

**Durham Irrigation District Board of Directors
Board Meeting
March 15, 2022 - 5:30 PM
MINUTES**

Board of Directors:

District Staff:

Matt Doyle, Chair – in attendance/remote	PRESENT		
	AT 5:40 PM		
Raymond Cooper, Director – in attendance/remote	PRESENT		
Kevin Phillips, Director – in attendance/remote	PRESENT	Jeff Carter, District Counsel – in attendance/remote	PRESENT
		Mark Adams, District Engineer – in attendance/remote	PRESENT
		Mike Butler, Water Operator – in attendance/remote	PRESENT
		Jeannie Trizzino, Admin. Assistant – in attendance/remote	PRESENT

1 CALL TO ORDER

- 1.1 Meeting was called to order at 5:32 pm.
- 1.2 Consideration of Resolution 2022-03 authorizing remote teleconference/Zoom meetings of the DID Board for the period of 30-days.

Action Requested: *That the Board consider and approve Resolution 2022-03 of the Durham Irrigation District Board authorizing remote teleconference meetings of the Board for 30 days pursuant to the Ralph M. Brown Act and California Assembly Bill 361.*

Board Discussion: None.

Public Comment: None.

Action Taken: **On a motion made by Cooper and seconded by Phillips, the Board approved the motion.**

Vote results **Ayes carried.**

Ayes: **Cooper, Phillips**

Noes:

Abstained:

Absent: **Doyle**

- 1.3 Introduction of Guests –No guests present.

2 PUBLIC COMMENT – NONE

3 PRESENTATIONS – NONE.

4 CONSENT AGENDA

- 4.1 Minutes for the Regular Meeting held on January 18, 2022.
- 4.2 Monthly Financial Report for February 2022, including:

- 4.2.1 Balance Sheet
- 4.2.2 Profit & Loss Statement
- 4.2.3 Previous Year Comparison
- 4.2.4 General Ledger
- 4.2.5 AR Aging Report
- 4.3 Approval of the Warrant Sheet from February 15, 2022 to March 14, 2022, including payments, deposits, and transaction adjustments.

Action Requested: *That the Board consider approve the Consent Agenda.*

Board Discussion: None.

Public Comment: None.

Action Taken: On a motion made by Phillips and seconded by Cooper, the Board approved the motion.

Vote results **Ayes carried.**

Ayes: **Cooper, Phillips**

Noes:

Abstained:

Absent: **Doyle**

5 REGULAR AGENDA

- 5.1 Items Removed from Consent Agenda - **NONE**

6 CORRESPONDENCE

- 6.1 Ltr. from Button (03.03.2022) Prop 218

Discussion: District Counsel discusses Mr. Button's letter to the Butte County Water Commission regarding District's rates. District Counsel notes that the Butte County Water Commission has no jurisdiction or authority over District's rates. The District's last rate increase was legally conducted. District counsel recommends waiting for response, if any, from Butte County Water Commission.

Public Comment: None.

Action Taken: **None.**

- 6.2 Ltr. from Owner (02.03.2022) reimbursement claim

Discussion: Staff reports that making a claim on District's property damage coverage would cost more than the amount of the claim from the customer after losing its 'good customer' bonus. The district's insurance company provided sample release of claim for the District to use.

Public Comment: None.

Action Taken: **Staff directed to proceed with settlement.**

- 6.3 Ltr. from Pace Labs (03.09.2022) CCR price increase

Discussion: None. For information only.

Public Comment: None.

Action Taken: **None.**

7 WATER OPERATIONS BUSINESS

- 7.1 Ongoing/New Business

7.2 Review of Water Operator Log for February 2022 (Operator Mike Butler)

Discussion: Water Operator summarized monthly activity, including detail on complex meter install for old connections on Midway commercial property – abandoned, unidentified lines, non-standard backfill that used river rock, and other issues. Noted unusual sound from pump at Library site; subsequent examination by pump contractors did not reveal any issues. Water operator suspects that there is a bad bearing and suggests purchasing a backup motor in case the motor unexpectedly fails. He estimates that the cost of a backup motor is \$8K plus \$4K in labor (when needed).

Public Comment: None.

Action Taken: **Board recommends Water Operator obtain a quote Library site replacement motor for review and approval at April board meeting.**

7.2.1 Ltr. from DWR (03.01.2022) Well 5 - Monthly Raw Bacteriological Samples

Discussion: Well 5 tested positive for coliform, therefore it is now subject to three consecutive months of sampling and testing before returning to normal quarterly testing. He suspects that the pump was not flushed sufficiently before obtaining the sample.

Public Comment: None.

Action Taken: **None.**

7.2.2 Ltr. to AQMD (01.20.2022)

Discussion: None.

Public Comment: None.

Action Taken: **None.**

7.3 Pressure Tank Project updates:

Discussion: Water Operator reports that the bladder replacements at Library and Holland site are complete; he notes that the pumps are running more smoothly with the bladder tanks smoothing the system's response to demand. The last location for work is the Alley site, which is ongoing.

Public Comment: None.

Action Taken: **None.**

7.3.1 Durham Pump

7.3.2 NorthStar status report

7.3.3 Other Items

7.4 Monthly Work Order Status Report through March 10, 2022

7.5 Monthly Metered Water Sales through February 2022

8 GENERAL BUSINESS

8.1 District Activities and Status Report.

8.1.1 Project Update: Pressure Tank Replacement Terms & Conditions and Preliminary Cost Estimate.

Discussion: Water Operator estimates that the estimated total cost will be \$40K; half of the original estimate before the bladder tank option was explored.

Public Comment: None.

Action Taken: **None.**

- 8.1.2 Project Update: Bid Package for the Brown/Faber Alley Main Line Replacement Project.

Discussion: On hold.

Public Comment: None.

Action Taken: None.

- 8.1.3 Capital Improvement Plan - Projects and Cost Estimates. Set CIP Planning Meeting dates to review identified projects, timeline for implementation, and financial opportunities and constraints.

Discussion: District Engineer plans to resume discussion in May 2022 and move forward with meetings in July 2022. Director Phillips would like summary of cost of unscheduled maintenance from previous three years in coordination with CIP project list. A better understanding of the cost of services and operational costs would be used as part of a possible Prop. 218 rate increase process.

Public Comment: None.

Action Taken: District Engineer will prepare updated CIP for May 2022 board meeting.

- 8.1.4 Project Update: USBR Grant and Lead Service Laterals Replacement Projects and Timeline.

Discussion: Staff updates that USBR is still looking at grant extension but not yet approved.

Public Comment: None.

Action Taken: Planned conference call with USBR regarding extension with District Engineer and Board Chair to attend. Director Phillips will attempt to reach out to Congressman LaMalfa's office to see if they can assist.

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

Discussion: No update from last month. District Engineer will provide subdivision map information to District Counsel.

Public Comment: None.

Action Taken: District Counsel will follow up.

- 8.2 Policies and Procedures Manual. Status and actions relating to the following items:

8.2.1 Policy: Sealed Meters

8.2.2 Policy: Homeowner incursion of District easement, specifically owner responsibility for damage caused to pipeline caused by trees

8.2.3 Policy: Accounts Receivable

8.2.4 Policy: Backflow Device Inspection – Policy approved at February 2022 Board Meeting.

Discussion: Staff explains that some backflow accounts are not tied to District accounts and would like additional information on identifying the policy as part of the approved policies.

Public Comment: None.

Action Taken: Director Cooper assisted with identifying addresses with accounts. Prior year's testing costs and repairs will be written off because official policy was not adopted until February 2022. (2019, 2020, 2021) Staff will draft letter to customers with backflow devices advising them of 2023 Backflow Prevention Device Policy and applicable charges. Directors confirmed that

the backflow device at 9421 Putney per the Trites Backflow Inspection summary is servicing Durham Unified School District Acct 803 – Putney and Goodspeed site.

8.2.5 Policy: Water Service

Discussion:

No update.

Public Comment:

None.

Action Taken:

Director Phillips will coordinate with District Engineer on draft Water Service policy.

8.3 Development Projects. Review status of development projects' activities.

8.3.1 Butte County Farm Bureau Project – 9412 Jones Avenue

8.3.2 Dubose Midway Development

8.3.3 Keeney Estates (aka Creekside Estates)

8.3.4 Symmes – Durham-Dayton Development

8.3.5 Southwind Court – connection fees paid in 2021 were transferred from District checking account to District development account.

Discussion:

Directors discussed status of Creekside Estates project. District Counsel attended a planning commission meeting relating to Creekside in which the project was approved

Public Comment:

None.

Action Taken:

District Counsel will review and update directors on conditions of approval for Creekside Estates and confirms that the service agreement is currently unsigned and no fee has been paid. Director Doyle would like an update on financial tracking by project and will check with District Bookkeeper on the matter.

8.4 Sierra Water Utility Contract renewal

Discussion:

Director Cooper confirmed that the Sierra Water Utility contract is due for renewal and solicited input from Board on contract terms, suggesting a multi-year contract. Water Operator updated District on improved service to District with addition of assistant, increasing costs, and requests automatic cost of living increase (CPI-W) in any multi-year contract.

Public Comment:

None.

Action Taken:

Director Cooper will meet with Water Operator to discuss terms of contract renewal.

8.5 Annual Audit 2020. Review status of audit activities.

8.6 Annual Audits RFP status.

Discussion:

None.

Public Comment:

None.

Action Taken:

Director Phillips will send draft audit RFP to staff.

8.7 Memorandum to Board regarding 2553 Durham Dayton Highway.

Discussion:

Staff update on this matter; notice sent to account and awaiting reply from owner of record.

Public Comment:

None.

Action Taken:

Staff directed to continue to follow up with owner of record.

8.8 Website Pageview Report. February 2022 pageviews.

- 8.9 Options for general management of the District, including, but not limited to, potential General Manager replacement and advertisement.

9 ATTORNEY REPORT

- 9.1 Updates from Legal Counsel not discussed under other Agenda Items.
9.2 Updates on November 2022 Ballot Measure.

Discussion: Counsel awaiting information from county elections clerk.

Public Comment: None.

Action Taken: **Director Phillips directed Counsel to follow up with elections clerk on the matter of director positions up for election in November 2022 and whether this needed to be agendized in a future board meeting to specifically transfer the election management to the county.**

- 9.3 Updates on Vina GSA Fee allocation.

Discussion: Counsel updated Board on significant litigation facing Vina GSA and other GSAs in northern California. He confirmed that the District's contribution to Vina GSA's relating to litigation is estimated to be approximately \$5K through June 30, 2022, with a tentative overall cost split of 40% - City of Chico, 40% - Butte County, 20% - Durham Irrigation District. District Counsel's position is that the cost split will be unsustainable in the face of greater litigation costs. Director Phillips asks about non-paying direct entities (private well owners) under Vina GSA. District Counsel mentions that the City of Chico is folding in these users at this time, and that CalWater is in the position of owning and operating the wells and distribution of water for the City of Chico and coordination will be essential. Director Cooper recalls that there was a stipulation that the District was not to be a litigation partner with Vina GSA and that a similar stipulation may apply to Vina SHAC.

Public Comment: None.

Action Taken: **Director Phillips directed Counsel to follow up with elections clerk on the matter of director positions up for election in November 2022 and whether this needed to be agendized in a future board meeting to specifically transfer the election management to the county. Director Phillips asks to be involved in discussions surrounding equitable distribution of operational costs for Vina GSA and affirms that the District is not 20% of Vina GSA's operational costs. District Counsel will research litigation stipulations relating to the District's membership in Vina GSA.**

10 VINA GSA

- 10.1 Vina GSA Report (Director Cooper)

Discussion: Director Cooper confirmed that Vina GSA counsel will be permitted to accept service on behalf of Vina GSA directors.

Public Comment: None.

Action Taken: **None.**

11 DIRECTORS' COMMENTS:

12 CLOSED SESSION

- 12.1 Consideration of Employment Agreement – Jeannie Trizzino. Pursuant to Government Code Section [54957\(b\)\(1\)](#)
Title: Administrative Assistant
- 12.2 OPEN SESSION CONTINUED – Consideration and Possible Approval of Employment Agreement – Jeannie Trizzino

Action Taken: **District Counsel directed to prepare required documentation for review by Board and Staff.**

13 ADJOURNMENT

Meeting adjourned at 6:47 p.m.
Adjourn to the next Regular Board Meeting, April 19, 2022.