



AGENDA

1960 Elgin Street
Oroville, CA 95966
530-533-2000
www.loapud.com

Board of Directors
Regular Meeting
February 9, 2021 – 2:00 PM

Materials related to an item on the open meeting agenda that are provided to the Board of Directors, including those provided to the Board after distribution of the agenda packet, are available on the District website.

During this difficult time, we invite you to join today's scheduled meeting via Zoom by using your phone or computer to attend this meeting. Please call our District office at **(530)533-2000** for assistance in participating in the teleconference.

Dial in: 1-669-900-9128
Meeting ID: 828 5066 8675
Passcode: 513621

To ensure that our meetings are as orderly as possible, and to enable public participation at the proper times during the meeting, we are asking that everyone take a moment to ensure your line stays muted until public comment is invited. When it comes time for public comment, we will leave enough time for participants to unmute and speak to the entire group and our Board. Because attendees cannot see each other's mute status, we will simply need to be patient as we wait in between comments, and do our best not to speak over each other. Please state your name for the record before sharing comments. We are committed to keeping the public engaged throughout this crisis and appreciate your help in making that happen.

1. **SALUTE TO THE FLAG OF THE UNITED STATES OF AMERICA**

2. **MOMENT OF SILENCE**

3. **ROLL CALL AND ACKNOWLEDGEMENT OF VISITORS**

Individuals will be provided the opportunity to address the Board regarding matters NOT scheduled on the agenda. No action will be taken by the Board on these matters; however, the Board may ask questions for clarification and refer to staff or other resources for information and request staff reports at a subsequent meeting. Comments on items scheduled on the agenda may be made as they are considered by the Board.

4. **PASSING OF THE GAVEL**

5. **CONSENT AGENDA**

All items listed under the Consent Agenda are considered routine and will be enacted by one motion unless an item is removed. Consent Agenda items will be read by title only. There will be no separate discussion of these items unless members of the Board or person in the audience request a specific item to be removed from the Consent Agenda to the Regular Agenda for separate discussion, prior to the time the Board votes on the motion to adopt the Consent Agenda. If any item(s) is removed from the Consent Agenda, the item(s) will be considered immediately following action on the Consent Agenda.

5.1 BOARD MEETING MINUTES: JANUARY 21, 2021

5.2 FINANCIAL REPORT MONTH ENDING: JANUARY 31, 2021

5.3 PAYMENT OF WARRENTS MONTH ENDING: JANUARY 31, 2021

6. **ITEMS REMOVED FROM THE CONSENT AGENDA (IF ANY)**

7. **COVID 19 UPDATE**

GM McCutcheon will provide an update to the Board on the District's response to the COVID 19 pandemic.

DISCUSSION WITH POSSIBLE ACTION

8. **PERSONNEL COMMITTEE REPORT**

The Board will be updated on the progress of the Personnel Committee.

DISCUSSION WITH POSSIBLE ACTION

9. **LATERAL COMMITTEE REPORT**

The Board will be updated on the progress of the Lateral Committee.

DISCUSSION WITH POSSIBLE ACTION

10. **BUTTE LAFCO CALL FOR NOMINATIONS**

Butte LAFCo issued a "Call for Nominations" for the election of one Regular "Non-Enterprise" and one Alternate "Enterprise/Non-Enterprise" Member.

DISCUSSION WITH POSSIBLE ACTION

REPORTS AND CONSULTATIONS

11. **EASEMENTS ACCEPTED**

12. **SC-OR COMMISSIONER'S REPORT**

13. **BCSDA REPRESENTATIVES AND LAFCO REPORT**

14. **BOARD MEMBERS' MANAGER, AND STAFF COMMENTS**

- **Field Operations Supervisors Report**
- **Project Updates**
- **SDRMA Workshops**
- **Temporary Leave Policy – For Policy Books**
- **Form 700 - Due March 1 for Officials and April 1 for all others.**

15. **ADJOURNMENT**



Manager's Report

To: Board of Directors
From: Scott McCutcheon, General Manager
Date: February 9, 2021

RE: Item No. 4 – Passing of the Gavel

Normally, the gavel is passed from the Past-President to the new President at the annual Employee Appreciation Dinner. We are still looking at scheduling and logistics for this event-but the gavel has been passed and it should be recognized. GM McCutcheon will lead a recognition of Past-President Kuehner and a welcome to President Sharman.



Manager's Report

To: Board of Directors
From: Scott McCutcheon, General Manager
Date: February 9, 2021
RE: Item No. 5 – Consent Agenda

Item No. 5.1 **Board Meeting Minutes** - Minutes from the January 2021 special board meeting are included for the Board's review and approval.

Attachment Included

Item No. 5.2 **Financial Reports** – The Profit and Loss report through January 2021 is ready for review and comment.

Attachment Included

Item No. 5.3 **Payment of Warrants** - The pending January 2021 Claims and Warrants are attached for review and Board approval for payment.

Attachment Included

**UNADOPTED
LAKE OROVILLE AREA PUBLIC UTILITY DISTRICT
BOARD OF DIRECTORS SPECIAL MEETING
JANUARY 21, 2021**

CALL TO ORDER

President Sharman called the meeting to order at 2:00 P.M. Directors present were Fairbanks, Hosley and Mastelotto. Field Operations Supervisor (FOS) Sanders, District Engineer Knibb, General Manager (GM) McCutcheon, and Clerk of the Board Hamblin represented the District.

Director Kuehner was absent.

SALUTE TO THE FLAG

Director Fairbanks led the meeting with the salute to the flag.

MOMENT OF SILENCE

President Sharman asked the Board to observe a moment of silence.

OATH OF OFFICE

Notary Public Kelly Hamblin administered the Oath of Office and completed the Certificate of Appointment and Certificate of Appointment in Lieu of Election for Director Angela Mastelotto.

CONSENT AGENDA

The Board reviewed the minutes of the Regular Board Meeting of December 8, 2020, the Financial Report and the Warrant List for month ending December 31, 2020. After discussion, it was moved by Director Fairbanks and seconded by Director Hosley that the items on the consent agenda be approved as presented. The motion passed with the following roll call vote:

Ayes: Directors Fairbanks, Hosely, Mastelotto and Sharman.

APPROVAL TO PURCHASE NEW EXECAVATOR AND ATTACHMENTS

GM McCutcheon updated the board on the proposed budget item purchase of a new excavator with attachments. After discussion, Director Fairbanks made a motion to approve the purchase of the new excavator with attachments in the amount of \$59,965.74 plus applicable taxes. The motion was seconded by Director Sharman. The motion passed with the following roll call vote:

Ayes: Directors Fairbanks, Hosley, Mastelotto, and Sharman.

APPROVAL TO PURCHASE NEW DUMP TRAILER

GM McCutcheon updated the board on the proposed budget item purchase of a new dump trailer. After discussion, Director Mastelotto made a motion to approve the purchase of the dump trailer in the amount of \$10,352.75 plus applicable taxes. The motion was seconded by Director Fairbanks. The motion passed with the following roll call vote:

Ayes: Directors Fairbanks, Hosley, Mastelotto, and Sharman.

LATERAL COMMITTEE REPORT

GM McCutcheon updated the Board on the Lateral Committee progress. Director Mastelotto updated the Board on possible funding opportunities. GM McCutcheon will schedule a Lateral Committee meeting prior to the February Board meeting.

No action taken.

AUTHORIZATION TO SEND LETTER TO THE OROVILLE ASSOCIATION OF REALTORS

GM McCutcheon presented a draft letter for the Oroville Association of Realtors for the Board to review. After discussion, the Board directed GM McCutcheon to send the letter as presented.

EXTENDED SICK LEAVE BENEFITS FOR COVID RELATED ILLNESS AND/OR EXPOSURE

GM McCutcheon updated the Board on the status of the Families First Coronavirus Response Act that expired on December 31, 2020. After discussion, Director Sharman made a motion to adopt the proposed policy that would extend Emergency Paid Sick Leave benefits for COVID related illnesses and/or exposure until June 30, 2021. The motion was seconded by Director Fairbanks. The motion passed with the following roll call vote:

Ayes: Directors Fairbanks, Hosley, Mastelotto, and Sharman.

SC-OR COMMISSIONERS' REPORT

Director Fairbanks reported there had been an injury at the SC-OR plant.

BCSDA REPRESENTATIVES AND LAFCo REPORT

GM McCutcheon noted that he did not have anything to report for BCSDA.

Director Sharman noted that he did not have anything to report for LAFCo as it was cancelled.

QUARTERLY INVESTMENT SCHEDULE AND CASH FLOW ANALYSIS

GM McCutcheon updated the board on the status of the 2nd quarter investment schedule and cash flow analysis.

No action taken.

BOARD MEMBER'S, MANAGER AND STAFF COMMENTS

FOS Sanders updated the Board on the status of the failing laterals.

Engineer Knibb updated the Board on the status of the River Ranch, Ophir/Las Plumas projects.

ADJOURNMENT

There being no further business to come before the Board the meeting was adjourned at 2:47 P.M.

Respectfully submitted,

Kelly Hamblin,
Clerk of the Board

Lake Oroville Area Public Utility District Profit & Loss Budget Performance January 2021

	Jan 21	Budget	Jul '20 - Jan 21	YTD Budget	Annual Budget
Ordinary Income/Expense					
Income					
41100 · Sewer Service Charge	126,413.14	126,535.00	884,517.61	885,745.00	1,518,420.00
41150 · Pumping Charge	10,674.00	10,674.00	74,311.43	74,718.00	128,088.00
41200 · Kelly Ridge Pumping Chg (Taxes)	25,111.35	24,750.00	25,111.35	24,750.00	45,000.00
41250 · Permit/Inspection Fees	0.00	0.00	0.00	0.00	0.00
41300 · Connection Fee	0.00	0.00	-883.05	0.00	0.00
41350 · Other Services	0.00	0.00	33.70	0.00	0.00
41400 · Sales	0.00	0.00	10.90	0.00	0.00
Total Income	162,198.49	161,959.00	983,101.94	985,213.00	1,691,508.00
Gross Profit	162,198.49	161,959.00	983,101.94	985,213.00	1,691,508.00
Expense					
60000 · Office Salaries & Wages	20,615.17	21,448.00	172,907.66	165,422.00	272,834.00
61000 · Field Salaries & Wages	26,686.98	27,780.00	176,149.72	202,484.00	343,012.00
62000 · Office Emp Benefits	18,738.19	18,519.50	137,131.63	133,145.50	222,083.00
63000 · Field Emp Benefits	18,853.11	19,554.00	128,872.23	138,547.00	237,135.00
64000 · Professional Services	11,254.67	9,700.00	81,393.47	81,300.00	172,800.00
65000 · Utilities	11,792.68	7,874.00	52,927.63	55,118.00	94,488.00
66000 · Services & Supplies	2,580.16	4,000.00	20,560.03	73,395.00	106,195.00
67000 · Training/Membership/Fees	4,089.04	8,250.00	24,113.22	66,300.00	82,700.00
68000 · Operations and Maintenance	1,654.49	4,215.00	26,888.52	66,825.00	105,635.00
69000 · Fuel, Oil, Grease & Auto	711.41	4,500.00	17,296.15	33,000.00	55,500.00
Total Expense	116,975.90	125,840.50	838,240.26	1,015,536.50	1,692,382.00
Net Ordinary Income	45,222.59	36,118.50	144,861.68	-30,323.50	-874.00
Other Income/Expense					
Other Income					
70100 · Capacity Charge	0.00	0.00	0.00	0.00	0.00
70110 · Annexation Fee	0.00	0.00	0.00	0.00	0.00
70150 · Sewer Service Late Fees	13,939.13	0.00	26,164.84	0.00	0.00
70200 · Interest	4,425.89	0.00	12,665.86	12,822.00	25,498.00
70250 · RD Surcharge	30,149.60	30,179.00	210,954.70	211,253.00	362,148.00
70300 · Other Income	423.11	0.00	7,505.36	0.00	0.00
70349 · Taxes (Parent Account for Taxes Received)	176,100.94	135,080.00	193,847.78	135,080.00	245,600.00
75000 · Special Income	0.00	0.00	0.00	0.00	0.00
75100 · Gain/Loss Sale of Fixed Assets	0.00	0.00	0.00	0.00	0.00
Total Other Income	225,038.67	165,259.00	451,138.54	359,155.00	633,246.00

Lake Oroville Area Public Utility District Profit & Loss Budget Performance January 2021

	Jan 21	Budget	Jul '20 - Jan 21	YTD Budget	Annual Budget
Other Expense					
80100 - Capitalized Expenditure	7,995.09	81,803.00	90,481.69	168,893.00	188,893.00
80150 - District Projects CIP	0.00	0.00	0.00	182,480.00	457,780.00
80200 - Loan Principal	0.00	0.00	60,000.00	60,000.00	60,000.00
80250 - Loan Interest Expense	0.00	51,425.00	52,700.00	104,125.00	104,125.00
82000 - SC-OR Excess Flow Surcharges	0.00	0.00	0.00	0.00	0.00
85000 - Special Expense	0.00	0.00	0.00	0.00	0.00
Total Other Expense	7,995.09	133,228.00	203,181.69	515,498.00	810,798.00
Net Other Income	217,043.58	32,031.00	247,956.85	-156,343.00	-177,552.00
Net Income	262,266.17	68,149.50	392,818.53	-186,666.50	-178,426.00
64400 - Depreciation	47,000.00	47,000.00	329,000.00	329,000.00	564,000.00
Change in Net Assets	215,266.17	21,149.50	63,818.53	-515,666.50	-742,426.00

Lake Oroville Area Public Utility District

Warrant List

January 1 -31, 2021

Date	Num	Name	Memo	Gross	Amount
01/04/2021	22125	LOAPUD	Deposit to Villa Verona		\$ 33.51
01/08/2021	22108	Accularm	Utilities		\$ 135.00
01/08/2021	22109	Alhambra	Office Expense		\$ 5.78
01/08/2021	22110	AT & T/SBC	Utilities		\$ 670.06
01/08/2021	22111	Better Deal Exchange	Repairs and Maintenance		\$ 78.29
01/08/2021	22112	Black Mountain Software	Office Expense		\$ 100.00
01/08/2021	22113	Comcast	Utilities		\$ 356.05
01/08/2021	22114	DataTree	Office Expense		\$ 99.00
01/08/2021	22115	HSA Bank	Insurance		\$ 833.32
01/08/2021	22116	Miry's Cleaning Services	Office Expense		\$ 260.00
01/08/2021	22117	Orenco Systems	Repairs and Maintenance		\$ 944.78
01/08/2021	22118	Patelco Credit Union (Group)	Insurance		\$ 1,458.31
01/08/2021	22119	Postage-Bulk Mailing	Postage Permit		\$ 240.00
01/08/2021	22120	Sauers Engineering Inc	Engineering		\$ 9,241.60
01/08/2021	22121	South Feather Water	Utilities		\$ 33.11
01/08/2021	22122	Streamline	Office Expense		\$ 200.00
01/08/2021	22123	Verizon Wireless	Utilities		\$ 3.25
01/15/2021	22127	AINSLIE, SHAWN J	PPE 01/15/2021	\$ 1,649.12	\$ 1,162.31
01/15/2021	22128	BRODERSON, ROBERT L	PPE 01/15/2021	\$ 2,799.56	\$ 1,841.60
01/15/2021	22129	CHRISTENSEN, TYLER W	PPE 01/15/2021	\$ 3,244.04	\$ 2,322.74
01/15/2021	22130	HAMBLIN, KELLY J	PPE 01/15/2021	\$ 2,045.33	\$ 1,377.19
01/15/2021	22131	KAHALEKULU, DARIN K	PPE 01/15/2021	\$ 2,682.33	\$ 1,778.80
01/15/2021	22132	TOMLINSON, LEVI M	PPE 01/15/2021	\$ 2,207.04	\$ 1,566.48
01/21/2021	22133	Alhambra	Office Expense		\$ 5.78
01/21/2021	22134	ANSWERLINE COMMUNICATIO	Office Expense		\$ 279.20
01/21/2021	22135	AT & T/SBC	Utilities		\$ 678.92
01/21/2021	22136	Better Deal Exchange	Repairs and Maintenance		\$ 148.81
01/21/2021	22137	COMP, INC	Office Expense		\$ 130.15
01/21/2021	22138	Minasian Law Firm	Professional Services		\$ 1,696.00
01/21/2021	22139	MME	Repairs and Maintenance		\$ 370.30
01/21/2021	22140	Northern CA Gloves	Safety Expense		\$ 474.14
01/21/2021	22141	Oroville Ford Lincoln Mercury	Vehicle Repair & Maintenance		\$ 12.90
01/21/2021	22142	Pacific Gas & Electric	Utilities		\$ 5,214.92
01/21/2021	22143	Recology Butte Colusa Counties	Utilities		\$ 85.16
01/21/2021	22144	Sauers Engineering Inc	Engineering		\$ 11,757.59
01/21/2021	22145	South Feather Water	Utilities		\$ 72.24
01/21/2021	22146	Tesco Controls	Repairs and Maintenance		\$ 423.00
01/21/2021	22147	Umpqua Bank	Office Expense, Repairs & Maintenance		\$ 1,510.94
01/21/2021	22148	Vista Net, Inc.	Office Expense		\$ 2,027.50
01/25/2021	22149	MCCUTCHEON, SCOTT A	Vision Benefit		\$ 231.50

\$ 49,860.23

Lake Oroville Area Public Utility District

Warrant List

January 1 -31, 2021

Date	Num	Name	Memo	Gross	Amount
01/15/2021	DD1100	MCCUTCHEON, SCOTT A	PPE 01/15/2021	\$ 4,093.39	2428.28
01/15/2021	DD1101	RACKLEY, ANNELYN A	PPE 01/15/2021	\$ 400.68	338.18
01/15/2021	DD1102	SANDERS, DAN W	PPE 01/15/2021	\$ 3,735.33	2122.94
01/29/2021	DD1103	MCCUTCHEON, SCOTT A	PPE 01/31/2021	\$ 4,093.39	2428.27
01/29/2021	DD1104	RACKLEY, ANNELYN A	PPE 01/31/2021	\$ 572.40	491.28
01/29/2021	DD1105	SANDERS, DAN W	PPE 01/31/2021	\$ 3,735.33	2122.93
01/29/2021	DD1106	HOSLEY (DIRECTOR), DON C	PPE 01/31/2021	\$ 400.00	357.6
01/29/2021	DD1107	KUEHNER (DIRECTOR), LARRY	PPE 01/31/2021	\$ 400.00	357.6
01/29/2021	DD1108	MASTELOTTO (DIRECTOR), AM	PPE 01/31/2021	\$ 400.00	364.6

	\$ 11,011.68
Subtotal from page 1	\$ 49,860.23
Subtotal from page 2	\$ 61,677.59
Total	\$ 122,549.50

GENERAL CHECKING ACCOUNT FIVE STAR BANK

\$ 122,549.50

THE ABOVE CLAIMS AND WARRANTS WERE APPROVED AT A REGULAR MEETING OF
THE LAKE OROVILLE AREA PUBLIC UTILITY DISTRICT HELD ON:

Tuesday, February 9, 2021

President: _____

Director: _____

Director: _____

Director: _____

Director: _____



Manager's Report

To: Board of Directors

From: Scott McCutcheon, General Manager

Date: February 9, 2021

RE: Item No. 6 – Items Removed From Consent Agenda



Manager's Report

To: Board of Directors
From: Scott McCutcheon, General Manager
Date: February 9, 2021

RE: Item No. 7 – COVID-19 Update

Manager McCutcheon will update the board on the District's continuing response to the COVID19 pandemic.

Recommended Action: None



Manager's Report

To: Board of Directors
From: Scott McCutcheon, General Manager
Date: February 9, 2021

RE: Item No. 8 – Personnel Committee Report

Members of the Personnel Committee will provide a summary of Committee business and propose any items for action if necessary.

Recommended Action: None

Attachments

**LAKE OROVILLE AREA PUBLIC UTILITY DISTRICT
PERSONNEL COMMITTEE MEETING
JANUARY 28, 2021**

CALL TO ORDER

General Manager (GM) McCutcheon called the meeting to order at 10:00 A.M. Directors present were Fairbanks and Hosley. Clerk of the Board Hamblin represented the District.

SALUTE TO THE FLAG

Director Fairbanks led the meeting with the salute to the flag.

MOMENT OF SILENCE

GM McCutcheon asked the committee members to observe a moment of silence.

CONSENT AGENDA

No items were on the Consent Agenda.

OVERVIEW OF PERSONNEL COMMITTEE PURPOSE

GM McCutcheon gave a synopsis of the intent of the Personnel Committee. The purpose of the committee is to review and suggest changes or amendments to Board Policy Series 2000 - Personnel. Additionally, the committee may review personnel related Fiscal Budget items.

SELECTION OF COMMITTEE CHAIRPERSON

Director Hosley nominated Director Fairbanks for the position of Committee Chairperson. Director Fairbanks accepted the nomination.

The following vote was taken:

Ayes: Director Hosley, Clerk Hamblin, GM McCutcheon

REVIEW OF BOARD POLICIES

Board policies will be reviewed and a determination will be made if changes are necessary.

Changes such as corrections to spelling, grammar and format that do not in any way change the existing policy will be considered “minor” changes.

Changes, corrections, deletions or amendments that change the intent or revise the existing policy will be considered “major” changes.

All proposed changes (minor or major) to the Board Policy 2000 – Personnel will be brought before the Board of the Directors for approval prior to publishing.

Board Policies 2000, 2005, 2010, 2020 and 2021 were reviewed. The suggested revisions will be made to the policies and presented at the next committee meeting for review and comment.

COMMENTS

Chairman Fairbanks suggested all committee members review the next set of personnel policies prior to the next meeting to expedite the review process.

Next Personnel Committee meeting will be on February 11, 2021 at 10:00AM

ADJOURNMENT

There being no further business to come before the committee, the meeting was adjourned at 11:57 A.M.

Respectfully submitted,

Kelly Hamblin,
Clerk of the Board



Manager's Report

To: Board of Directors
From: Scott McCutcheon, General Manager
Date: February 9, 2021

RE: Item No. 9 – Lateral Committee Report

Members of the Lateral Committee will provide a summary of Committee business and propose any items for action if necessary.

Recommended Action: None

Attachments



Manager's Report

To: Board of Directors
From: Scott McCutcheon, General Manager
Date: February 9, 2021
RE: Item No. 10 - Call for Nominations for A Special District Regular 'Non-Enterprise' Member, and Alternate 'Enterprise or Non-Enterprise' Member for Butte LAFCO

The Butte Local Agency Formation Commission is calling for nominations to serve on the Commission for: **One (1) Special District Regular 'Non-Enterprise' Member, and One (1) Special District Alternate 'Enterprise or Non-Enterprise' Member.** The seats terms will expire May 31, 2025.

At this time, Butte LAFCO is only soliciting a **written nomination letter** that provides:

- The name of the District's nominee; and
- The District Board on which he or she serves

The nomination must be made by an **official action of LOAPUD's Board of Directors and signed by the appropriate Officer of the Board.**

Nominations are due **Thursday March 11, 2021.**

Attachment Included

Recommended Action: Submit a nomination for **One (1) Special District Regular 'Non-Enterprise' Member, and One (1) Special District Alternate 'Enterprise or Non-Enterprise' Member.**



BUTTE LOCAL AGENCY FORMATION COMMISSION

1453 Downer Street, Suite C • Oroville, California 95965-4950
(530)538-7784 • Fax (530)538-2847 • www.buttelafco.org

TO: Butte County Special Districts
Butte County Special District Association

FROM: Jill Broderson, Management Analyst

SUBJECT: Election of a Special District *Regular* "Non-Enterprise" Member and a *Alternate* "Enterprise/Non-Enterprise" Member

DATE: February 3, 2021

The Butte Local Agency Formation Commission is calling for nominations to serve on the Commission for:

- One (1) Special District *Regular* "Non-Enterprise" Member. The term for this seat is four years and will begin June 1, 2021 and expire May 31, 2025; and
- One (1) Special District *Alternate* "Enterprise/Non-Enterprise" Member. The term for this seat is four years and will begin June 1, 2021 and expire in May 31, 2025.

At this time, a formal ballot is not required. A written nomination letter will be sufficient if it provides the name of your nominee and the District Board on which he or she serves. The nomination must be made by an official action of your Board of Directors and signed by the appropriate Officer of the Board.

Nomination letters must be returned to Stephen Lucas, Executive Officer, Butte Local Agency Formation Commission, 1453 Downer Street, Suite C, Oroville, California 95965 by Thursday, March 11, 2021, either by U.S. Mail, e-mail or hand delivered. Postmarks of March 11, 2021 will be accepted. Nomination letters received by LAFCO, or postmarked after the closing date, will not be accepted.

If you do not have a District Board meeting scheduled within this time frame and would like to make a nomination, you will have to schedule a special Board meeting.

Should you have any questions or if I can be of any assistance, please feel free to contact me at your convenience.

Attachment

ENTERPRISE SPECIAL DISTRICTS

Biggs-West Gridley Water District massa@bwgwater.com	1713 West Biggs Gridley Highway	Gridley, CA 95948	530-846-3317
Butte Water District morme@buttecountywater.net	735 Virginia Street	Gridley, CA 95948	530-846-3100
Durham Irrigation District info@didwater.org jeff@jccarterlaw.com	P.O. Box 98	Durham, CA 95938	530-343-1594
Lake Madrone Water District lmwd.shane@gmail.com vhoggins@minasianlaw.com	12 Star Road	Berry Creek, CA 95916	530-533-2885
Lake Oroville Area Public Utility District manager@loapud.com	1960 Elgin Street	Oroville, CA 95966	530-533-2000
Paradise Irrigation District tlando@paradiseirrigation.com gborrayo@paradiseirrigation.com	6332 Clark Road	Paradise, CA 95969	530-877-4971
Richvale Irrigation District searley@richvaleid.com	P.O. Box 147	Richvale, CA 95974	530-882-4243
Richvale Sanitary District avag2@pulsarco.com	P.O. Box 1	Richvale, CA 95974	530-882-4286
South Feather Water & Power Agency rmoseley@southfeather.com	2310 Oro-Quincy Highway	Oroville, CA 95966	530-533-4578
Thermalito Water & Sewer District jboucher@twsd.info	410 Grand Avenue	Oroville, CA 95965	530-533-0740
Western Canal Water District ted@westerncanal.com	P.O. Box 190	Richvale, CA 95974	530-342-5083

NON-ENTERPRISE SPECIAL DISTRICTS

Bangor Cemetery District bangorcemeterydistrict@outlook.com	P.O. Box 552	Bangor, CA 95914	530-679-0743
Berry Creek Community Service District jeffreyd@live.com	P.O. Box 387	Berry Creek, CA 95916	530-613-4166
Butte County Mosquito & Vector Control District mattball@buttemosquito.com	5117 Larkin Road	Oroville, CA 95965	530-533-6038
Butte County Resource Conservation District thad@bcrsd.org	150 Chuck Yeager Way, Suite A	Oroville, CA 95965	530-534-0112
Butte Creek Drainage District ted@westerncanal.com	P.O. Box 190	Richvale, CA 95974	530-342-5083
Buzztail Community Services District robin@wildercustoms.com	P.O. Box 7303	Richvale, CA 95974	972-762-3511
Chico Area Recreation & Park District awillman@chicorec.com	545 Vallombrosa Avenue	Chico, CA 95926	530-895-4711
Drainage District #1 jeff@laughlinspence.com	1008 Live Oak Boulevard	Yuba City, CA 95991	530-671-1008
Drainage District #2 ted@westerncanal.com	P.O. Box 190	Richvale, CA 95974	530-342-5083
Drainage District #100 kcakin@digitalpath.net	P.O. Box 384	Richvale, CA 95974	530-882-4212
Drainage District #200 amclure@minsianlaw.com	P.O. Box 314	Richvale, CA 95974	530-533-2885
Durham Mosquito Abatement District aamadstormnet@gmail.com	P.O. Box 386	Durham, CA 95938	530-345-2875
Durham Recreation & Park District kelly@durhamrec.com districtmanager@durhamrec.com	P.O. Box 364	Durham, CA 95938	530-345-1921
El Medio Fire District emfdfire@sbcglobal.net	3515 Myers Street	Oroville, CA 95966	530-533-4484
Feather River Recreation & Park District shawn@frrpd.com	1875 Feather River Boulevard	Oroville, CA 95965	530-533-2011
Gridley-Biggs Cemetery District gridleybiggsceemetery@yahoo.com	P.O. Box 494	Gridley, CA 95948	530-846-2537
Kimshew Cemetery District cemeterywoman1@gmail.com cemeteryman1734@gmail.com	P.O. Box 97	Magalia, CA 95954	530-877-1734
Oroville Cemetery District oroville.district@att.net	5646 Lincoln Boulevard	Oroville, CA 95966	530-533-2920
Oroville Mosquito Abatement District jeff@jccarterlaw.com	P.O. Box 940	Oroville, CA 95965	530-534-8383
Paradise Cemetery District paracem@jps.net	980 Elliott Road	Paradise, CA 95969	530-877-4493

Paradise Recreation & Park District dfseaff@paradiseprrd.com ccampbell@paradiseprrd.com	6626 Skyway	Paradise, CA 95969	530-872-6393
Pine Creek Cemetery District chiconut@gmail.com	6454 Kelly Lane	Chico, CA 95973	530-894-6532
Reclamation District #833 rd833@outlook.com	P.O. Box 247	Gridley, CA 95948	530-846-3303
Richardson Springs Community Services District bradley.j.olson@gmail.com admin@ywamchico.com	15850 Richardson Springs Road	Richardson Springs, CA 95973	530-893-6750
Richvale Recreation & Park District	P.O. Box 432	Richvale, CA 95974	
Rock Creek Reclamation District rockcreekreclamation@gmail.com	5556 Wilson Landing Road	Chico, CA 95926	530-345-3412
Sacramento River Reclamation District pminasian@minasianlaw.com	P.O. Box 1679	Oroville, CA 95965	530-533-2885
Thompson Flat Cemetery District ghunsicker@buttecounty.net	2081 Second Street	Oroville, CA 95965	530-552-3478
Upham Cemetery District ericman54@outlook.com	7096 La Porte Road	Bangor, CA 95914	530-713-1163



Manager's Report

To: Board of Directors
From: Scott McCutcheon, General Manager
Date: February 9, 2021

RE: Item No. 11 – Easements Accepted

Included are 4 easements that have been accepted on behalf of the District on the following properties:

Included are 4 easements that have been accepted on behalf of the District on the following properties:

- APN 079-030-020
- APN 079-090-030
- APN 078-260-004
- APN 078-260-010

These are presented for your information; no action is required. These will be included in the minutes of this meeting.

These are presented for your information; no action is required. These will be included in the minutes of this meeting.



Manager's Report

To: Board of Directors
From: Scott McCutcheon, General Manager
Date: February 9, 2021

RE: Item No. 12 – SC-OR Commissioner's Report

Included in your packet are the January 2021 Minutes of the Regular Meeting of the Sewerage Commission – Oroville Region. Director Kuehner and Director Fairbanks will present the SC-OR report if any information is available for reporting.

Attachment Included

MINUTES OF THE REGULAR MEETING OF THE SEWERAGE COMMISSION - OROVILLE REGION

(Held at the Commission office on January 27, 2021 at 5:00 p.m.)

1. Call to Order ❖

Chairman Hatley called the meeting to order at 5:00 p.m.

2. Roll Call ❖

Commissioners present were Commissioners Fairbanks from the Lake Oroville Area Public Utility District, Pittman and Reynolds from the City of Oroville, and Latulippe and Hatley from the Thermalito Water and Sewer District. Commissioner Kuehner was absent. Staff present was Manager Sturdevant, Environmental Compliance Manager Salsi and Temporary Assistant to the Manager Ray Sousa.

3. Salute to the Flag ❖

Commissioner Hatley led Commissioners and staff in the salute to the flag.

4. Acknowledgment of Visitors ❖

Jeff Carter, TWSD Attorney, and Jayme Boucher, Manager of TWSD; Scott Huber, Attorney for the City of Oroville.

5. Board Meeting Minutes of the Regular Meeting held on December 16, 2020 and the Special Meeting of January 7, 2021.❖

Upon motion by Chairman Hatley to approve the minutes of the meetings, and second by Commissioner Fairbanks, the minutes of the December 16, 2020 regular meeting and the January 7, 2021 special meeting were unanimously approved.

6. Authorization of Warrants ❖

Commissioner Pittman met with Manager Sturdevant and checked the warrants earlier, and having found everything to be in order made a motion for their approval. The motion was seconded by Chairman Hatley. Warrants 26526-26579. in the total amount of \$143,755.79 from December 17, 2020 to January 27, 2021, including Commissioner fees and electronic fund transfers, were unanimously approved and ordered paid.

Commissioner Pittman mentioned that staff caught a large error in an invoice that was received and had it corrected prior to payment.

7. Fiscal Reports ❖

Manager Sturdevant stated the fiscal reports for December 2020 were in the packets for review. There were no questions and nothing further to report.

Chairman Hatley moved item number 11, Legal Services for the SC-OR Board of Commissions, to be heard at this time. See notes under item #11.

8. Resolution 01-21 (Investment of SC-OR Monies in L.A.I.F.) ❖

Manager Sturdevant explained that Resolution 01-21 is the annual resolution authorizing the investment of SC-OR funds into the Local Agency Investment Fund (L.A.I.F.). Because L.A.I.F. pays better interest we put our monies there.

A motion was made by Commissioner Reynolds to approve Resolution 01-21, authorizing Investments of SC-OR Monies into L.A.I.F., which was seconded by Commissioner Latulippe, and passed by the following votes: Reynolds – Aye, Latulippe – Aye, Fairbanks – Aye.

9. Annual Transfer of Funds in Accordance with Resolution 03-04 ❖

Manager Sturdevant said that Resolution 03-04 was created to pay back the monies we borrowed from ourselves for the original solar installation in 2002. Each year we pay back a portion of the savings received from the solar system. We have roughly \$400,000 left to pay back. SC-OR had been receiving its PG&E true-up bill in October, but since the solar upgrade we now receive it in the middle of February. His recommendation is to change the resolution to allow for this transfer after we receive the true-up bill from PG&E.

The consensus of the board was to bring this resolution back for consideration once the PG&E true-up bill is received in March.

10. Contract with Duke Sherwood Contracting for Demolition and Disposal of Caustic Building ❖

Manager Sturdevant said that the original estimate in 2014 from Duke Sherwood was \$9,669.00, but that was an estimate for demolition only. It did not include disposal, hauling or testing. He contacted two other companies for quotes, but did not receive a call back from either. He said that the first quote from Sherwood Contracting was for \$39,000.00, but after talking to Don Sherwood as to what SC-OR staff could do to get the cost down, the quote was amended to \$31,348.00. Commissioner Pittman asked what work the SC-OR staff would do to lower the cost. Manager Sturdevant said the quote included removing power, water, etc. We have disconnected the power, we will cap the water lines, and we will handle backfilling once the building is removed.

Commissioner Reynolds said that he thinks the price is only going to continue to go higher. He told Manager Sturdevant he did a great job in the negotiation of the contract, and it shows that a little bit of conversation can go a long way. Chairman Hatley said that Manager Sturdevant's history at SC-OR helped in negotiating that contract also.

Chairman Hatley made a motion to approve the contract with Duke Sherwood Contracting for the demolition and disposal of the caustic building at a cost not to exceed \$31,500. Commissioner Reynolds seconded the motion, and the motion passed by the following vote: Reynolds – Yes, Latulippe – Yes, Fairbanks – Yes.

11. Legal Services ❖

Chairman Hatley said that this item was again discussed at the Thermalito Water and Sewer District's (TWSD) board meeting, and it was determined they do not agree with hiring an attorney that is currently the attorney of another member entity. In their board's opinion the due diligence was not done at SC-OR to look for outside counsel. Commissioner Reynolds asked what the concern was of the TWSD board. Chairman Hatley said it was a conflict of interest. There needs to be a separation between legal services of member entities.

Jeff Carter, attorney for TWSD, stated that conflicts of interests are addressed in the *Rules of Professional Conduct* of the California Bar Association, Section 1.7, which prohibits a lawyer from taking on a matter where there is a direct conflict of interest without the consent of the clients. Where there is a possibility of conflict there must be a written disclosure of the potential conflict, and then a written consent of the client acknowledging the potential conflict and indicating that despite the conflict they consent to the representation. Mr. Huber is in a potential situation of, when advising both the City of Oroville and SC-OR, it could be viewed as trying to serve the interest of two masters. A lawyer owes loyalty and independent judgment to their client.

Attorney Huber said there is the possibility for conflict, and he will not compromise his integrity nor ethics. If there is a conflict, he will disclose it immediately. Conflicts don't happen often, and can be waived by the entities. Attorney Carter asked that if Mr. Huber was the attorney for TWSD and SC-OR, would the LOAPUD and the City wonder if he was favoring one side or the other.

Jayne Boucher, General Manager of TWSD, said that knowing that there is a potential of conflicts of interest, why put the SC-OR Commission in that position of having to seek outside counsel? He wondered why the SC-OR board has not done their due diligence in looking at other legal firms, instead of only looking at one firm that could have a potential conflict of interest.

Assistant to the Manager, Ray Sousa, said that he would lean towards hiring independent counsel. He gave some history of conflicts at SC-OR, and asked if SC-OR were to arbitrate the City, who would represent whom.

Commissioner Reynolds stated that SC-OR would hear first from Attorney Huber if there was a potential conflict. Commissioner Pittman said that the contract for legal services can be cancelled at any time if there is a conflict. He stated that the subcommittee had recommended Attorney Huber after doing their research.

Chairman Hatley asked if we needed a closed session to consider the contract with Attorney Huber. Attorney Huber said that it has already been agendaized and considered in closed session. There is no law that says the contract must be published, although most public agencies do publish them.

Manager Sturdevant said that his goal is to have the best legal representation at SC-OR, and if we do go with Attorney Huber and there ever were to be a conflict then we should have a plan in place to remedy the conflict.

Commissioner Fairbanks said that the LOAPUD Manager talked with their legal counsel, and their attorney didn't have a problem with hiring the same attorney that represents the City of Oroville.

A motion was made by Commissioner Reynolds to hire Cole/Huber Attorneys as representation to the SC-OR Board of Commissioners. The motion was seconded by Commissioner Fairbanks, and passed by the following votes: Reynolds – Yes, Latulippe – Yes, Fairbanks – Yes.

12. Manager's Report ❖

Manager Sturdevant stated there were no operational or maintenance issues this month. He reported that SC-OR held a JPA managers meeting, with representatives of all the member entities in attendance. They lined out some priorities that need to be addressed. Communication was at the top of the named priorities on the list. Future meetings are planned at least quarterly, more often if necessary. Commissioner Pittman said he would like to see each entity have a status board so we all know what is going on in the other entity's areas.

Manager Sturdevant reported that the organizational restructure that the Commissioners had asked him and the Assistant to the Manager to look into to assure there is redundancy in training, certification and knowledge for each position has been completed, and copies of the job descriptions for the three positions that have been changed to create that redundancy and a structural flow chart, were included in the packet. The finances have not yet been addressed. He will bring the salary recommendations to the next meeting that were part of the salary survey.

Chairman Hatley asked when Mikah would be able to take the grade VI certification test. Mikah said that he had applied to take the test last year, but because of COVID-19 all testing was cancelled. He has applied to take the upcoming test scheduled in April, and anticipates that he will be able to, but will not know until just a few weeks prior to the test date. Commissioner Pittman asked what happened to the Chemist position. Manager Sturdevant said that the Chemist position will be combined into the Environmental Compliance Supervisor position. They felt that the environmental compliance and laboratory testing were in the same category.

13. Visitor Comments ❖

Ray Sousa said that Glen has asked him stay to help him through creation of the 2021/2022 budget. He may be here another month or so.

Attorney Scott Huber thanked the commission for the vote of confidence in hiring him as their representation.

14. Commissioner and Staff Comments ❖

Chairman Hatley said that he has confidence in Attorney Huber, and welcomed him to SC-OR.

Commissioner Reynolds gave kudos to Manager Sturdevant for being easy to work with and gushed all over him (gross)!

Commissioner Pittman asked to have a subcommittee appointed to review the SC-OR policy manual in the near future. Ray Sousa stated that he has gone through the policy book and it is very solid.

15. Adjournment ❖

There being no further business, the meeting was adjourned at 6:22 p.m. to the regular meeting scheduled on February 24, 2021 at 5:00 p.m.

Respectfully submitted,



GLEN E. STURDEVANT, CLERK

DRAFT



Manager's Report

To: Board of Directors

From: Scott McCutcheon, General Manager

Date: February 9, 2021

RE: Item No. 13– BCSDA Representatives and LAFCo Report

13.1 BCSDA

Nothing to report.

13.2 LAFCo

The Butte LAFCO agenda for the February 4, 2021 regular meeting is attached for general information purposes. Included in the attachments is LAFCO agenda Item 6.1 Executive Officer's Report. President Sharman will report on LAFCO business if there is any to report.

Attachment Included

BUTTE LOCAL AGENCY FORMATION COMMISSION
1453 DOWNER STREET, SUITE C, OROVILLE, CALIFORNIA 95965
TELEPHONE (530) 538-7784 FAX (530) 538-2847

REGULAR MEETING NOTICE OF THE COMMISSION

Location: **Meeting to be held via remote participation.**

Date/Time: **Thursday, February 4, 2021 - 9:00 a.m.**

SPECIAL NOTICE

Pursuant to California Governor Gavin Newsom's Executive Order N-29-20 issued on March 17, 2020, relating to the convening of public meetings in response to the COVID-19 pandemic, the Butte LAFCo will be conducting the **February 4, 2021** LAFCo meeting by tele-conference . Each Commissioner and Staff are allowed to attend the meeting via teleconference and to participate in the meeting to the same extent as if they were present. The Commission meeting can be accessed by the public via telephone as follows:

1. Call **1-800-326-0013** and follow the instructions.
2. When prompted, enter the identification code followed by the # symbol: **8892595#**
3. You will be connected to the call.
4. The moderator (Executive Officer) will call the meeting to order and ask those on the phone to announce their participation. Phone participants will be asked for comment on each agenda item after the LAFCo Staff and Commission comments. **In order to efficiently run the meeting, phone participants are asked to mute their phones until public comments are requested and only comment when prompted by the moderator.**

Comments from the public on the agenda items will also be accepted via email (slucas@buttecounty.net), via phone (530-538-7784) or mail at the above address. All comments received will be conveyed to the Commission for consideration during the meeting. All meetings conducted under these circumstances will be audio recorded and placed on the LAFCo website (www.buttelafco.org) for public access and accountability.

The Commission appreciates the public's adaptation and patience during this crisis and will endeavor to refrain from placing non-essential items, or matters of significant public interest on the agenda until such time greater public participation can be reasonably accommodated.

AGENDA

ALL ITEMS ARE OPEN FOR PUBLIC COMMENT

1. **CALL TO ORDER**
 - 1.1 **Roll Call**
 - 1.2 **Special Recognition of Commissioner Lambert**
 - 1.3 **Welcome to new County Regular member, District 4 Supervisor Kimmelshue**
2. **CONSENT AGENDA**
 - 2.1 **Approval of the Minutes of December 3, 2020.**
3. **NOTICED PUBLIC HEARINGS - None**
4. **REGULAR AGENDA**

4.1 **Items Removed from the Consent Agenda** *(If any)*

4.2 **Proposed City of Chico Sewer Extension to the Town of Paradise**

The Commission will receive an update and discuss the process and issues related to the proposed extension of a sewer line from the City of Chico to the Town of Paradise. **ACTION REQUESTED:** Discuss and offer any direction.

4.3 **Appointment of Budget Committee for the 2021/22 Fiscal Year**

In preparation for the 2021/22 Fiscal Year Budget development, the Commission will appoint a Budget Committee to guide staff in the development of the budget. **ACTION REQUESTED:** Appoint a Budget Committee for Fiscal Year 2021/22.

5. **PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA** *(If any)*

6. **REPORTS AND COMMUNICATION**

6.1 **Executive Officer's Report**

6.2 **Correspondence - None**

7. **ADMINISTRATION.** The Commission will discuss and provide direction to the Executive Officer on administrative matters relating to the operation of the Commission.

8. **ADJOURNMENT** Adjourn to **Thursday, March 4, 2021** in the Board of Supervisors Chambers.

TO THOSE WHO PARTICIPATE IN LAFCO PROCEEDINGS: California Government Code Section 84308 requires you to disclose campaign contributions to LAFCO Commissioners if they amount to \$250 or more and were made within the last twelve months. Please announce your applicable campaign contributions when you speak.

* Any disabled person needing special accommodation to participate in the Commission proceeding is requested to contact LAFCO staff at (530) 538-7784 prior to meeting and arrangements will be made to accommodate you.

* Any person may address the Commission during the "Public Comment." Please see the rules regarding public comments below.

* Copies of Agenda documents relative to an Agenda item may be obtained from the Clerk of the Commission at a cost of \$.10 per page.

RULES APPLYING TO PUBLIC COMMENTS

1. **Members of the public wishing to address the Commission upon any subject within the jurisdiction of Butte LAFCO may do so upon receiving recognition from the Chair at the appropriate time.**
2. **Comment on items not on the agenda should be made at the time indicated for "Public Comment" on the agenda. The Commission may not act on any matter so raised and will have to put off action until a meeting at which the matter can be put on the agenda.**
3. **Comment on specific agenda items may be made during the discussion of that agenda item, upon recognition by the Chair.**
4. **After receiving recognition, please stand and state your name and address before making your presentation, so that the Clerk may take down this information.**
5. **All documents to be presented to the Commission will be given to the Clerk of the Commission (original and eleven copies) prior to Call of Order of meeting. Such documents will be distributed to the Commission and made available for public inspection.**

This agenda was mailed to those requesting notice and posted 72 hours in advance of the meeting at the following locations: Butte County Administration Building & LAFCo front entrance.

M E M O R A N D U M

TO: Local Agency Formation Commission

FROM: Stephen Lucas, Executive Officer

SUBJECT: **Agenda Item 6.1 - Executive Officer's Report**

DATE: January 25, 2021 for the meeting of February 4, 2021

ADMINISTRATION:

1. The Board of Supervisors appointed District 4 Supervisor Kimmelshue to complete the LAFCo term of departing Board of Supervisors member Lambert. Commissioner Kimmelshue's term will end May 31, 2021.
2. The terms of Special District Commissioners McGreehan (Regular Non-Enterprise) and Bradley (Alternate) will end on May 31, 2021. Staff will begin the process of requesting nominations for both positions and conducting the election.
3. The annual audit conducted by Horton McNulty & Saeteurn, LLP, has been completed pending final documents and is expected to be presented to the Commission at its March meeting.
4. During the entirety of the pandemic beginning in March 2020, the Commission's meetings have been conducted by teleconference. This low cost-low tech meeting option worked well and the Commission's business was both public and effective. While this basic approach worked for mostly non-controversial items with less public interest, it will not be suitable for items of greater public interest. Staff is seeking Commission input on transitioning to a Zoom Webinar format that will allow more flexibility as to how meetings are managed.

PROJECT/GENERAL NOTES:

The following issues/proposals are at various stages of being reviewed, discussed and/or considered:

El Medio Fire Protection District – LAFCo was contacted by the County of Butte and City of Oroville in August 2020 to discuss concerns about the functionality of the El Medio Fire Protection District (EMFPD), primarily a lack of adequate funding. The EMFPD tax measure failed in November, 2020, and the District Board met on November 11, 2020 and unilaterally decided to “shut the doors” and lay-off its employees, under the belief they could self-dissolve. The Board met on November 19 and issued lay-off notices that took effect on Dec 25 at which time the District reasonably ceased to provide its empowered services. As directed by the Commission, Staff has engaged all parties to explore the issues at hand and the options available for District reorganization including contractual agreements, converting to a subsidiary district (governed by City Council) and dissolution. The EMFPD Board requested the City of Oroville to execute a contract for services and both the local fire unions have provided written support for a contractual agreement. *****NEW***** Staff coordinated a meeting on December 4, 2020, with representatives from the District (Board

Chair, Chief, Fire Captain), the County (Fire Chief, Deputy Administrative Officer) and the City of Oroville (Public Safety Director, Battalion Chief). Staff discussed various options that could be considered by all parties. There seemed to be preliminary concurrence that the City and the District would - prior to the December 25 shutdown - approve a contractual agreement or MOU that would allow the City to provide services to the District for payment. This effort was unsuccessful and the District effectively shut down operations on December 25, 2020. The Oroville City Council held a special meeting on January 28, 2021 to receive a presentation from CALFIRE related to the City contracting for fire services similar to Paradise, Biggs, Gridley and the County. This presentation included contingencies to address the issue of the EMFPD. The resolution of this concern will take considerable effort by all parties to find a reasonable outcome that results in both effective fire protection services and respects the concerns of the residents of all agencies. The issue cannot be solved alone by LAFCo, but most likely will require LAFCo action to resolve. Staff will remain actively involved and update the Commission regularly.

- **Oroville Region Service Providers MSR** - The State Department of Housing and Community Development (HCD) has awarded a \$100,000 SB2 Planning Grant to Butte County to contract with LAFCo for the development a MSR update for backbone service providers in the Oroville region, including the SFWPA, LOAPUD, TWSD and SCOR. LAFCo entered into an Agreement with the County to manage and conduct the MSR. *****NEW***** A Request for Proposals was circulated in January 2021 seeking a consultant to prepare the MSR. The RFP submittal deadline is March 1, 2021.
- *****NEW** Butte County Upper Ridge Community Plan (URCP)** - The URCP would be an extension of the Butte County General Plan. The URCP will provide policy guidance for the areas within the unincorporated portion of Butte County north of the Town of Paradise, including Magalia and Paradise Pines, collectively known as the *Upper Ridge*. The 2018 Camp Fire destroyed 2,158 homes within the area, especially in the lower Paradise Pines subdivision. The Upper Ridge Community Council (URCC) has identified benefits from a community plan, such as fire safety, evacuation routes, land use planning, community and economic development, affordable housing, infrastructure, recreation, and quality of life. Past interactions with the URCC have included questions concerning governance options and service provision options such as community services district or county service area, which would require LAFCo action to accomplish. Staff participated in an interactive zoom meeting on January 27 which introduced the project and will continue to monitor the process for LAFCo interests. More information can be found at www.buttecounty.net/dds/urcp
- **Town of Paradise/City of Chico Sewer Line** – The Town of Paradise is exploring options to provide wastewater treatment services to its existing commercial core along the Skyway. The preferred option is Alternative #3, conveying the Town’s wastewater directly to the City of Chico’s existing Water Pollution Control Plant. This alternative would represent an extension of services (GC56133) by the City of Chico outside of its jurisdictional and sphere of influence boundaries requiring LAFCo involvement. Staff recognizes that this proposed project is of significant value to the Town and has been a long standing goal and it is important to have the Commission’s involvement at the earliest stages of consideration.
- **County of Butte, North Chico Village Vision Plan** – The County in cooperation with the City of Chico, is developing an update to the "Village Core" in the 1995 North Chico Specific Plan (NCSP). The mixed-use North Chico Village, known as the heart of the NCSP, is a 484-acre portion of the larger 2,980-acre NCSP. The site is relatively flat and extensively

planted with orchards at this time. Current zoning would support approximately 2,000 dwelling units, the area has been identified for urban development by both the City and County's General Plans since 1995, but has yet to be developed due to a lack of infrastructure and financing. The planning effort includes a "re-visioning" of the North Chico Village with an emphasis on increased residential development and density. The project will update existing constraints, provide for a mix of housing types, including multi-family and low-income. Staff will be tracking this project as it will require annexation to the City of Chico in order to build-out with full City services provided. More information can be found at www.northchicovillage.com

- ***Paradise Irrigation District/Camp Fire Recovery Update*** - The State Water Resources Control Board (SWRCB) in cooperation with Sacramento State University, Department of Water Programs (CSUS), continues to proceed with the Options Study for the Paradise Irrigation District. The group of stakeholders, including LAFCo, has met three times (April 21, May 6, August 13) on conference calls to discuss the process and the path forward to recovery. These include, the District merging with the Town of Paradise, reorganizing with another public or private water purveyor, expanding the District's customer base (Miocene residents, Butte Valley, Chico), temporary raw water transfers, Chico intertie, new businesses (bottled water, hydro power, fisheries help), partnership with the Town to operate the proposed sewer system, and rate increases. The Study team also individually interviewed the Executive Officer on August 20, 2020, to solicit LAFCo comments and concerns at an early stage. Staff will keep the Commission apprised of this process. Staff participated in a stakeholder phone conference on September 10, 2020, which was primarily to update the stakeholders on the Scope of Work/RFP process and share the approved Technical Assistance Work Plan which was submitted to the State on June 16, 2020. The RFP was circulated in January 2021 with a consultant to be hired in March 2021, and a draft final options study projected to be completed by July 2021.
- ***Drainage/Reclamation District MSR Actions*** – The Drainage and Reclamation Districts MSR/SOI Plan adopted in 2018 called for a number of possible reorganizations among drainage districts. Staff has met with district staff and initiated a process to consider the dissolution of Drainage District No. 2 as it is completely overlaid by Butte Creek Drainage District and the detachment of territory from Butte Creek Drainage District that is overlaid with District 100. These actions will have no impact to current services, but will rather clean-up old boundaries that no longer make sense.
- ***Bear/North Complex/West Zone Fire*** - It is sad that I must now write about even more fire destruction and impacts to our local agencies. The Bear/North Complex- West Zone fire has decimated approximately 80,000 acres of Butte County including the communities of Berry Creek and Lake Madrone. Both the Lake Madrone Water District and the Berry Creek Community Services District experienced significant damages to their water distribution systems. The LMWD has a mutual aid agreement with the South Feather Water and Power Agency for assistance and may seek other help as well. There is a potential that these two agencies, only a short distance (approx. 1 mile) apart, may need to consider some form of reorganization in order to effectively rebuild their systems. LAFCo staff has connected both the Districts with the Butte County Office of Emergency Management for submitting damage assessments for future funding. Staff will continue to monitor the Districts and offer any assistance possible.

- **Proposed Tuscan Water District** – On September 2, 2020, Executive Officer circulated a Notice of Intent to Circulate Petition submitted by the proponents of the proposed Tuscan Water District formation. This Notice of Intent to Circulate a Petition allows proponents to begin circulating the petition for landowner signatures in accordance with the legal requirements. There is no action for any agency to take at this time. At such time the proponents complete gathering signatures, they will submit the petitions to the Executive Officer for review.
- **Miocene Canal** - The destruction of the upper Miocene Canal by the Camp Fire has dewatered the middle and lower Miocene. This caused great disruption to landowners dependent on the water supply for their farms and residences and the environment dependent on canal leakage over the decades to thrive. PG&E initially refused to repair the canal infrastructure, but entered a plea agreement for its criminal actions resulting in PG&E providing up to \$15 million over five years to restore water to the middle canal. Among the long term options for restoring water flow is to install a pump on a floating barge in Lake Oroville and pipe approximately 20 acre/feet a day via pipeline to the canal. The installation of the infrastructure is estimated to be \$1.5 million with annual operating expenses estimated to be \$700,000 a year. Shorter term options involve a connection with the Del Oro Water Company who can provide limited surplus water. The Lake Oroville option would need to have an entity to takeover ongoing maintenance. One possible scenario is to form a special district to finance and manage any future facilities. Staff continues to participate in discussions. Staff met with Ed Cox who represents the Miocene Canal Coalition (MCC) on August 14, 2020, and learned that the MCC has gained a non-profit status, and desires to form a county service area (CSA) that could become the financing vehicle for future maintenance and operations. Staff will assist the MCC in anyway necessary to move towards the universal goal of re-establishing water flow in the Miocene Canal.
- **Thermalito Sewer and Water District** - Sphere of Influence Amendment and Annexation of the state owned clay pits recreation area southeast of the Oroville airport along Larkin Road. The State has yet to resolve a conflict between the State Parks Department and Department of Fish and Wildlife who share authority over the affected territory.
- **County of Butte** - Expansion of Powers for CSA 164 to add fire protection services. The County has placed this effort on hold.
- **City of Oroville MSR Update** – The City of Oroville is starting the process to evaluate its growth goals and has determined that the City needs to update its SOI to accommodate new development goals and at the same time update its MSR to reflect its current service capabilities and financial position. The City has requested LAFCo update its MSR at City expense and executed a Letter Agreement with LAFCo to prepare the MSR update. The City has entered into a contract with Policy Consulting Associates to complete the project under LAFCo supervision. The administrative draft is currently being prepared.

CALAFCO: None

LEGISLATION: The Legislative Committee held its kick-off meeting for the 2021 legislative year by discussing past proposals and what is new for this year.

Protest Provisions - Of prominent importance is a review of the codes guiding the protest proceedings and elections, with an eye towards simplification and removing redundancies. This

has been a years long negotiation with the CA Special Districts Association who resists any changes perceived to give LAFCo too much authority to reorganize underperforming special districts.

Extension of Services 56133 - CALAFCO has been discussing this code section for years to clarify the authority of LAFCo's to make determinations about the need for proposed local agency service extensions. This discussion also included a minor code amendment that removes any shadow of doubt that LAFCo's have the sole authority to make determinations as to the application of specified exemptions to the law, which is currently the widely accepted understanding of the law. Yet there are some who still believe an agency can make the determination to "self-exempt" which is in stark contrast to the intent of the law to place such decisions with LAFCo's.

APPLICATION ACTIVITY:

APPLICATION ACTIVITY								
<i>Project Status As of Jan. 28, 2021</i>								
File	Applicant	Project Name	Date Application Received	Certificate of Filing	LAFCO Hearing Date	Certificate of Completion	SBE Submittal Date	Additional Comments
11-06	Butte County	CSA No. 114 - Expansion of Powers	02/02/11	N/A	pending	N/A	N/A	Incomplete - On Hold
18-09	TWSD	Clay Pit State Recreation Area Annexation						On hold. Incomplete Application
19-10	Durham I.D.	Holland Ave Annexation No. 1	04/03/19	11/12/19	12/05/19	01/22/20	01/22/20	SBOE to refund dues
19-12	County	CSA 158 - Mandville Park Subd. Annex	05/02/19	05/29/19	10/03/19			Approved w/ conditions - 218 Hearing
20-04	Chico	Ext of Services - 216 Centennial Ave	11/8/2019	11/08/19	12/05/19	N/A	N/A	Waiting for fees to be paid
20-05		Tuscan Water District Formation						New Notice of Intent received
20-06	OMAD	Dissolution / Annexation to BCMVCD	01/21/20	02/06/20	08/06/20			Approved w/ condition (CalPERS)- Will not record until the CalPERS payment is completed.
20-07	RCRD	Extension of Services - Rock Creek and Keefer Slough	03/06/20	N/A	6/4/20, 12/3/20	N/A	N/A	Approved
20-08	Oroville	MSR Update	05/20/20	N/A				In progress
20-09	LAFCO	Oroville Region Sewer & Water MSR	N/A	N/A				In progress
20-10	LOAPUD	Ophir Road Annexation No. 2	06/22/20	06/27/20	09/03/20	01/11/21		Recorded. Waiting for TRA listing
21-01	Oroville	Lincoln Boulevard Annexation No. 1	07/02/20	07/29/20	10/01/20			Waiting for map/legal to record
21-02	LAFCO	DMAD SOI Amendment	N/A	N/A	11/05/20	N/A	N/A	Approved
21-03	Chico	Ext of Services - 2418 Guynn Ave	N/A	N/A		N/A	N/A	This application may be withdrawn
21-03	SFWPA	Ext of Services - 170 Gold Avenue	N/A	N/A		N/A	N/A	Emergency connection granted

Attachments: None



Manager's Report

To: Board of Directors

From: Scott McCutcheon, General Manager

Date: February 9, 2021

RE: Item No. 14 – Board Member(s), Manager, and Staff Comments

14.1 Field Operations Supervisor Report

The January 2021 Field Operations Activity Report is included for your review and discussion.

Attachment Included

14.2 Project Updates

The General Manager with input from staff and the District Engineer will give a general update on various District projects in different stages of processing.

14.3 SDRMA Training

SDRMA's annual session of training is approaching. This training will be virtual this year, and as always, is free of charge to the District. The Directors are encouraged to attend.

Attachment Included

14.4 Temporary Policy-Extended Sick Leave Benefits-COVID-19

Attached is a copy of the temporary policy approved at the last board meeting-for your policy books.

Attachment Included

14.5 Form 700

Form 700 will be due for Directors by March 1, and others by April 1. Please contact Kelly to complete.

FIELD OPERATIONS ACTIVITY REPORT

JANUARY 2021

Safety Meetings and Compliance

- Commercial driver's training-New employee
- Safety meeting-Driven to distraction

General meetings

- Monthly field coordination meeting
- Meet with Santos Construction regarding new sewer service
- JPA Meeting with SCOR

I & I Related Work

- Replaced missing lateral cap and female adapter
- LOAPUD disconnected abandoned concrete lateral
- 42-Manholes sealed

New Permits and Connections, Estimates, Inquiries or Termination

- 3-Sewer inquiries
- Final new home in Kelly Ridge
- We are currently having problems with customers bringing travel trailers, and tiny houses into the district and connecting without permits. This is a problem for our Villa Verona District.

River Ranch Project

- Conference call with River Ranch and Butte County regarding asphalt cutting 5 year moratorium

Lines Cleaned

- 9,372' LF Cleaned with Jet Rodder
- 1,560' LF Flush Villa Verona lines

CCTV Work

- 1,992' LF Televised

GIS Work

- Villa Verona District, Southside, Morrel Ct, Oro Garden, VDC force main

Lateral CCTV Work

- Lateral plugged on Greenville St and found 6 houses tied into one lateral. Plumber separated one of them

General Maintenance

- Replace missing u-joint restraints on 4x4 utility truck
- Re-terminate camera cable
- Service new dually diesel
- Install switch for outside light
- Repair foot wacker
- Estimate to relocate Villa Verona service

Field Maintenance, Repairs and Misc.

- Review Butte County permits
- Hike Wahoo, Stumps Field, Mt Ida and Oro Bangor off road lines
- Pump grease off top of wet well
- Repairs asphalt at Heritage Pump Station
- Clean air relief valves
- Cleaned pump stations

Service Calls Primary - 2 (7 Last Month)

- 1-Las Plumas pump low flow-Removed rags
- 1-Rat chewed through float wire at L-2-Replaced float

Service Calls for Villa Verona - 9 (8 Last Month)

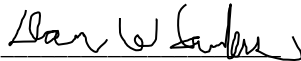
- 4-Tanks cleaned, flushed and/or pumped
- 3-Alarm at tank - replaced float
- 1-Alarm-Pump unscrewed itself
- 1-Lateral plugged-Customers problem

Gas Consumption: 249.2 (Last Mo. 261.4)

Diesel Consumption: 84.2 (Last Mo. 421.9)

LOAPUD Gas: 249.2 (Last Mo. 261.4) Diesel: 84.2 (Last Mo. 268.1)

El Medio Fire Dept. Gas: 0.0 (Last Mo. 0.0) Diesel: 0.0 (Last Mo. 153.8)



Field Operations Supervisor
Dan W. Sanders



SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY

[CLICK HERE TO REGISTER TODAY](#)

2021 SDRMA VIRTUAL SPRING EDUCATION DAY

WEDNESDAY, MARCH 3, 2021

9:00 – 10:00 a.m.	LIVE Annual Membership Meeting: SDRMA Updates, Market Conditions, Upcoming Renewal	recording available until March 19th, 2021
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10:00 – 10:15 a.m.	LIVE Special District Leadership Foundation Recognitions	recording available until March 19th, 2021
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10:15 – 10:30 a.m.	Break	
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10:30 a.m. – 11:30 a.m.	LIVE Keynote Presentation: Managing Difficult People: An Insider's Guide to Gaining Voluntary Compliance with COVID Policies and Beyond	recording available until March 19th, 2021
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In today's polarized world, more and more industries are finding themselves dealing with difficult people and defiant personalities. From COVID-19 policies to the reduction of hours, people are finding plenty of issues to take exception to that is increasingly leading to violent confrontations. In this session, learn from industry-leading expert Adam Coughran the tactics to deal with confrontational personalities and the strategies to gain peaceful, voluntary compliance in virtually any situation.

1:00 p.m. – 4:00 p.m.	LIVE Safety Specialist Certificate Program: Part 1	Alan Larson & Associates
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THURSDAY, MARCH 4, 2021

1:00 p.m. – 4:00 p.m.	LIVE Safety Specialist Certificate Program: Part 2	Alan Larson & Associates
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On-Demand 1 Hour Breakout Sessions	What to Know About Indemnity and Hold Harmless Agreements, and Public Entities	Jim Wagoner, Esq. and Robert Landen, Esq., McCormick Barstow, LLP Debbie Yokota, SDRMA Chief Risk Officer
Session 1A Property/Liability	This session will provide important information on how to evaluate contracts specifically as they relate to indemnity and hold harmless agreements to ensure that your agency is protected. We will also go over the importance of being named as an Additional Insured by your contractors/vendors to protect your agency.	

Session 1B Workers' Compensation	Workers' Compensation 101 Training	Dori Zumwalk and Julie Long, Sedgwick Claims Management Services Danny Pena, SDRMA Senior Claims Examiner
	This session will provide you with an important foundation to assist you in understanding the complex laws of Workers' Compensation in California.	

Session 2A Property/Liability	10 Ways to Be Less Vulnerable to Dangerous Conditions of Public Property Claims	Brian Hamblet, Esq., Burke, Williams & Sorensen, LLP Debbie Yokota, SDRMA Chief Risk Officer
	Tort claims against public agencies continue to increase even during the pandemic. This session will provide recommendations on ways public agencies can reduce their exposure to dangerous conditions.	

Session 2B Workers' Compensation	COVID-19 Update & Navigating Reporting Requirements	Brian Mellor, Esq. and John Greyer, Esq., Laughlin Falbo, Levy & Moresi Danny Pena, SDRMA Senior Claims Examiner
	Understand the importance of complying with SB 1159 and AB 685 and what your role as an employer is in these complex laws.	

BOARD POLICY
Lake Oroville Area Public Utility District

**TITLE: EMERGENCY PAID SICK LEAVE FOR
COVID-19 RELATED ABSENCES**
ADOPTION DATE: January 21, 2021

NUMBER: TEMPORARY
AMENDED DATE:

- 2040.1** The Families First Coronavirus Response Act, which expired on December 31, 2020, provided for Emergency Paid Sick Leave for COVID-19 related absences. The Lake Oroville Area Public Utility District desires to provide a similar benefit, as detailed below, for a period beginning January 1, 2021, and ending on June 30, 2021 or until the adoption of State or Federal legislation that addresses a similar purpose, whichever occurs first.
- 2040.2** An employee qualifies for emergency paid sick time due to COVID-19 if the employee is unable to work (**or unable to telework**) due to a need for leave because:
- 2040.2.1** The employee is subject to a Federal, State, or local quarantine or isolation order related to COVID-19; or
 - 2040.2.2** The employee has been advised by a health care provider to self-quarantine related to COVID-19; or
 - 2040.2.3** The employee is experiencing COVID-19 symptoms and is seeking a medical diagnosis.
- 2040.3** Eligible Regular or Probationary employees, as defined in District Policy 2080 'Employee Status' can receive up to 80 hours of pay for qualifying reasons above. Eligible Part-Time employees, as defined in District Policy 2080 'Employee Status', will receive a pro-rated portion of hours based on their average number of hours over a typical two-week period. For example, an employee that works 20 hours of week, would be eligible for up to 40 hours of pay for qualifying reasons above.
- 2040.4** An eligible Regular or Probationary employee who is sick, quarantined, or seeking a diagnosis will receive the employee's actual wages up to a maximum benefit of \$511 per day subject to the limitations above. An eligible Part-Time employee would receive his/her actual wages subject to the limitations set forth above.