

Durham Irrigation District Board of Directors
Board Meeting
April 19, 2022 - 5:30 PM
MINUTES

Board of Directors:	District Staff:		
Matt Doyle, Chair – in attendance/remote – entered virtual meeting at 5:32 pm.	PRESENT		
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	ABSENT
		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 by Director Phillips at 5:30 pm.
- 1.2 Consideration of Resolution 2022-04 authorizing remote teleconference/Zoom meetings of the DID Board for the period of 30-days.

Motion: *That the Board consider and approve Resolution 2022-04 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 Resolution 2022-04.*

Vote results *Ayes carried.*

Ayes: *Cooper, Phillips*

Noes:

Abstained:

Absent: *Doyle*

- 1.3 Introduction of Guests
5:32 pm. Director Doyle entered the virtual meeting.

2 PUBLIC COMMENT – NONE

3 PRESENTATIONS – NONE

4 CONSENT AGENDA

- 4.1 Minutes – no minutes prepared.
- 4.2 Monthly Financial Report for March 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 March 15, 2022 to April 18, 2022, including payments, deposits, and transaction adjustments.

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

Board Discussion: *None.*

Public Comment: *None.*

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

Vote results *Ayes carried.*

Ayes: *Cooper, Doyle, Phillips*

Noes:

Abstained:

Absent:

5 REGULAR AGENDA

- 5.1 Items Removed from Consent Agenda

6 CORRESPONDENCE

- 6.1 Ltr. from Owner - Acct 226 9393 Goodspeed (04.05.2022)

Discussion: *Customer disputes water bill and says that the meter is faulty. Water Operator investigated the meter and determined that the meter was functioning properly. Directors advise no change to water bill.*

Action Taken: *Staff to reply to customer denying claim.*

- 6.2 Ltr. from Owner (02.03.2022) reimbursement claim

Discussion: *Staff requests approval of release of liability form to have customer sign.*

Action Taken: *Staff to send release of liability to customer and plan for payment of claim in May 2022.*

- 6.3 Notice from Congressman LaMalfa - Early Notice for Funding Requests (03.24.2022)

Discussion: *Director Phillips initiates discussion of a substantial (between \$500K-\$2M) 'shovel-ready' and/or well-defined CIP project to recommend to Congressman LaMalfa. Director Phillips suggests that District Engineer Mark Adams prepare a list of high-priority, resiliency-promoting projects in the \$500K-\$1M range and transmit to the congressman's office. Water Operator Butler commented that adding storage capacity would be useful for the District.*

Action Taken: *District Counsel will transmit this request to District Engineer to prepare and transmit this list.*

- 6.4 Ltr. from CSDA - Call to Action - Oppose Initiative 21-0042A1 (03.15.2022)

Motion: *That the Board consider and approve Resolution 2022-05 to oppose Initiative 21-0042A1.*

Board Discussion: *Directors agree in opposing this initiative. Director Phillips does not believe that this initiative will garner enough votes to be on the ballot, but that it will*

benefit CSDA (California Special Districts Association) in its advocacy to preserve special district's ability to self-regulate.

Public Comment:

None.

Action Taken:

On a motion made by Cooper and seconded by Doyle, the Board approved Resolution 2022-05.

Vote results

Ayes carried.

Ayes:

Cooper, Doyle, Phillips

Noes:

Abstained:

Absent:

6.5 Ltr. from Camp and McLaughlin (03.22.2022) rent increase effective May 2022

6.6 Ltr. from EDD (03.25.2022) Notice of Form Delinquency

Discussion:

Staff updated directors that the payroll company is attempting to pay certain California EDD payroll taxes, but EDD is rejecting and refunding those payments based on the way the District's employer account is set up. According to EDD the District would need to obtain a new employer account.

6.7 Ltr. from SDRMA (03.25.2022) estimated 2022-2023 contribution

6.8 Article – Governor's Drought Announcement (03.28.2022)

6.9 Ltr. from Butte County (04.12.2022) Northern Sacramento Valley Integrated Regional Water Management Board

7 WATER OPERATIONS BUSINESS

7.1 Ongoing/New Business

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

Discussion:

Review of March repairs. Continued troubleshooting of motor at Library site; continued work on bladder tank installation and alley site demolition. Director Cooper mentioned that it's prudent to operator and test equipment on site both for system integrity and also to ensure that neighbors in the vicinity are accustomed to the noise.

7.2.1 Ltr. from Sierra Water Utility (03.25.2022) with estimate for two options for backflow device at Holland Site

Discussion:

Discuss setting up a filling station with a backflow device at the Holland site, as a designated station for use by Butte County Public Works or other incidental uses. This was in response to a county water truck observed connecting to a district hydrant. Director Phillips commented that the designated station be locked, metered, and protected by a backflow device. Additionally the District should be compensated upon use. Director Phillips further commented that unauthorized connection to the District is a federal crime. General agreement that the District would not be routinely serving water haulers for construction sites.

7.3 Pressure Tank Project updates:

7.3.1 Durham Pump

7.3.2 NorthStar status report

7.3.3 Other Items

Discussion: *Water Operator reports the pressure tank replacement project is on schedule, and the total cost is much less than the previous project plan of a new pressure tank.*

7.4 Site 3 (Library) Well motor replacement

Discussion: *Water Operator has obtained a quote for a new motor for the Library site of \$6.2K. Directors authorized Water Operator to proceed with purchase and to have the motor available when the existing pump fails.*

7.5 Monthly Work Order Status Report through April 10, 2022

7.6 Monthly Metered Water Sales through March 2022

8 GENERAL BUSINESS

8.1 District Activities and Status Report.

District Engineer was not present, so engineering-related updates were tabled until May 2022 board meeting.

8.1.1 Project Update: Pressure Tank Replacement – See Item 7.3

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

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.

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

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

Discussion: *District Counsel will follow up with District Engineer on parcel description for use in easement agreement.*

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

8.2.1 Policy: Sealed Meters

Discussion: *Prior to the meeting District Counsel sent example policy language from other districts to the Directors that will cover most of the other policies noted below – 8.2.2 – 8.2.4.*

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 directed to bill customers for any costs incurred by the District relating to repair/replacement of backflow devices. Discussion of Durham Deli/Empire Club backflow device/s; directors noted that there are two separate businesses in the newly divided space that used to be solely Empire Club and that there are two separate addresses and two separate parcel numbers. Water Operator confirms that Empire Club and Durham Deli are both being served by a single service connection.*

8.2.5 Policy: Water Service

Discussion: *Director Cooper sent sample water policy to District Engineer for revisions to sections relating to developer responsibilities.*

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

Discussion: *District Counsel will follow up with District Engineer on status of development projects.*

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

8.4 Sierra Water Utility Contract renewal

Discussion: *Director Cooper and Water Operator negotiated a multi-year extension with Water Operator to include an automatic annual increase tied to the Consumer Price Index (CPI). District Counsel will revise current Sierra Water Utility agreement and circulate for review and finalization. Director Phillips and District Counsel can research index for CPI. Agreement to be finalized at next board meeting or earlier.*

8.5 Annual Audit 2020. Review status of audit activities.

Discussion: *Audit has not yet commenced, but auditor ready to proceed in April.*

8.6 Annual Audits RFP status.

Discussion: *Staff finalizing RFP and circulating and posting.*

8.7 Update on Memorandum to Board dtd December 14, 2021 regarding 2553 Durham Dayton Highway.

Discussion: *Staff reports matter is settled.*

8.8 Website Pageview Report. March 2022 pageviews.

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

Discussion: *Director Doyle reports no updates; District Counsel to follow up with District Engineer.*

9 ATTORNEY REPORT

9.1 Updates from Legal Counsel not discussed under other Agenda Items.

*See also Closed Session **Item 12.1.***

9.2 Updates on 2022 Ballot Measure.

Discussion: *District Counsel advises that the District would need to coordinate directly with Elections Division to place the measure on the November 2022 ballot. The District would need to provide a list of landowners to the County and also pay the county's fee to do so. Alternatively, the District can conduct its own election by mailing ballots directly to the landowners.*

9.3 Updates on Vina GSA Fee allocation.

Discussion: *District Counsel notes that Vina GSA is preparing response to AquAlliance litigation. Counsel notes that legal budget for Vina GSA has been completely expended, so additional contributions will be needed. County Supervisors will be looking at more equitable fee division arrangements between the three*

Vina GSA member agencies, perhaps based on number of connections or acreage served.

10 VINA GSA

(All Items Informational/Possible Action/Direction)

See Vina GSA Calendar online here: <https://www.vinagsa.org/calendar>

- 10.1 Vina Groundwater Subbasin 2021 Water Year Annual Report (03/2022) (only the report's executive summary is included in agenda packet)

Discussion: *Director Cooper reported that discussions continue on AquAlliance litigation and next steps on the Vina GSA Draft Groundwater Sustainability Plan.*

11 DIRECTORS' COMMENTS:

Discussion: *Director Doyle thanks Director Phillips for conducting today's board meeting.*

12 CLOSED SESSION

- 12.1 Conference with counsel on litigation in the matter of *AquAlliance, et al. v. Vina GSA, et al.*

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

- 12.3 OPEN SESSION CONTINUED – Consideration and Possible Approval of Employment Agreement – Jeannie Trizzino

Action Requested: Approve employment agreement for Jeannie Trizzino.

Discussion: *Item 12.1 – District Counsel reported on status of AquAlliance litigation; no action was taken.*
Item 12.2 - District Counsel directed to prepare and circulate a draft Employment Agreement for Trizzino. After review and acceptance by all parties, Director Doyle is authorized to finalize the agreement with Trizzino.

13 ADJOURNMENT

Meeting adjourned at 7:25 p.m.

Adjourn to the next Regular Board Meeting, May 17, 2022.