms. Reynolds also inquired about grants to assist customers to help offset their water bill.

President Boston indicated PID offers a discount to eligible customers under its Customer Assistance Program, adding she is not opposed to seeing if there are additional grant opportunities to assist customers. The Board of Directors has discussed meter installation and water quantity charges on multiple occasions and has had to make difficult decisions at times to ensure we are good stewards of the District's funds and there is revenue for rebuilding. Director Matthews added the public is welcome to attend the District's Finance Committee meetings to learn more about the District's budget and financial and accounting matters.

Director Rehmann offered to discuss irrigation options with Ms. Reynolds for the trees she has replanted and expressed appreciation on behalf of the Board of Directors for sharing her concerns.

RESOLUTION NO.
2022-23 ADOPTED
NEW INITIAL
RESOLUTION RE:
REMOTE
MEETINGS
CONSISTENT WITH
AB 361
(Item 5)

In a memo to the Board, staff reported on October 17, 2022, Governor Gavin Newsom announced that the COVID-19 State of Emergency will end on February 28, 2023. The provisions of AB 361 can only be used in the event a gubernatorial state of emergency has been issued and remains active. President Boston noted the Board may adopt Resolution No. 2022-23 and continue renewing every 30 days until February 28, 2023 or take no action and observe the traditional Brown Act requirements.

It was moved by Director Hinman and seconded by Director Matthews to adopt Resolution No. 2022-23, a resolution of the Board of Directors of the Paradise Irrigation District authorizing remote meetings consistent with AB 361. Directors' votes were polled as follows by roll call:

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

Motion passes 5-0

Board members reviewed a written Treasurer's Report prepared by Finance & Accounting Manager Brett Goodlin for the period ending November 30, 2022, highlighting the District's cash position, debt service analysis, and operational overview. Treasurer Goodlin reported he recently met with representatives from Meeder Public Funds to discuss the District's portfolio and investment strategy. He will reach back out to them to coordinate a presentation to the full board at a future meeting.

ACCEPTANCE OF
TREASURER'S
REPORT FOR
PERIOD ENDING
NOV. 30, 2022
(Item 6.a.)

It was moved by Director Rehmann and seconded by Director Sulik to accept the Treasurer's Report as presented for the period ending November 30, 2022.

AYES: Directors Matthews, Hinman, Rehmann, Sulik, & President Boston
NOES: None
ABSENT: None

Motion passes 5-0

Board members reviewed accounts payable expense reports for the month of November 2022. It was moved by Director Matthews and seconded by Director Hinman to approve payments by check in the amount of \$1,795,511.94 representing check numbers 57780 through 57809 and electronic payments of \$211,600.31 by EFT for the month of November 2022 totaling \$2,007,112.25, and authorization of a similar amount allowing or adjusting for extraordinary budget or Board approved items during the month of December 2022.

EXPENSE
APPROVAL
REPORT FOR THE
MONTH OF
NOVEMBER 2022
APPROVED
(Item 6.b.)

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

Motion passes 5-0

Board members reviewed written Staff and Consultant Report updates provided in the agenda packet. Additional discussion included: 1) Confirmation of an Ad Hoc Customer Recovery Support Committee meeting scheduled on January 17 at 8:30 a.m. to further evaluate issues raised regarding Non-Participating Parcel Owners (Discontinued Service); 2) Post Fire Disaster Public Assistance & Recovery Management Services update from Nicole Maddox with Aptim Environmental & Infrastructure; 3) Coordination underway with Water Works Engineers on the Phase 1 Main Replacement Project. The approximate 5 miles of main planned for replacement are distributed throughout 40 different main segments. Water mains planned for replacement in Phase 1 have been shared with the Town's engineering department for coordination with the Town's upcoming paving projects; and 4) Recommendation by President Boston to include a Pipeline Replacement Program as an item in the PID Strategic Plan.

PID STAFF &
CONSULTANT
REPORT UPDATES
(Item 7.a. – 7.g.)

Water Works Engineers reported in July of 2022, the Board authorized Staff to enter into a contract with Myers and Sons Construction, LLC for the construction of the Reservoir B Replacement Project. Myers and Sons were the low bidder for the project at \$7,916,000.00. The authorization given included a 10% (\$792,000) contingency. There has been one major unforeseen site condition encountered during the course of construction, which has resulted in a significant amount of in-situ rock (volcanic basalt). The volume of rock encountered has far exceeded the bid quantities, which is necessitating a budget amendment. It is anticipated at this time that the entire amount of the project, including this contingency extension, will be entirely funded under the Additional Supplemental Appropriation for Disaster Relief (ASADRA) Grant.

NEW BUSINESS:

RESERVOIR B
REPLACEMENT
PROJECT BUDGET
AMENDMENT
(Item 9.b.)

It was moved by Director Hinman and seconded by Director Matthews to authorize approval for the District Manager to authorize \$730,000 additional contingency funding

CONTINUED -
RESERVOIR B
REPLACEMENT
PROJECT BUDGET
AMENDMENT

for the Reservoir B Replacement Project. The project budget totaling \$8,968,000.00 to be executed at the discretion of the District Manager or his designated representative as needed.

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

LETTER OF "MERIT
REJECTION" –
CLAIM FOR
DAMAGES RE:
113 POINT WEST
DRIVE

Staff reported on November 9, 2022, a claim was submitted by Nick and Bobbie Merica for their property located at 113 Point West Drive in Paradise. Customer claims that work provided by contract company, RCI General Engineering, caused cracks in the driveway and has submitted a claim for damages. The District, as a public entity, is bound by certain Government Code regulations relating to claims. This claim will be forwarded to ACWA Joint Powers Insurance Authority (JPIA); however, the JPIA cannot process the claim unless the District has formally "rejected" the claim at its level.

It was moved by Director Matthews and seconded by Director Sulik to reject the claim for damages submitted by Nick and Bobbie Merica for 113 Point West Drive, Paradise, California and approve the letter of merit rejection for submittal to ACWA Joint Powers Insurance Authority to process the Claim.

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

DIRECTORS'
COMMENTS
(Item 10)

President Boston: Expressed appreciation to staff and members of the public for their attendance and participation in the meeting.

Director Sulik: Acknowledged customers who have received new meters and noted the District understands the concerns communicated and is appreciative of their support throughout the recovery process and Meter Replacement Program.

Director Rehmann: Echoed Director Sulik's comments and expressed condolences to Mickey Rich and her family.

Director Hinman: Commented on the challenges and difficult decisions in reference to the return to metering and encouraged customers to continue to contact the District with any questions or concerns. Additional comments included a brief report regarding his attendance at the ACWA Fall Conference.

CONVENE AS THE
PID PUBLIC
FACILITIES
FINANCING CORP.
BOARD (Item 11)

President Boston announced the PID Board of Directors will now adjourn to conduct the annual meeting of the PID Public Facilities Financing Corporation (PFFC). Following adjournment of the annual PFFC meeting, the Board will reconvene the regular meeting of the PID Board of Directors to discuss closed session agenda items 13.a. and 13.b.

The PID Board of Directors convened as the PID Public Facilities Financing Corporation Board at 9:59 a.m. to hold the annual meeting of the PFFC Board.

President Boston reconvened the regular meeting of the PID Board of Directors at 10:08 a.m. and announced the Board will adjourn to closed session to discuss agenda items 13.a. and 13.b.

REGULAR
MEETING OF PID
BOARD OF
DIRECTORS
RECONVENED

Following an opportunity for public comment, the Board adjourned to closed session at 10:10 a.m. regarding the following:

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

- 13.a. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code section 54957(b). District Manager

Closed Session Announcement: Direction has been given to staff.

- 13.b. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION: Significant exposure to litigation to paragraph (3) of subdivision (d) of section 54956.9. One potential case.

Closed Session Announcement: Direction has been given to staff and legal counsel.

President Boston reconvened the regular meeting at 10:56 a.m. and provided closed session announcement information as listed in italicized print under each closed session item above.

ANNOUNCEMENT
FROM CLOSED
SESSION

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 10:58 a.m.

ADJOURNMENT OF
MEETING


Georgeanna Borrayo, Secretary


Shelby Boston, President