

Durham Irrigation District Board of Directors
Board Meeting
June 21, 2022 - 5:30 PM
MINUTES

Board of Directors:

District Staff:

Matt Doyle, Chair – remote	PRESENT		
Raymond Cooper, Director – remote	PRESENT		
Kevin Phillips, Director – remote	PRESENT	Jeff Carter, District Counsel – remote – <i>counsel joined virtual meeting for Item 8.6.4</i>	PRESENT
left virtual meeting at 7:00 pm		Mark Adams, District Engineer – remote	PRESENT
		Mike Butler, Water Operator – remote	PRESENT
		Jeannie Trizzino, Admin. Assistant – remote	PRESENT

1 CALL TO ORDER

- 1.1 Meeting was called to order by Chair Doyle at 5:33 pm.
- 1.2 Consideration of Resolution 2022-06 authorizing remote teleconference/Zoom meetings of the DID Board for the period of 30-days.

Motion: *That the Board consider and approve Resolution 2022-06 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 Phillips and seconded by Cooper, the Board approved the motion.*

Vote results *Ayes carried.*

Ayes: *Cooper, Doyle, Phillips*

Noes:

Abstained:

Absent:

- 1.3 Introduction of Guests – Kyle Brock and family (see Agenda Item 8.6.2)

2 PUBLIC COMMENT

Owner Kyle Brock’s comments are summarized under Agenda Item 8.6.2.

3 PRESENTATIONS – NONE

4 CONSENT AGENDA

- 4.1 Monthly Financial Report for May 2022, including:

- 4.1.1 Balance Sheet
- 4.1.2 Profit & Loss Statement
- 4.1.3 Previous Year Comparison
- 4.1.4 General Ledger
- 4.1.5 AR Aging Report

- 4.1.6 Website Pageview Report
- 4.1.7 Monthly Metered Water Sales through May 2022
- 4.2 Approval of the Warrant Sheet from April 19, 2022 to May 16, 2022, including payments, deposits, and transaction adjustments.
- 4.3 Approval of the Warrant Sheet from May 17, 2022 to June 20, 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 Phillips and seconded by Cooper, 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 – NONE

6 CORRESPONDENCE

All Items Informational/Possible Action/Direction

- 6.1 Ltr. from EDD (04.25.2022) Notice of Adjustment for Failure to File a Return

- 6.2 Ltr. from Elections Division (05.03.2022) Notice of Offices to Be Filled

Discussion: *Staff requests guidance on this matter and emphasizes that Elections Division has placed a July 6, 2022 deadline on the Notice of Offices to Be Filled. Discussion of this item resumed when Counsel was present later in the meeting under Item 9. Counsel confirmed that Director Phillips' term was up for re-election. Director Phillips confirmed that he did not intend to submit a Candidate's Statement for the November 2022 ballot.*

Action Taken: *Counsel will prepare the Notice for Chair Doyle's signature.*

7 WATER OPERATIONS BUSINESS

- 7.1 Ongoing/New Business

- 7.1.1 Equipment cover estimate

See 7.1.1 Estimate - Ideal Steel - Covers for Alley and Holland Pumps (06.06.2022)

Motion: *That the Board accept the estimate dated June 6, 2022 from Ideal Steel in the amount of \$6,431.10 for the purchase and installation of covers for equipment at Alley and Holland sites, with additional authorization for a contingency allowance not to exceed 15% of the estimated amount.*

Board Discussion: *Water Operator requests review and approval to proceed with ordering installation of carport-style covers for the District equipment. Cooper confirmed scope of work and location of covers. Director Cooper suggested including a contingency of 15% to cover routine price variation.*

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, Doyle, Phillips*

Noes:

Abstained:

Absent:

7.1.2 Sonic well sensor estimate

See 7.1.2 Estimate - Sierra Water Utility - Sonic Well Sensor (06.04.2022)

Motion: *That the Board accept the estimate dated June 4, 2022 from Sierra Water Utility in the amount of \$3,242.45 for the purchase of a sonic well sensor, with a contingency not to exceed 15% of the estimated amount.*

Board Discussion: *Water Operator explained the need for the District to monitor well levels and to obtain well level information without needing to dose the well with chlorine. The cost of the device is \$3,242.45 from one vendor. Director Phillips asked Water Operator to look for additional estimates from other vendors to confirm that the price is reasonable before proceeding. Director Cooper suggested including a contingency of 15% to cover routine price variation. The Water Operator does not need to bring the matter back to the Board.*

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, Doyle, Phillips*

Noes:

Abstained:

Absent:

7.1.3 Butte Utility Council

Discussion: *Water Operator attended the Butte Utility Council meeting and noted that there were no projects relating to or affecting the District.*

Public Comment: *None.*

7.1.4 Ltr. from CalFire (05.12.2022) ISO Survey for Fireflow

Discussion: *Water Operator reported that he and District Engineer coordinated with CalFire to provide the requested information. At this time, the District denied the request to perform hydrant testing. District Engineer will provide data to CalFire based on modeling calculations. Water Operator reports that CalFire and District Engineer are continuing discussion on the matter. District Engineer reports that they are requesting specific data on three locations – Tink, Inc., Vanella Farm Store, and Almendra Winery and Distillery. He expects CalFire will request more information and will coordinate future information requests.*

Public Comment: *None.*

7.2 Review of Water Operator Logs for April and May 2022 (Operator Mike Butler)

Discussion: *Water Operator summarizes ongoing work to prepare for pressure tank replacement project. (See Items 7.3 and 7.5.) Also updated pricing and lead time for parts needed for Brown/Faber Alley Main Line Replacement Project.*

(See Item 8.1.1.1.) Director Cooper asks whether parts were ordered for the Brown/Faber Alley project, Water Operator replied that they were not. Water Operator reports a leak on a shallow waterline in the alley behind Dino Mart and suggests limiting gross vehicle weight on that alley to avoid further damage. Director Cooper says that he has not seen the County place weight restrictions in alleys, and that enforcement would be difficult. Water Operator will arrange for District to fill ruts and potholes in alley to reduce further risk. Water Operator reported water pressure variation in the system that may result in higher energy costs for the District.

Public Comment: None.

7.3 Pressure Tank Project updates

Discussion: *Director Cooper commended Water Operator for finishing this project. Water Operator reports that total cost for the project is ~\$49K, which will appear on the July 2022 warrant. The original cost for the pressure tank would have been ~\$79K, before installation. Significant savings were achieved.*

Public Comment: NONE.

7.4 Site 3 (Library) Well motor replacement

Discussion: *Water Operator reports that replacement well motor is on site and available when needed.*

Public Comment: NONE.

7.5 Monthly Work Order Status Report through June 15, 2022

8 GENERAL BUSINESS

8.1 District Activities and Status Report.

8.1.1 Status Updates and Activities Not Requiring Action

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

Motion: *To authorize the Water Operator spending authority of up to \$40,000 to purchase parts for the planned Brown/Faber Alley Main Line Replacement Project.*

Board Discussion: *Water Operator reports that he reviewed an updated quote which demonstrates ever-increasing prices and ever-lengthening lead times due to supply line issues.*

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, Doyle, Phillips*

Noes:

Abstained:

Absent:

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

Discussion: *Director Phillips asks District Engineer to coordinate a CIP Workshop for the District.*

Public Comment: *NONE.*

Action Taken: *District Engineer will continue work on CIP updates.*

Discussion: 8.1.1.3 California Rural Water Association (CRWA) Leak Detection Program
Water Operator reports that he will coordinate survey for three lines in the District in September 2022. Director Phillips suggests surveying the steel lines in the District, omitting Brown/Faber line as it is already known to be in poor condition. The leak survey is free program offered by CRWA.

Public Comment: *NONE.*

8.1.1.4 California Community Services & Development Low Income Household Water Assistance Program (LIHWAP).

Discussion: *Staff reports that the District is enrolled in this program and customers will be notified with the next billing.*

Public Comment: *NONE.*

8.1.1.5 Policy: Sealed Meters

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

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

8.1.1.8 Annual Audit 2020. Review status of audit activities.

Discussion: *Staff reports that the District did not receive any submittals on its RFP for Audit Services for 2021-2023. Director Phillips will coordinate with staff to reissue.*

Public Comment: *NONE.*

8.1.1.9 SWRCB 2022 Needs Assessment Dashboard – Durham Irrigation District.

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

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

Discussion: *Counsel reports that he has the necessary information from District Engineer to draft the easement agreement.*

Public Comment: *NONE.*

8.1.4 Biennial Conflict of Interest Update

Discussion: *Counsel reports that the District's current Conflict of Interest policy is sufficient. He will respond to District so that District can submit required form to County by the deadline of August 1, 2022.*

Public Comment: *NONE.*

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

8.2.1 Policy: Accounts Receivable

8.2.2 Policy: Water Service

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

8.3.1 Butte County Farm Bureau Project – 9412 Jones Avenue

Discussion: *Staff reports that Butte County Farm Bureau (BCFB) Project advised the District that they planned on a 2" connection for its project. Director Cooper asked staff to confirm connection size with BCFB.*

Public Comment: *NONE.*

8.4 Sierra Water Utility Contract renewal

8.5 Annual Audit RFP status

8.6 Memorandum to Board

8.6.1 Regarding Acct 102 – 2400 Campbell Street.

Discussion: *Director Cooper asks for confirmation that there was no meter installed at site and was advised that calculated variance in the matter was less than \$100.*

Public Comment: *None.*

Action Taken: *Staff directed to correct account status in billing system and coordinate credit owed to the customer.*

8.6.2 Regarding Acct 684 – 2469 Tracy Ranch Road.

NOTE: District Counsel joined the virtual meeting at time uncertain.

Discussion: *Director Phillips comments that the District must carefully consider impacts to groundwater on behalf of the entire District. Director Cooper comments that all decisions by the Board reflect its commitment to the betterment of the District as a whole. The Directors will continue to look into the matter with General Counsel and coordinate with the County. Director Cooper asks District Engineer about the conditions of the Petersen Estates county approval (e.g., CCRs) and that those conditions might be material to the domestic well request. Director Cooper also asks whether the District has the authority to reject the private well request.*

Public Comment: *Owner Kyle Brock reports that he has an interest in installing an irrigation well (5" diameter) on his property (1-acre parcel) to irrigate fruit trees. He reported that Butte County Environmental Health (BCEH) advised him that he would need to ask for permission from the District to be able to proceed. In the long-term (50+ years) he feels that a well is wise for his needs, but acknowledges that even upon District approval he is not certain whether BCEH would approve the well as the state also needs to review and approve the well under a separate process. He notes that he has met with well driller Tim Besser. Mr. Brock mentions that he and his family are Camp Fire survivors, and further noted that he does not anticipate disconnecting from District water service and would be open to limits on his use of the well to specific conditions.*

Action Taken: *None.*

8.6.3 Regarding Durham Deli - 9387 Midway

Discussion: *Owner requires water use estimate for the Butte County approval for his septic tank. District Engineer requests that Owner submit his own engineer's estimate to District Engineer for review. Director Cooper comments that the Owner has two parcels for two separate businesses and that they should both be set up with meters and backflow devices.*

Public Comment: *None.*

Action Taken: *Staff to request Owner to obtain signed and stamped engineer's estimate of water usage to District for review and as a separate matter to set up metered accounts with backflow devices for the Owner's two APNs.*

- 8.7 Options for general management of the District, including, but not limited to, potential General Manager replacement and advertisement.
- 8.8 Drought Planning for Small Water Suppliers and Rural Communities required under SB 552.

9 ATTORNEY REPORT

- 9.1 Updates from Legal Counsel not discussed under other Agenda Items
See Closed Session Item 12.1.
- 9.2 Updates on 2022 Ballot Measure
- 9.3 Updates on Vina GSA Fee allocation
See Vina GSA 2022-2023 Draft Budget.

10 VINA GSA

- 10.1 Vina GSA SHAC Meetings

Discussion: *Director Cooper noted that he was not requested to attend the Vina GSA SHAC meeting for June 22, 2022.*

Public Comment: *NONE.*

- 10.2 Vina GSA Board Meetings

Motion: *That the Board approves paying the Vina GSA invoice VinaGSA-2202 dated June 22, 2022 in the amount of \$4,000.00 in the form of a loan only and not as a member contribution.*

Board Discussion: *The Vina GSA has invoiced the District for \$4,000 to cover attorney's fees for litigation in the matter of AquAlliance, et al. v. Vina GSA, et al. with the understanding that the fee will be reimbursed to the District by Vina GSA at a later time.*

Public Comment: *None.*

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

Vote results *Ayes carried.*

Ayes: *Cooper, Doyle*

Noes:

Abstained:

Absent: *Phillips*

- 10.3 Vina GSA/RCRD GSA Board Meetings

11 DIRECTORS' COMMENTS:

12 CLOSED SESSION

At 6:46 pm the Board adjourned to 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.

13 OPEN SESSION

At 7:05 pm the Board returned to Open Session and Legal Counsel summarized the Closed Session as follows:

- Discussion of litigation in the matter of *AquAlliance, et al. v. Vina GSA, et al.*
- Discussion of a personnel matter.

14 ADJOURNMENT

The meeting was adjourned at 7:15 pm.

Adjourn to the next Regular Board Meeting, July 19, 2022.