

**Durham Irrigation District Board of Directors  
Board Meeting  
August 16, 2022 - 5:30 PM  
MINUTES**

**Board of Directors:**

**District Staff:**

Matt Doyle, Chair – in attendance/remote	PRESENT		
Raymond Cooper, Director – in attendance/remote	PRESENT		
	AT 5:42 pm		
	PM		
Kevin Phillips, Director – in attendance/remote	PRESENT	Jeff Carter, District Counsel – in attendance/remote	PRESENT
		Mark Adams, District Engineer – in attendance/remote	ABSENT
		Mike Butler, Water Operator – in attendance/remote	PRESENT
		Jeannie Trizzino, Admin. Assistant – in attendance/remote	PRESENT
		Brenda McLaughlin – district customer	

**1 CALL TO ORDER**

- 1.1 Meeting was called to order by Chair Doyle at 5:30 pm.
- 1.2 Consideration of Resolution 2022-08 authorizing remote teleconference/Zoom meetings of the DID Board for the period of 30-days.

**Action Requested:** *That the Board consider and approve Resolution 2022-08 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 Doyle, the Board approved the motion.**

**Vote results** **Ayes carried.**

**Ayes:** **Doyle, Phillips**

**Noes:**

**Abstained:**

**Absent:** **Cooper**

**Discussion:** Chair Doyle suggested that the Board resume in-person meetings starting in September 2022. Director Phillips and Counsel Carter agreed.

**Public Comment:** **None.**

**Action Taken:** **In-person meetings will resume at District office at 9418 Midway, Unit C, in September, at the September 20, 2022 board meeting.**

- 1.3 Introduction of Guests  
Brenda McLaughlin, District customer

**2 PUBLIC COMMENT - NONE**

### 3 PRESENTATIONS - NONE

### 4 CONSENT AGENDA

- 4.1 Monthly Financial Report for July 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 Board Recap, Water Sales and AR Aging Report
- 4.2 Approval of the Warrant Sheet from July 19, 2022 to August 15, 2022, including payments, deposits, and transaction adjustments.
- 4.3 Approval of the minutes for the January 18, 2022 and February 15, 2022 Board Meetings.

**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 Doyle, the Board approved the motion.

**Vote results** Ayes carried.

**Ayes:** Doyle, Phillips

**Noes:**

**Abstained:**

**Absent:** Cooper

### 5 REGULAR AGENDA

- 5.1 Items Removed from Consent Agenda - NONE

### 6 CORRESPONDENCE

All Items Informational/Possible Action/Direction

- 6.1 Butte County Drought Situation Report (07.26.2022)

**Discussion:** **Staff supplied County Report for guidance from Directors with respect to AB of 552 for drought preparedness planning requirement for small water system. Director Doyle summarized the report as relating to privately owned agricultural and domestic wells that have gone dry.**

**Public Comment:** None.

**Action Taken:** None.

### 7 WATER OPERATIONS BUSINESS

These items were provided for the Board's information. Although the Board may discuss the items, no action can be taken at this meeting. Should the Board determine that the action is required, the item or items may be included for action on a subsequent posted agenda.

- 7.1 Ongoing/New Business

7.1.1 Sonic well sensor update

**Discussion:**

**Sonic well sensor has been installed at Library site and will log a month of data before moving it – hourly static well depth. However, the water operator has fabricated a casing so that the sensor can be moved to other sites if needed. Director Cooper directed that the sensor be left at the Library site and if it performs well, the District should obtain similar sensors for the other two well sites. Director Doyle requested that the well data be added to the Water Operator Log.**

**Public Comment:**

**None.**

**Action Taken:**

**None**

7.1.2 CalFire ISO (Insurance Services Office) Survey for fireflow update

**Discussion:**

**Water operator has submitted available data to CalFire.**

**Public Comment:**

**None.**

**Action Taken:**

**None**

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

**Discussion:**

**Leak repair at Almendra went well; carport installation at Holland went well; reported several issues involving tree root intrusion on District service lines and equipment. Director Doyle directed staff to charge customer for service call for water interruption caused by customer. Water Operator comments that replacement of 1960s-era valves continues.**

**Public Comment:**

**None.**

**Action Taken:**

**None**

7.3 Monthly Work Order Status Report through August 11, 2022

## 8 GENERAL BUSINESS

8.1 District Activities and Status Report from District Engineer.  
(All Items Informational/Possible Action/Direction)

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.

**Discussion:**

**Water operator will investigate getting an additional bid on Schedule 80 PVC materials for this project as supply chain issues have resulted in large price increases and delays in orders for parts made of brass. PVC is much more available and cheaper. He will report at next board meeting.**

**Public Comment:**

**NONE.**

**Action Taken:**

**NONE**

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:**

**District Engineer and Water Operator have updated the CIP list with current costs. They have also grouped the capital projects into categories compatible with planning for a future rate increase.**

**Public Comment:**

**NONE.**

**Action Taken:**

**District Engineer will convene administrative committee (Doyle and Water Operator) to discuss CIP options.**

8.1.1.3 Policy: Sealed Meters

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

**Discussion:**

**District Counsel has draft policies for 8.1.1.3 and 8.1.1.4.**

**Public Comment:**

**NONE.**

**Action Taken:**

**District Counsel will distribute draft policies for review by Board and staff.**

8.1.1.5 Annual Audit 2020. Review status of audit activities.

**Discussion:**

**Staff working with Auditor and Bookkeeper to compile needed materials for audit.**

**Public Comment:**

**NONE.**

**Action Taken:**

**NONE.**

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

**Discussion:**

**Staff has received correspondence from new Grant Management Specialist from USBR requesting additional information. District Engineer will coordinate contract for cultural resource consultant under NorthStar to reduce District oversight. Director Cooper concerned whether cultural resource assessment is reimbursable under the grant.**

**Public Comment:**

**NONE.**

**Action Taken:**

**Staff to check with USBR on reimbursement conditions of grant.**

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

**Discussion:**

**District Counsel has draft agreement prepared and will have District Engineer review.**

**Public Comment:**

**NONE.**

**Action Taken:**

**District Counsel and District Engineer will meet to discuss and finalize.**

8.1.4 Biennial Conflict of Interest Update

**Discussion:**

**District Counsel reports that District policy complies with current law on Conflict of Interest and no changes are needed.**

**Public Comment:**

**NONE.**

**Action Taken:**

**District Counsel will finalize review and notify County; due date for such notification was August 1, 2022. Staff to sign letter to county when finalized. District Engineer reviews issues surrounding fireflow to the site.**

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

8.2.1 Butte County Farm Bureau Project – 9412 Jones Avenue

**Discussion:**

**District Counsel reports that he will prepare standard agreement and letter for applicant after discussion with District Engineer. Discussion ensued regarding impact of fireflow (fire hydrant) requirements for the project, relating to the ISO survey.**

**Public Comment:**

**NONE.**

**Action Taken:**

**District Counsel and District Engineer will meet to discuss and finalize.**

8.3 Sierra Water Utility Contract renewal

**Discussion:**

**District Counsel reports that he will update prior agreement, discuss with Water Operator.**

**Public Comment:**

**NONE.**

**Action Taken:** District Counsel will finalize and circulate draft revised contract.

8.4 Annual Audit RFP status

**Discussion:** Staff reports that RFP was unsuccessful; asks District Counsel for guidance on language to be used to invite audit firms to submit. Director Phillips will provide options for staff.

**Public Comment:** NONE.

**Action Taken:** Director Cooper and District Counsel will assist staff.

8.5 Memorandum to Board

8.5.1 Regarding Acct 684 – 2469 Tracy Ranch Road.

**Discussion:** General discussion. Director Phillips recommends that the well be metered and monitored by District, be limited in use (as in emergency use only, in case of fire, for example), and to have a robust backflow prevention device installed, all of which to be agreed to in a written agreement. District Counsel recommends that the District develop a policy to address this issue to be adopted next meeting in addition to a letter from District Counsel to owner. This will put the District in a good position for any future new well requests. Staff to advise customer that the matter will be discussed at September board meeting.

**Public Comment:** NONE.

**Action Taken:** Board directed to update staff the customer; District Counsel will prepare a letter for the customer; and Director Phillips will prepare a draft policy and forward to District Counsel and District Engineer for finalizing.

8.5.2 Regarding Acct 27 – 2400 Faber Street.

Director Cooper joined Board meeting at 5:42 p.m. when this matter was being discussed.

**Discussion:** Property was converted to a metered rate schedule upon installation of meter on the property. Owner requests being returned to flat rate schedule. Water operator reports that meter was installed before he started serving the District. In April the water operator discovered that there are two meters in one meter box that had been overlooked and started obtaining meters. Counsel confirms that it is California state law that meters must be installed for all water accounts in January 2025. Staff confirm that this account has been billed an unchanging flat rate of \$35.07 since 2019 and has not been charged the current rates. Director Doyle explained 2018 rate schedule increase applied to all customers. Director Phillips explained the financial benefits of metered rate for low-usage accounts, but customer preferred flat rate billing.

After vote, Director Cooper clarified that the District might not be completely converted to meters by the California deadline. Staff clarifies that AB 2572 was passed in 2004 mandates that all water requires all water suppliers to install water meters on all customer connections by January 1, 2025. There are some 200 unmetered connections in the District.

**Action Taken:** On a motion made by Phillips and seconded by Doyle, the Board approved allowing this account to be billed at the then-current flat rate until such time as the District converts to metered rate billing under California law or upon sale of the property.

**Vote results**

**Ayes:**

**Noes:**

**Abstained:**

**Absent:**

**Ayes carried.**

**Cooper, Doyle, Phillips**

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

**Discussion:** No discussion.

**Public Comment:** NONE.

**Action Taken:** NONE.

- 8.7 Update on Accounts Receivable Status.

**Discussion:** Staff reported that county lien notices did not go out; updated that several account are getting debt relief from state grant program; and direct discussion is outstanding with two accounts with high accounts receivable.

**Public Comment:** NONE.

**Action Taken:** NONE.

- 8.8 Drought Planning for Small Water Suppliers and Rural Communities required under SB 552.

**Discussion:** No update; Director Doyle awaiting response from other local water service companies and will follow up with staff.

**Public Comment:** NONE.

**Action Taken:** NONE.

## 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 Update on Elections Division Notice of Offices to Be Filed

**Discussion:** 9.2 and 9.3 District Counsel awaiting response from County Election Office.

**Public Comment:** NONE.

**Action Taken:** NONE.

- 9.4 Updates on Vina GSA Fee allocation

## 10 VINA GSA

(All Items Informational/Possible Action/Direction)

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

- 10.1 Vina GSA SHAC Meetings

- 10.2 Vina GSA Board Meetings

- 10.3 Vina GSA/RCRD GSA Board Meetings

**Discussion:** District Counsel reports that court has denied the Vina GSA demurrer response to litigation matter. Vina GSA counsel is preparing an estimate for expected additional litigation costs.

District Counsel reports that Vina GSA SHAC has prepared a list of probable grant projects relating to Vina GSA project management actions (PMAs).

**Public Comment:** NONE.

**Action Taken:** NONE.

#### 11 DIRECTORS' COMMENTS:

Opportunity for Board comments on items not listed on the Agenda.

**Discussion:** Director Phillips would like the shared fence between the Library Well site and the back of his property to be replaced. He will share costs of such replacement with the District. Director Doyle asks Director Phillips to obtain an estimate.

**Public Comment:** NONE.

**Action Taken:** Director Phillips will obtain estimate for fence replacement and submit to staff; he will recuse himself from the matter going forward.

#### 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\(b\)\(1\)](#)
- 12.3 OPEN SESSION CONTINUED – Consideration and Possible Approval of Employment Agreement – Jeannie Trizzino

**Action Taken:** Closed session not convened.

#### 13 ADJOURNMENT

Meeting adjourned at 6:47 p.m.

Adjourn to the next Regular Board Meeting, September 20, 2022.