

Durham Irrigation District Board of Directors
Board Meeting
August 22, 2023 - 5:30 PM (Rescheduled from August 15, 2023)

MINUTES

Board of Directors:

Matt Doyle, Chair
Raymond Cooper, Director
Kevin Phillips, Director

PRESENT
PRESENT
ABSENT

District Staff:

Adam Daigle, Water Operator Assistant
Robin Kampmann, Dist. Eng. – VIA telephone
Amanda Uhrhammer, Legal Counsel
Dustin Cooper, Legal Counsel – VIA telephone
Nicole Johansson, Public Outreach Coord.
Jeannie Trizzino, Admin. Assistant

PRESENT
PRESENT
PRESENT
PRESENT
PRESENT
PRESENT

1 CALL TO ORDER

- 1.1 The meeting was called to order at 5:30 pm by Chair Doyle.
- 1.2 Introduction of Guests – Ms. Kathryn Azevedo, Mr. Derek Sohnrey, and Mr. Pat Button.

2 CLOSED SESSION – ANTICIPATED LITIGATION (Government Code §54956.9(d)(2) or (d)(3))

At 5:31 pm the Board adjourned to Closed Session and guests were asked to leave the meeting room.

- 2.1 Significant exposure to litigation; one potential case.

OPEN SESSION

At 5:43 pm the Board returned to Open Session and summarized the Closed Session as follows:

Direction given to legal counsel. No reportable actions were taken in closed session.

3 PUBLIC COMMENT

Ms. Azevedo said she was pleased to be attending the meeting.

Mr. Button asked whether District funds were being used to pay for the public outreach services of Nicole Johansson. He felt that such services were not in alignment with allowed purposes of rate payer's fees.

4 PRESENTATIONS - NONE

5 CONSENT AGENDA

Action Requested: That the Board of Directors approve the following Consent Agenda items.

- 5.1 Monthly Financial Report for July 2023, including:
 - 5.1.1 * Balance Sheet
 - 5.1.2 * Profit & Loss Statement
 - 5.1.3 * Previous Year Comparison
 - 5.1.4 * General Ledger
 - 5.1.5 * Board Recap, Water Sales and AR Aging Report
- 5.2 * Approval of the Warrant Sheet from July 15, 2023 to August 17, 2023, including payments, deposits, and transaction adjustments.

Motion: *That the Board consider and 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 motion.*

Vote results *Ayes carried.*
Ayes: *Cooper, Doyle*
Noes:
Abstained:
Absent: *Phillips*

6 REGULAR AGENDA

6.1 Items Removed from Consent Agenda - NONE

7 CORRESPONDENCE

All Items Informational/Possible Action/Direction

7.1 * Ltr. from Auditor (04.03.2023) 2021 Audit Planning Letter

8 GENERAL BUSINESS

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

8.1.1 Capital Improvement Plan Update

8.1.2 District Funding Options Update

Discussion: *District Engineer Mark Adams reported via email that he will be meeting with Jacques DeBra with Luhdorff Scalmanini Consulting Engineers on CIP update and funding options on August 31, 2023. (Items 8.1.1 and 8.1.2)*

Public Comment: *NONE.*

8.1.3 * Update: USBR Grant Funded Meter Replacement and Lead Service Laterals Assessment Project

Discussion: *District Engineer Robin Kampman reported that four contractors had been invited to submit proposals for the meter replacement project with an August 26, 2023 deadline. Upon receipt of bids, she will review and send bid summary to Directors. Staff directed to set up special board meeting for review, approval, and award of meter replacement contract. Staff reported that the fourteen letters had been returned to the District and that only a minority of those opted for monthly billing of discounted meter fee.*

Public Comment: *NONE.*

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

Discussion: *Legal Counsel Amanda Uhrhammer will review and revise the easement agreement.*

Public Comment: *NONE.*

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

8.2.1 Creekside Estates (aka Keeney Development)

Discussion: *District Engineer Mark Adams and Legal Counsel Amanda Uhrhammer met to become acquainted with the history of this longstanding development project so that appropriate revisions can be made to the previous draft service agreement.*

Public Comment: *NONE.*

8.2.2 Butte County Farm Bureau – 9412 Jones Avenue.

Discussion: *District Engineer Kampmann notes that the county is not requiring frontage improvements so the District may not wish to require them as well.*

Public Comment: *NONE.*

8.3 * Memorandum to Board (05.10.2023) Interim District Fiscal Officer

Discussion: *Legal Counsel Uhrhammer recommends the District develop a job description for fiscal officer, then make an appointment to fill the position. She will provide a job description for consideration at a subsequent board meeting.*

Public Comment: *NONE.*

8.4 * Update on Accounts Receivable Status.

Discussion: *Staff reports that the final lien list was submitted to the Butte County Auditor-Controller. One property was removed because the District received confirmation that payment was approved by the California Low Income Water Assistance Program (LIHWAP).*

Public Comment: *NONE.*

8.5 Policy and Procedure Manual Updates.

8.5.1 Introduction (Doyle)

8.5.2 Water Rates, Operating fees, and Billing Procedure (Phillips)

Discussion: *Continued to September 2023 Board meeting.*

Public Comment: *NONE.*

8.6 * Community Advisory Committee Structure.

Action Requested: Discuss Draft Advisory Committee Structure (07.2023)

Discussion: *Legal Counsel Uhrhammer commented that the committee as described would be a standing committee of the District. She will propose different options for managing the structure of this committee.*

Public Comment: *NONE.*

9 WATER OPERATIONS BUSINESS

9.1 Ongoing/New Business

All Items Informational/Possible Action/Direction

9.2 * Review of Water Operator Log for July 2023 (Operator Mike Butler)

9.3 * Monthly Work Order Status Report through August 17, 2023

Discussion: *Assistant Water Operator Daigle reported no additional issues to add to the Water Operator Log.*

Public Comment: *Mr. Button asked whether the planned USBR meters were Badger meters. He wanted more information on the SCADA-enabled flow meter for the well that is also USBR grant-funded. He also asked what measures were being taken to assess leaks and possible excessive water usage on unmetered accounts.*

10 ATTORNEY REPORT

10.1 Updates from Legal Counsel not discussed under other Agenda Items

See Closed Session Items in Section 13.

10.2 Updates on Vina GSA Fee allocation

Discussion: *Legal Counsel Uhrhammer reported that she was reviewing project status reports provided by staff. She will review the agenda format and provide*

*suggestions for improvement. She asked the Board to advise her when it wished her to attend in person or remotely.
Board directed that Vina GSA matters be removed from this section as Ms. Uhrhammer is not expected to work on this matter.*

Public Comment: NONE.

11 VINA GSA

(All Items Informational/Possible Action/Direction)

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

- 11.1 Vina GSA SHAC Meetings
- 11.2 Vina GSA Board Meetings
- 11.3 Vina GSA/RCD GSA Board Meetings

Discussion: *Director Cooper informed the Board that the Vina GSA adopted a fee structure of \$1.54/acre, reduced from \$3.09/acre. The fee structure does not cover the activities of the Vina GSA, but only the basic reporting and meeting coordination functions.*

Public Comment: *Mr. Button asked whether there was a population threshold for the membership as a Vina GSA constituent. He felt that Butte County alone should be managing the Vina GSA.*

Ms. Azevedo asked about what in-kind support the District was providing to Vina GSA and whether there was reimbursement to the District. Director Cooper explained that District staff provides in-kind technical assistance for Zoom meetings as part of the District's requirement as a member agency of Vina GSA. Director Cooper clarified that Vina GSA has its own legal counsel, Valerie Kincaid, and that Vina GSA directly pays her. He also clarified that Director Cooper is the District representative to Vina GSA, and that Chair Doyle is the alternate District representative.

12 DIRECTORS' COMMENTS - NONE

13 CLOSED SESSION – if needed

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

Discussion: *Staff directed to remove this item from future agendas.*

Public Comment: NONE.

14 ADJOURNMENT

The meeting adjourned at 6:37 pm.

The next Regular Board Meeting will be held at 5:30 pm on September 19, 2023 at Durham Irrigation District offices at 9418-C Midway, Durham CA 95938.