

## MINUTES OF THE REGULAR MEETING OF THE FLORIN RESOURCE CONSERVATION DISTRICT BOARD OF DIRECTORS

Wednesday, August 15, 2018

The regular meeting of the Florin Resource Conservation District Board of Directors was called to order at 6:30 p.m. by Tom Nelson, Chairperson, at 9257 Elk Grove Blvd., Elk Grove, CA.

### Call to Order, Roll Call, and Pledge of Allegiance.

Directors Present: Bob Gray, Lisa Medina, Tom Nelson, Sophia Scherman, Jeanne Sabin  
Directors Absent: None  
Staff Present: Mark Madison, General Manager; Bruce Kamilos, Assistant General Manager; Stefani Phillips, Board Secretary; Patrick Lee, Treasurer; Donella Murillo, Finance Supervisor; Sarah Jones, Program Manager, Jose Carrillo, Richard Salas, Alan Aragon, Brandon Wagner, Justin Mello  
Staff Absent: None  
Associate Directors Present: None  
Associate Directors Absent: Shahid Chaudhry  
General Counsel Present: Ren Nosky, Nosky Legal Group  
Consultants Present: Kevin Lorentzen, HDR Consulting, Inc.

### Public Comment

Suzanne Pecci mentioned her concern regarding the Elk Grove Water District (EGWD) potentially expanding its service area to take on the soccer complex, which will be developed on Grant Line Road. Chairperson, Tom Nelson informed Ms. Pecci the EGWD has no intention of expanding and if the District were to expand in the future, the item would be agendaized.

### 1. Proclamations and Announcements

General Manager, Mark Madison presented five (5) year recognition plaques to Justin Mello and Brandon Wagner.

### 2. Consent Calendar

- a. Regular Board Meeting Minutes of July 18, 2018
- b. Warrants Paid – July, 2018
- c. Active Accounts – July, 2018
- d. Bond Covenant Status – July, 2018
- e. Revenues and Expenses – July, 2018
- f. Cash Accounts – July, 2018
- g. Consultants Expenses – July, 2018
- h. Major Capital Improvement Projects – July, 2018

MSC (Gray/Scherman) to approve FRCD Consent Calendar items a-h with revisions 5/0:  
Ayes: Gray, Medina, Nelson, Sabin and Scherman.

### 3. Committee Meetings

There were no committee meetings held in the month of July.

### 4. Elk Grove Water District Operations Report – July 2018

General Manager, Mark Madison presented the EGWD Operations Report – July 2018 to the Florin Resource Conservation District Board of Directors (Board).

Summary:

- Door tags and shutoffs were up a little from June at 598 & 70, respectively.
- There was one pressure complaint in Service Area 2 and this was unsubstantiated.
- There were four water quality complaints, none of which were substantiated.
- 137 hydrants were checked. The District's hydrant maintenance target is set at 135 per month (each hydrant is checked once per year).
- 150 valves were exercised. The District's valve exercising target is set at 120 per month (every valve once per 3 years).
- All of our wells were used as the main sources of supply for Service Area 1. Well 13 produced the most at over 42 million gallons.
- Production for Service Area 1 continued to increase significantly from the June as July is our peak demand month. 181 million gallons were produced compared to 158 million gallons in June.
- Total customer usage for EGWD (SA1 and SA2) also rose by approximately 38 million gallons from June but remained down by 15% compared to June 2013.
- The Static and Pumping Water level charts have the new 3<sup>rd</sup> quarter data. Almost every well has a significant increase in the static water level compared to the 3<sup>rd</sup> quarter data two years ago.
- All required sampling was performed with no anomalies. A lot of samples were taken in July – 113 samples in all.
- All required regulatory reports were submitted on time and there were no excursions of any regulatory requirements.
- All preventative maintenance activities have been performed in compliance with our Standard Operating Procedures.
- Backflow prevention program. As of the end of July, we had 47 delinquent customers. That number stands at 9 right now. They have until August 27 until they are shut off.
- We had 4 formal safety meetings and it has been 910 days since we have had a lost time injury.
- Service Line Replacements – 25 service lines were replaced in May as our Utility crew now back working on that project. We hope to complete the Service Line Replacement project by the end of December.
- There were 6 service line leaks in May. Three were from pinholes, two were cracks, and one was likely due to the construction activity at the CSD building.
- Pressures in Service Area 1 remained stable in the 60 psi range. Pressures in Service Area 2 were also about the same.

## 5. **Public Hearing and Consideration of the 2018 Connection Fee Study and Adoption of New Water Connection Fees**

Mr. Madison provided background on the agenda item and introduced Kevin Lorentzen, HDR Consulting, Inc. to present a summary of the 2018 connection fee study and adoption of new water connection fees and to provide recommendations.

Mr. Lorentzen emphasized the connection fees are only related to Service Area 1 boundaries.

Mr. Madison discussed the involvement that the Building Industry Association (BIA) had with the Connection Fee Study. He mentioned that the BIA was helpful and tested the District, which helped provide a better product.

Mr. Nelson called for public comments.

Public comments include:

Crisand Giles, Executive Director of North State BIA, thanked EGWD staff for working with the BIA during the Connection Fee Study. She mentioned the BIA appreciated the process.

The public hearing was closed.

MSC (Sabin/Medina) to adopt Ordinance No 08.15.18.01, approving the 2018 Connection Fee Study Report and revising the Elk Grove Water District Connection fees as prescribed in the study. 5/0: Ayes: Gray, Medina, Nelson, Sabin and Scherman.

## **6. Professional Services Agreement Renewal for Information Technology Services.**

Mr. Madison presented the professional services agreement (PSA) renewal for Information Technology (IT) services to the Board. The PSA is with Solutions by BG, Inc.

Mr. Madison recommended to the Board the PSA be a sole-source procurement, providing reasoning as to why he believes sole-source procurement is justified. He clarified that the IT consultant is an independent contractor.

Ren Nosky, Nosky Legal Group mentioned Mr. Madison clarified the independent contractor is not an employee of the District for California Public Employee Retirement System (CalPERS) purposes. In summary, he mentioned it is a regulatory component, stating city and public agencies are notorious for embedding IT people into their operations and essentially over time leave themselves vulnerable for CalPERS audits.

Vice-chairperson, Bob Gray commented that he does not see a chance of getting a better deal than what Thomas Dainat, owner of Solutions by BG, Inc. is proposing.

Director Sophia Scherman asked how Mr. Dainat has an intimate hand in the District's operations. Mr. Madison responded that he works at the District and off-site. Mrs. Scherman shared her concern that it may not be secure with Mr. Dainat working from home. Discussion continued.

Director Jeanne Sabin asked, if in an emergency, does the District has the authority to pay Mr. Dainat more than the shall-not-exceed amount. Mr. Nosky informed Ms. Sabin that there is language in the contract that allows the General Manger to approve overages.

MSC (Medina/Gray) to adopt Resolution 08.15.18.01, waiving the competitive bidding process prescribed in Policy No. 3, purchases of goods and services from outside vendors, and authorizing the General Manager to execute a professional services agreement with Solutions by BG, Inc. to provide Information Technology services in an amount not to exceed \$477,325 over a three year term. 5/0: Ayes: Gray, Medina, Nelson, Sabin and Scherman.

## **7. Conflict of Interest Code**

Board Secretary, Stefani Phillips presented the item to the Board.

Ms. Phillips explained the only change to the Conflict of Interest code is the proposal of adding the GIS Technician II position to the document of officials and employees that make decisions for the governmental agency.

MSC (Sabin/Scherman) to adopt Ordinance No. 08.15.18.02, amending the Conflict of Interest Code Pursuant to the Political Reform Act of 1974. 5/0: Ayes: Gray, Medina, Nelson, Sabin and Scherman.

## 8. Pepper Spray Policy

Sarah Jones, Program Manager presented the Pepper Spray Policy to the Board. She mentioned only workers who have been approved by Mr. Madison and trained on pepper spray usage will be provided pepper spray to use during work hours.

Director Lisa Medina questioned if there has been training provided to staff on how to handle aggressive animals. Ms. Jones informed her there have been trainings in the past.

Ms. Medina mentioned there are a lot of questions that need to be answered related to procedures. Ms. Jones informed her the policy identifies procedures for pepper spray use. Ms. Jones also mentioned that there will be a four (4) hour training by a professional.

Ms. Sabin asked that there be a specific definition in the policy of what type of pepper spray will be used. Mr. Nosky informed Ms. Sabin the specific type of pepper spray is defined in the penal code.

Ms. Sabin asked that Section D. Reporting Procedures add "or unintentional" to the statement "any intentional use of pepper spray shall be reported to the supervisor on the day of the incident, either by phone or in person." Staff will add this to the policy.

MSC (Medina/Sabin) to adopt Ordinance No. 08.15.18.03 amending the 2014 Elk Grove Water District Employee Policy Manual with the addition of Section 7.1.5 Pepper Spray with revisions. 5/0: Ayes: Gray, Medina, Nelson, Sabin and Scherman.

## 9. Outside Agency Meeting Report

Mr. Madison, Ms. Jones, and Assistant General Manager, Bruce Kamilos spoke regarding various outside agency meetings that they attended.

Mr. Madison mentioned that on July 31, 2018 EGWD met with the Sacramento County Water Agency (SCWA). He mentioned the SCWA is willing to work with the District on how the math is calculated for wholesale water, as well as they will be better at communication. Discussion ensued.

Ms. Jones presented on the Sacramento Regional Safety Forum that took place on August 2, 2018. In summary, the forum talked about slips, trips and falls. The District will have an all-staff training on the subject.

Mr. Madison spoke regarding the Sacramento Central Groundwater Authority (SCGA) Regular Board Meeting that took place on August 8, 2018. In summary, the SCGA Board is in limbo as everyone waits for the Department of Water Resources to make a decision on the alternative submittal provided in lieu of going with the conventional groundwater sustainability approach. The Department of Water Resources was supposed to have already deliberated on the subject, but now they are stating it will not be completed until next year.

Mr. Kamilos presented on the Regional Water Authority (RWA) Regional Water Reliability Planning Meeting that took place on August 8, 2018. In summary, the goal of the meeting was to discuss making water resources more reliable. A big component for that is establishing a regional groundwater bank in the North and South basins. The RWA sent out surveys for the Districts to fill out. Staff will inform the Board what the survey results are.

Mr. Kamilos informed the Board that the City of Sacramento's has signed an agreement with an agency down south to sell water. Discussion ensued. Mr. Madison informed the Board that the meeting that is being presented is not about exportation of groundwater out of the

basin, but about the efforts that RWA is putting together to advance improvements to the groundwater basin.

#### **10. Directors Comments**

The Board welcomed back Ms. Sabin.

Mr. Nelson informed the Board on the election candidate results as of the end of business day, August 15, 2018. He stated there are three (3) candidates that filed candidate documents, Bob Gray, Elliott Mulberg, and himself, which means there will not be an election.

Mr. Madison announced that Associate Board Member, Kenneth Strom resigned as of August 15, 2018.

Adjourn to regular meeting on September 19, 2018 at 6:30 p.m.

Respectfully submitted,

*Stefani Phillips*

Stefani Phillips, Board Secretary  
AK/SP