

1. CALL TO ORDER

The meeting was called to order by President Hatley at 2:00 pm

1.1 Flag Salute

Manager Boucher led the flag salute

1.2 Roll Call

Present were President Hatley, Vice President Taggart, Directors Pulley and Latulippe. Also present were Recording Secretary Padilla, Attorney Carter, 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 September 17, 2019

3.2 Financial Statements – September 2019

3.3 Water Warrants – Check Number 17548-17626 Total \$777,726.30

Water LAIF Deposit - \$82,583.01

Water LAIF Withdrawal - \$445,000.00

Sewer Warrants – Check Number 7177-7185 Total \$209,232.17

Sewer LAIF Deposit - \$27,416.99

Health Reimb Arrangement – Check Number 2756-2759 Total \$456.48

3.4 Summary of District Operation and Solar Power Generation – September 2019

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

4. ITEMS REMOVED FROM CONSENT AGENDA

None

5. GENERAL ADMINISTRATION BUSINESS

5.1 Konkow Maidu Cultural Preservation Association

President Hatley reported that Kate Hedges from the Konkow Maidu Cultural Preservation Association was not present to give the quarterly report.

Attorney Carter mentioned that he spoke with the Attorney for the Konkow Maidu Cultural Preservation and it was mentioned that due to last year's fire, everything up in the Concow area has changed. The Konkow Maidu Association is still working with Soper Wheeler on trying to have some property granted to them for their historical site.

5.2 Policy 4.140 – Code of Ethics

Attorney Carter reported that Policy 4.140 – Code of Ethics is an updated version combining Policies 4.120 – Code of Conduct; 1100 – Conflict of Interest and 4.130 – Compensation and Reimbursement of Expenses. He mentioned that the newer version conforms to new laws and is less gender specific. He reported that this is a draft version for Board review and will be brought back to the November Board meeting for approval.

6. WATER BUSINESS

None

7. ATTORNEY REPORT

7.1 PG&E Proof of Claim

Attorney Carter mentioned that his office has filed two Proof of Claim forms (Fire Claim Related) against PG&E. One claim form is that if CalOES adheres to its side of the bargain and gives the District 75% of the cost for the sedimentation removal, the remaining 25% will be recovered by PG&E. The second claim form is that in the event the District is unable to obtain funds from CalOES, the District may be able to go after 100% from PG&E. He mentioned that the District should look for an attorney who deals with bankruptcy claims as his office only submitted the Proof of Claim forms so that the District would not miss any of the deadlines.

7.2 CalTRUST Shareholder Summit

Attorney Carter mentioned that CalTRUST will be holding a seminar on October 30th in Sacramento at the Citizen Hotel. He mentioned that CalTRUST is endorsed by the California Special Districts Association, the CSAC Finance Corporation and the League of California Cities. The District currently has its spare funds invested in LAIF through the State Treasury. CalTRUST is a kin to the local agencies investment funds but is basically owned by the Districts that invest into it. CalTRUST hires Investment Managers to make the determination as to where the monies are being put. He mentioned that the track record for CalTRUST over the past two years has been a little better than LAIF's track record. Staff will be attending the seminar in Sacramento and will update the Board at the November Board meeting.

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7.3 Vista Del Oro Project

Attorney Carter mentioned that the District received a request from the current buyer of the Vista Del Oro Project wanting the District to quitclaim some interest that we have in the property. He mentioned that originally back in 2007, Pacific West Homes Inc. had 92 lots which was deeded to the District. In the signed Quitclaim Deed and Authorization for Underground Water Rights, “Grantor (Pacific West Homes Inc.) gives Grantee (TWSD) all right, title, interest, estate, claim and demand, both at law and in equity and in possession as well as in expectancy, of Grantor of that certain common property known as Vista Del Oro Subdivision consisting of Lot 1 thru 92 to pump, take or otherwise extract water from beneath the Property for beneficial use upon lands anywhere within Thermalito irrigation district, and Grantor hereby irrevocably authorizes Thermalito, its successors and assigns, on behalf of Grantor to enter upon and to take from beneath the Property for such use any and all water which Grantor, or Grantee’s successors in interest, may be entitled to take for beneficial use on such lands and to supply such water to other persons within Grantee’s irrigation district; provided, however, that they will not damage any building on the property. He mentioned that this entitles the District to be able to drill on any of the 92 lots. The property went into foreclosure and purchased by Sunset Hills Development. In the title report that was issued from First American Title Company to Sunset Hills it reads, “The Right to Pump, take or otherwise extract water from beneath the herein described land, without however, the right to enter upon the herein described land.” He mentioned that the District has been dealing with the prospective buyer, Sunset Hills and the Title Company. The District is not giving up its rights to all the water underneath that property nor does it need to do anything to clear up the mess.

8. SEWER BUSINESS

8.1 SC-OR Report

Commissioner Hatley reviewed over the September 25, 2019 and October 23, 2019 Regular Meeting of the Sewerage Commission – Oroville Region that were included in the Board packet.

9. WYANDOTTE CREEK GSA

9.1 Wyandotte Creek GSA Report

Director Pulley reviewed over the September 26, 2019 Regular Meeting of the Wyandotte Creek Groundwater Sustainability Agency that was included in the Board packet.

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10. MANAGER REPORT

- *Thanksgiving Annual Feast* – To be held on November 14th at 12:00 pm.
- *Austin Lewis* – Congratulations to Austin on passing his D2 Operators test.
- *2.5 MGT Replacement Project* - The footing for the 2.5 million gallon replacement tank has been poured. The foundation pour is scheduled for October 29th. The completion date of the tank is late December to early January.
- *Concow Sediment Removal Project* - The District has entered into an agreement with Kjeldsen, Sinnock & Neudeck (KSN), an engineering consultant, who is preparing a report on the estimation of sediment which was deposited in Concow Reservoir following the Camp Fire. CalOES has confirmed that this report will be reimbursable.
- *Concow Signs* – Signs have been installed at three locations up in Concow.

11. HEARING OF INDIVIDUALS ON NON-AGENDA ITEMS

None

12. BOARD COMMENTS

None

13. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 3:07 pm.

Secretary of the Board

President of the Board