

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

Tuesday, January 19, 2021

The regular meeting of the Florin Resource Conservation District Board of Directors was called to order at 6:30 p.m. by Tom Nelson, Chair via Zoom.

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

Directors Present: Tom Nelson, Bob Gray, Lisa Medina, Elliot Mulberg, Sophia Scherman
Directors Absent: None
Staff Present: Mark Madison, General Manager; Bruce Kamilos, Assistant General Manager; Patrick Lee, Finance Manager/Treasurer; Stefani Phillips, Board Secretary; Donella Murillo, Finance Supervisor; Travis Franklin, Program Manager; Amber Kavert, Administrative Assistant II (Confidential)
Staff Absent: None
Associate Directors Present: Paul Lindsay
Associate Directors Absent: None
General Counsel Present: Ren Nosky, JRG Attorneys at Law

Public Comment

Nothing to report.

Chair Tom Nelson announced to the Florin Resource Conservation District (FRCD) Board of Directors (Board) that Item 10 – Employment Agreement Between the Florin Resource Conservation District and Bruce Kamilos would be moved to follow directly after Item 3 – Consent Calendar.

1. Proclamations and Announcements

Assistant General Manager Bruce Kamilos announced to the Board that General Manager Mark Madison was awarded the 2020 Special Service Award by the Regional Water Authority. This new award honors individuals who demonstrated extraordinary service in extraordinary times.

Mr. Madison recognized staff for their part in achieving the 2020 Special Service Award.

2. Florin Resource Conservation District Election of Officers - 2021

Board Secretary Stefani Phillips explained the item to the Board.

Director Elliot Mulberg congratulated Chair Nelson and Vice-Chair Bob Gray for their four (4) years of service as Chair and Vice-Chair and nominated Director Sophia Scherman as Chair.

MSC (Mulberg/Medina) to nominate Sophia Scherman as Chair. 4/1 Ayes: Medina, Mulberg, Nelson, and Scherman. Noes: Gray

Chair Scherman thanked Director Nelson for his service as Chair the last four (4) years and nominated him to be Vice-Chair.

MSC (Scherman/Medina) to nominate Tom Nelson as Vice-Chair. 5/0 Ayes: Gray, Medina, Mulberg, Nelson, and Scherman.

Chair Scherman asked that Vice-Chair Nelson continue leading remainder of the meeting.

3. Consent Calendar

- a. Minutes of Special Board Meeting of December 15, 2020
- b. Minutes of Regular Board Meeting of December 15, 2020
- c. Minutes of Special Board Meeting on December 21, 2020
- d. Minutes of Special Board Meeting on January 5, 2021

- e. Minutes of Special Board Meeting on January 12, 2021
- f. Accounts Payable Check History – December 2020
- g. Board and Employee Expense/Reimbursements – December 2020
- h. Active Accounts – December 2020
- i. Bond Covenant Status for FY 2020-21 – December 2020
- j. Revenues and Expenses – Actual vs Budget FY 2020-21 – December 2020
- k. Cash Accounts – December 2020
- l. Consultants Expenses – December 2020
- m. Major Capital Improvement Projects – December 2020

MSC (Scherman/Medina) to approve Florin Resource Conservation District Consent Calendar items a-m. 5/0: Ayes: Gray, Medina, Mulberg, Nelson and Scherman.

10. Employment Agreement Between the Florin Resource Conservation District and Bruce Kamilos

Ms. Phillips presented the item to the Board.

In summary, on December 21, 2020, General Manager Mark Madison announced his retirement from the District, effective May 1, 2021. Pursuant to that announcement, the Board has held two (2) closed session meetings to discuss how to obtain General Manager services following Mr. Madison's departure. The Board determined that it is in the best interest of the District to negotiate an Employment Agreement with Bruce Kamilos. Mr. Kamilos has been employed by the District since December 5, 2011 and presently serves as the District's Assistant General Manager.

While a legislative body may discuss salaries, salary schedules or compensation in closed session, the Brown Act requires that any final action or vote taken on salaries, salary schedules or compensation of a "local agency executive" must occur in open session. Relative to this requirement, Section 4.1 of the proposed Employment Agreement stipulates "The Board agrees to pay the General Manager for his services rendered a (Base Salary), of one hundred eighty-five thousand (\$185,000) annually commencing on May 1, 2021. The General Manager's Base Salary shall be paid on a bi-weekly basis, in accordance with the District payroll schedule, and less deductions and other applicable withholdings. The General Manager's Base Salary shall be increased July 1 annually, by the same cost of living adjustment, if any, approved by the Board for District employees (Adjusted Base Salary)." Associated with this provision, Section 4.2 of the proposed Employment Agreement also stipulates, "The General Manager shall be eligible for an annual merit increase to be awarded pursuant to a performance review and majority approval by the Board."

MSC (Mulberg/Scherman) to adopt Resolution No. 01.19.21.01, approving the General Manager Employment Agreement with Bruce Kamilos. 5/0. Ayes: Gray, Medina, Mulberg, Nelson and Scherman.

4. Florin Resource Conservation District 2021 Committee Appointments and Outside Agency Representation

Ms. Phillips presented the item to the Board, providing the various committees and various outside agency representation.

The new committees are as shown:

Finance – FRCD/EDC/EGWD:

All Board Members

Conservation Committee – FRCD:

**Lisa Medina
Sophia Scherman
Tom Nelson (Alternate)**

Infrastructure Committee – EGWD:

Bob Gray
Lisa Medina
Paul Lindsay

MSC (Mulberg/Scherman) to appoint Directors to sit on the Finance, Conservation and Infrastructure Committees of the Florin Resource Conservation District as follows: The full Board was appointed to sit on the Finance Committee; Chair Sophia Scherman, Vice-Chair Tom Nelson, and Director Lisa Medina, were appointed to sit on the Conservation Committee with Vice-Chair Nelson acting as an alternate; Director Bob Gray, Director Medina, and Associate Director Paul Lindsay were appointed to sit on the Infrastructure Committee. 5:0 Ayes: Gray, Medina, Mulberg, Nelson, and Scherman

The outside agency representation are as shown:

Association of California Water Agency/Joint Powers Insurance Authority (ACWA/JPIA) – Representative of Elk Grove Water District (EGWD)	Sophia Scherman Bruce Kamilos (Alternate)
California Special District Association (CSDA)	Elliot Mulberg
Regional Water Authority (RWA) Board of Directors	Sophia Scherman (Primary) Bruce Kamilos (Primary) Elliot Mulberg (Alternate)
Sacramento Central Groundwater Authority (SCGA)	Bruce Kamilos (Primary) Tom Nelson (Alternate)

The Board concurred to eliminate Sacramento Local Agency Formation Commission from the list of outside agency representation.

MSC (Mulberg/Scherman) to appoint representatives for outside agency participation as follows: Chair Scherman to be the representative to the ACWA/JPIA, representing EGWD with Assistant General Manager Bruce Kamilos as alternate; Director Elliot Mulberg to be a representative to the CSDA; Chair Scherman and Mr. Kamilos to be primary representatives to the RWA Board of Directors and Director Mulberg to be an alternate; and Mr. Kamilos to be a representative to the SCGA and Vice-Chair Nelson to be an alternate. 5:0 Ayes: Gray, Medina, Mulberg, Nelson, and Scherman

5. Elk Grove Water District Operations Report – December 2020

Mr. Madison presented the Elk Grove Water District (EGWD) Operations Report – December 2020 to the Board.

6. Elk Grove Water District Fiscal Year 2020-21 Quarterly Operating Budget Status Report

Finance Manager Patrick Lee presented the item to the Board.

In summary, the revenues collected through the second quarter of the fiscal year total \$9,123,258 which is 59.15% of the \$15,424,142 annual budget. The revenues are \$95,623 or 1.06% above the same quarter of the prior year.

7. Elk Grove Water District Fiscal Year 2020-21 Quarterly Capital Reserve Status Report

Finance Manager Patrick Lee presented the item to the Board.

In summary, through the second quarter of Fiscal Year 2020-21, the District expended \$2,222,502 for capital projects. The total amount expended of \$2,222,502 includes \$31,651 of expenditures related to projects carrying over from prior year but not budgeted for in the FY 2020-21 EGWD Capital Improvement Program (CIP). Per Resolution No. 11.17.20.02, the District also expended \$1,628,039 from excess operating reserves to pay down the unfunded accrued liabilities with CalPERS, leaving a remaining total reserve balance at December 31, 2020 of \$14,464,017.

A discussion occurred regarding the current reserve buckets and associated funds. The Board agreed to discuss this at greater length during the preparation for the Fiscal Year 2021-22 EGWD Budget.

8. Outside Agency Meetings Report

Staff and Board members spoke regarding the meetings they attended since the last regular Board meeting.

9. Legislative Update and Potential Direction to Staff

Program Manager Travis Franklin updated the Board on Legislative matters.

In summary, there are two (2) legislative efforts underway by the FRCD, the proposed Water Theft legislation and the Board Member Compensation legislation. Relative to the proposed water theft legislation, Senator Susan Talamantes-Eggman has indicated that she is inclined to author the bill in the coming year and relative to the Board Member Compensation legislation, it will not be able to be constructed as part of a committee bill and staff is requesting Senator Pan to author the bill.

11. Directors Comments

Nothing to report.

Adjourn to Regular Board Meeting on February 16, 2021.

Respectfully submitted,

Stefani Phillips

Stefani Phillips, Board Secretary

AK/SP