



DURHAM IRRIGATION DISTRICT

Meeting Minutes

Board of Directors:

Matt Doyle, Chair; Raymond Cooper; Kevin Phillips

Monday, March 18, 2024 (rescheduled from March 19, 2024)

5:30 PM

District Office
9418-C Midway
Durham CA 95938

1 CALL TO ORDER – 5:34 PM

Present: Directors Doyle, and Phillips.

Also present: District Counsel Amanda Uhrhammer (via telephone), District Engineer Robin Kampmann; Assistant Water Operator Adam Daigle; Administrative Assistant Jeannie Trizzino.

Present: 2 – Matt Doyle (arrived at 5:35 pm), Raymond Cooper, Kevin Phillips

Absent: 0

Excused: 1 – Raymond Cooper

2 ROLL CALL / OPENING BUSINESS

2.1 AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

2.2 PUBLIC COMMENT

Mr. Patrick Button commented that the builders and developers are in the business of making a profit, so the costs of fireflow should be borne by the developers and their buyers, not existing rate payers. This is wrong and violates the state constitution and Proposition 218. He further commented that he does not approve of the voting process outlined in Proposition 218.

3 CORRESPONDENCE

3.1 Letter from Butte County CalFire (02.23.2024)

SUBJECT: Follow up correspondence and report provided for review by Butte County / CalFire.

Chair Doyle commented that fire protection score does not relate specifically to Durham, but the county. Director Phillips commented that his experience with this process when he was at Paradise Irrigation District was that the largest impact on the score was the wildland-urban interface (WUI), which had a larger impact than fireflow. He further commented that cities have higher scores because they have their own fire departments. He noted that the CalFire station in Durham is important and helpful for the community and is a factor in the protection score.

4 PRESENTATIONS – NONE

5 REPORTS/ANNOUNCEMENTS FROM DIRECTORS

- 5.1 VINA GSA REPORT (Vina GSA Calendar here: <https://www.vinagsa.org/calendar>)
SUBJECT: Status report on Vina GSA
Chair Doyle reports that the new budget was adopted for the agency. He noted that Vina GSA is looking for community members to serve on the Vina GSA Stakeholder Advisory Committee to fill some empty seats for specific stakeholder groups.

6 PUBLIC HEARINGS

7 INFORMATION/CONSENT CALENDAR

Approval of the Consent Agenda

A motion was made by Director Phillips, seconded by Chair Doyle, to approve the consent agenda. The motion carried by the following vote:

Aye: 2 –Doyle, Phillips

Absent:1 – Cooper

- 7.1 Warrant Sheet from February 15, 2024 to March 14, 2024, including payments, deposits, and transaction adjustments.
SUBJECT: Approve payments, deposits, and transaction adjustments.
FISCAL IMPACT: See attachments.
ACTION REQUESTED: APPROVE
This action item was approved on the Consent Agenda.

8 DISTRICT ENGINEER REPORT (NON-ACTION ITEMS)

- 8.1 USBR Grant-Funded Meter Replacement and Lead Service Laterals Assessment Project
SUBJECT: USBR Project update
District Engineer Kampmann expects to complete the closeout on this project by mid-April 2024.
- 8.2 CIP Update and CIP Project #29 – Well Assessments
SUBJECT: Capital Improvement Project plan update
District Engineer Kampmann reported that the testing was scheduled for April 3, 2024 and that the outreach coordinator and staff were prepared to inform District customers and the general public via website, mailing, social media, and press release. Additionally, routine annual backflow prevention device testing was scheduled for April 16-17, 2024.

9 DEVELOPMENT PROJECT REPORT (NON-ACTION ITEMS)

SUBJECT: Creekside Estates Development
FISCAL IMPACT: NONE
ACTION REQUESTED: Receive information, discuss and provide direction to staff.
Counsel Uhrhammer reported that the developer offered a deposit of \$10,000 pending agreement finalization. The current District expenditure on this development project is approximately \$7,800.
Counsel was directed to accept a \$10,000 deposit and to continue to negotiate the water service agreement with the developer.

10 DISTRICT OUTREACH REPORT (NON-ACTION ITEMS)

SUBJECT: Report by Nicole Johansson on District outreach.

Outreach Consultant Nicole Johansson reported on the following items:

- a. Income Survey – reviewed parcel maps provided by Butte County that show portions of a previous CDBG survey demonstrate the possibility of pursuing low-income qualified grant funding. District Counsel suggests that the District may benefit from annexing additional areas into its sphere of influence, but more research is needed.
- b. Income Survey – Rural Community Assistance Corporation (RCAC) reported to Johansson that they can perform a door-to-door targeted occupant survey but need a formal request from the State Water Resources Control Board (SWRCB) to do so. Johansson obtained that request from SWRCB, which was forwarded to RCAC. Chair Doyle commented that the District needs to develop a customer communication plan in advance of the survey so that customers will respond positively when the surveyor knocks on their door. He further noted that the survey could be important to justify grant funding for pipeline replacement in lower-income areas in the District service area.
- c. Local Hazard Mitigation Plan (LHMP) – Johansson reports that she will review the document that the District submitted in 2019 for the last LHMP update. Director Phillips notes (as he has in the past) that the chance of the District winning grant funding is low.
- d. Federal Community Project Funding (aka ‘earmarks’) – Johansson is finalizing the materials expected to be needed once funding is released to legislators for award. These materials include project preliminary scope and budget and letters of recommendation. The target project for the District is a 1-million-gallon water storage tank. Director Phillips suggested the District seek a letter of recommendation from Durham Recreation and Parks District.
- e. Brief discussion regarding District support of HR 7525 Special District Grant Accessibility. The California Special District Association has a draft letter requesting legislative co-sponsorship on legislation that would expand the ability of special districts to pursue federal grant funding. District Counsel directed staff to bring the executed letter forward for ratification at the April board meeting.

11 WATER OPERATOR REPORT (NON-ACTION ITEMS)

SUBJECT: Report by water operator on previous month’s activities.

Assistant Water Operator Adam Daigle reported that the previous month was quiet. The water operator team will start planning for clearing out the backlog of meter installations and replacements over the next few months. He confirmed that the backflow inspection was scheduled for the following week.

Director Phillips asked that staff report back on SDRMA risk training and to arrange for it to be available for water operators, in addition to developing and adopting a workplace violence policy. District Counsel advised that she would draft an Illness and Injury Prevention Program (IIPP) for the water operator.

12 DISTRICT COUNSEL REPORT (NON-ACTION ITEMS)

- 12.1 Easement Agreement between DID and DUSD for connections along east side of Durham Dayton Highway

District Counsel Uhrhammer reported the requested terms from DUSD to be as follows (in part): in exchange for the requested easement, District to provide a 1500' gated fence, a north corner easement, road, tree removal, and a water line. DUSD intends to go back to their board to produce a formal demand letter.

Chair Doyle suggests that the District will continue to investigate moving its water line to the front of the property and asked the District Engineer to produce an estimate for the project. District Engineer commented that CalFire commented that DUSD is experiencing demands to increase water pressure for their new administration building. Director Phillips comments that the District will proceed without an easement and if work is needed in that area, it will seek permission from DUSD when needed.

13 REGULAR AGENDA

- 13.1 Consideration of Resolution 2024-01 to oppose Initiative 1935 (formerly 21-0042A1)
SUBJECT: Consider and adopt Resolution 2024-01 to oppose Initiative 1935 (formerly 21-0042A1).

A motion was made by Chair Doyle, seconded by Director Phillips, to adopt Resolution 2024-01. The motion carried by the following vote:

Aye: 2 –Doyle, Phillips

Absent:1 – Cooper

Mr. Patrick Button commented that he objected to the resolution.

- 13.2 Consideration of District Bylaws
SUBJECT: Consideration of District Bylaws.
District Counsel reported that the draft bylaws are still in progress. She will send the draft to Director Phillips for discussion. Director Phillips directed counsel to remove the office of vice president, add in treasurer and secretary, and retain the role of president/chair.

- 13.3 Sealed Meter Policy
SUBJECT: Consider and adopt sealed meter policy.
A motion was made by Director Phillips, seconded by Chair Doyle, to table discussion of the sealed meter policy to the April board meeting. The motion carried by the following vote:

Aye: 2 –Doyle, Phillips

Absent:1 – Cooper

13.4 Emergency Water Hauling

SUBJECT: Butte County Department of Emergency Services has received funding to continue its emergency water hauling program for county residents who have failing or dry wells. The Department has asked the District for consent to continue water hauling for customers beyond the jurisdiction of the District under the Governor’s Executive Order N-7-22.

Director Phillips directed District Counsel to review the draft agreement and provide comments on the following: definition of “emergency,” insurance requirements, water operator discretion to provide water to water haulers; safety and integrity of District’s water system, and, finally, the District’s right to refuse.

A motion was made by Director Phillips, seconded by Chair Doyle, to table further discussion of the Butte County emergency water hauling agreement to the April board meeting. The motion carried by the following vote:

Aye: 2 –Doyle, Phillips

Absent:1 – Cooper

13.5 Board Vacancy

SUBJECT: Discuss options and procedures for filling District board vacancy.

District Counsel updated the board with Director Cooper’s intention to resign after the current board meeting, effective March 19, 2024. She provided District staff with a sample notice of vacancy and statement of interest for applicants to complete. She advised the board to consider appointment of replacement director at the next board meeting on April 16, 2024. Director Cooper’s term was to have run through the 1st Monday of December 2024, so that is the term that the replacement director would be officially filling. The Notice of Vacancy reflects this term. Counsel advised posting the notice of vacancy on the District’s website, social media and in other public places in the community.

Director Phillips directed counsel to prepare a resolution of appreciation for Raymond Cooper’s long and invaluable service for the District.

14 DIRECTORS’ COMMENTS

Chair Doyle notes that DUSD is proceeding with a bond measure of \$30 million and that the District’s financial position is comparable. He further commented that the District must remain ready to serve the community long into the future. The longer the District waits, the worse the physical and financial picture will be for the community’s vital infrastructure.

Director Phillips noted that, first, it is imperative that the District ensure that it is safe, its customers are safe, and that the District performs the needed updates so it can provide the service that its customers expect. The District has enjoyed low rates, but those low rates may have impacted the District’s ability to serve its customers.

Director Phillips further commented that he may be nominated to serve on the board of California Class, California CLASS is a Joint Powers Authority investment pool that serves public agencies to provide safety, daily and next-day liquidity, and optimized returns.

Director Phillips's closing comment was that it is important for the District to be aware and protective of the District's legal responsibility to maintain a safe and reliable water system.

15 ADJOURNMENT

There being no further business, the meeting adjourned at 6:55 pm. The next Regular Board Meeting is scheduled for April 16, 2024.