

## Minutes of the Regular Board Meeting

Thermalito Water and Sewer District  
Minutes of the Regular Board Meeting  
March 17, 2020 – 2:00 pm

### 1. CALL TO ORDER

The meeting was called to order by President Hatley at 2:03 pm

#### 1.1 Flag Salute

Attorney Carter led the flag salute

#### 1.2 Roll Call

Present were President Hatley, Vice President Latulippe Director Taggart and Director Pulley. Also present were Attorney Carter, Office Manager Padilla, Manager Boucher and Engineer Heindell. Director Reynolds was absent.

### 2. PERSONS DESIRING TO ADDRESS THE BOARD

None

### 3. CONSENT AGENDA

3.1 Minutes of the Regular Board Meeting held on February 18, 2020

3.2 Financial Statements – February 2020

3.3 Water Warrants – Check Number 17853-17905 Total \$374,304.20

Water LAIF Deposit - \$57,263.46

Sewer Warrants – Check Number 7213-7216 Total \$25,952.11

Sewer LAIF Deposit - \$22,736.54

Secretary Revolving Account – Check Number 2656 Total \$281.50

Health Reimb Arrangement – Check Number 2784-2789 Total \$2,341.01

3.4 Summary of District Operation and Solar Power Generation – February 2020

It was moved by Director Pulley, seconded by Director Taggart to approve Consent Agenda Items 3.1 - 3.4. Motion carried.

### 4. ITEMS REMOVED FROM CONSENT AGENDA

None

### 5. GENERAL ADMINISTRATION BUSINESS

#### 5.1 Introduction of New Employee

Manager Boucher introduced to the Board Gregory Felardo. Gregory was hired on March 2nd as a Part-Time Sr. Customer Service Representative. Mr. Felardo was introduced to each of the Board members who welcomed him to TWSD.

#### 5.2 Election of a Special District Alternate “Enterprise or Non-Enterprise” Member

Manager Boucher reported that LAFCO is conducting an election of the Special District Alternate “Enterprise or Non-Enterprise” Member position. He reported

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that the three nominees running are Larry Bradley – Durham Recreation & Park District; Tom Lando – Chico Area Recreation & Park District and Aimee Raymond – Rock Creek Reclamation District. Consensus of the Board is to vote for Tom Lando – Chico Area Recreation & Park District.

**5.3 Policy 1.100 – Billing and Payment of Bills**

Attorney Carter reported that pursuant to Senate Bill 998, by April 1, 2020 the billing and policy process will need to be in place. He mentioned that the primary change is that it prohibits the District from discontinuing residential service for non-payment until a payment has been delinquent for at least 60 days and the property owner has been contacted by telephone or written notice at least seven business days before discontinuation. If the customer qualifies as certain low income, than the District cannot shut the water service off and must continue providing water service to the service address. The customer would need to be willing to enter into a repayment agreement with the District, alternative payment schedule or a plan for deferred or reduced payment consistent with the District's policy. The repayment option should result in repayment of the remaining outstanding balance within 12 months. He mentioned that the other change is that the policy has to be translated into five other languages. He mentioned that he has found six policies on the internet from other Districts that he will be using and that once he has revised the policy, he will send over a copy for staff to review. He requested from the Board that if it is acceptable to staff, subject to the Boards ratification of it at the April Board meeting, to put the policy in place by April 1<sup>st</sup> and the policy will be explained to the Board at its next meeting.

**6. WATER BUSINESS**

**6.1 Concow Sedimentation - CalOES**

Engineer Heindell reported that the Concow Sedimentation discussions with CalOES are still ongoing. The study that was conducted by Kjeldsen, Sinnock & Neudeck consultants has been submitted to CalOES. Included in the study was the volume estimation of around 92,000 cubic yards of sedimentation that needed to come out. CalOES reviewed the study and requested to have an alignment change. They discussed different modeling perimeters that were used. We had them rerun the model and pointed out why the original alignment was used. After rerunning the model, it went down to about 85,000 cubic yards that will need to be removed. Once CalOES approves the volume estimation, the District can move forward with implementing the project and going out to bid.

**7. ATTORNEY REPORT**

**7.1 PG&E Lawsuit**

Attorney Carter reported that Engineer Heindell came up with a very good calculation of the damages that were suffered by us and they are very substantial. They all relate to damages to the reservoir and they were turned into the party that requested it. The 23.5 billion dollar PG&E bankruptcy settlement has been approved by the court.

**8. SEWER BUSINESS**

**8.1 SC-OR Report**

Commissioner Latulippe reviewed over the February 26, 2020 Regular Meeting of the Sewerage Commission – Oroville Region that were included in the Board packet.

**8.2 Accessory Dwelling Units (ADU's) Legislation (AB 68, AB 881 and SB13)**

Manager Boucher reported that he met with the City of Oroville, Butte County, LOAPUD and SC-OR. Between the entities, there have been several questions that have arose since the Senate Bill came into effect. He mentioned that the attorney for each entity will need to meet to discuss and come up with a resolution on how we are going to deal with it as it comes through the door. The District for now will need to have a temporary policy in place on how we are going to handle the common onset until such time this is straightened out.

Attorney Carter mentioned that he has spoken with Tom Lando and the County has yet to adopt their ordinance bringing it into compliance, but there is a bill before it. He stated that his understanding is that we are entitled to charge our connection fees on accessory dwelling units that don't meet the one definition that was discussed in the last board meeting. He mentioned that we are not a land use agency. The City is a land use agency within the City limits and the County is everywhere else. As long as their ordinances do not deny us the right to charge the connection fees where we are allowed to charge a connection fee, then all we have to do is tell Butte County and the City of Oroville that we will be charging the connection fees and what they are based on the type of meter that is going to be involved. He mentioned that the District is not going to be able to control what the land use agencies do. Attorney Carter will update the Board at the next board meeting.

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**9. WYANDOTTE CREEK GSA**

**9.1 Wyandotte Creek GSA Report**

Engineer Heindell reviewed over the February 27, 2020 Regular Meeting of the Wyandotte Creek Groundwater Sustainability Agency that were included in the Board packet.

**10. MANAGER REPORT**

**District Vehicle:** On February 24<sup>th</sup> around 11:26pm, Engineer Heindell was informed that the District's Ford F-150 pickup truck had been hit. District filed an Accident Report Claim with the other party's insurance company and was informed to take the vehicle in to be accessed. Was informed that the vehicle is totaled. District received a check in the amount of \$7,508.07.

**1590 Biggs Avenue:** At the request of the property owner, District staff has removed and replaced the existing fence where the Ruddy Creek Sewer Replacement Project impacted the property. Additionally, the District has brought in soil and will be seeding the disturbed area.

**Form 700:** As a reminder, Form 700 needs to be filed with the Elections Office no later than April 1, 2020.

**Surplus of District Vehicle:** The 2008 Ford F450 Truck has been sold. Payment in the amount of \$23,000.00 was received on March 9, 2020.

**Division of Drinking Water Compliance Order:** The District has received a compliance order for the exceedance of a maximum containment level (MCL) regarding Total Trihalomethanes (Disinfection Byproducts). Staff has been aware of seasonal variations in these levels for the past 12 months and is resolved that the completion of the 2.5 MG tank will remedy this situation.

**2.5 MG Tank Replacement Project:** The installation of the inlet, outlet and overflow piping for the new tank has been completed. The tie-in to the existing 2.5 MG tank inlet will occur within the next two weeks and the new tank will be online around April 1st.

**11. HEARING OF INDIVIDUALS ON NON-AGENDA ITEMS**

None

**12. BOARD COMMENTS**

Manager Boucher mentioned that with the COVID-19 the front office may need to close down. He mentioned that it has been very slow the past couple of days. He mentioned that if he makes the decision to close the office he will inform the Board.

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**At 2:53 pm, the meeting recessed to go into Closed Session and reconvened at 3:31 pm.**

**13. CLOSED SESSION**

President Hatley reported that during Closed Session they heard from Attorney Carter regarding two matters of potential litigation. No action was taken.

**14. ADJOURNMENT**

There being no further business to come before the Board, the meeting was adjourned at 3:32 pm.

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Secretary of the Board

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President of the Board