

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

**Tuesday, July 18, 2023**

The regular meeting of the Florin Resource Conservation District Board of Directors was called to order at 6:30 p.m. by Chair Tom Nelson at 9829 Waterman Road, Elk Grove, CA.

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

Directors Present: Tom Nelson, Paul Lindsay, Lisa Medina, Elliot Mulberg, Sophia Scherman  
Directors Absent: None  
Staff Present: Bruce Kamilos, General Manager; Patrick Lee, Finance Manager/  
Treasurer; Stefani Phillips, Human Resources Administrator/Board  
Secretary; Travis Franklin, Program Manager; Donella Murillo, Finance  
Supervisor; Ben Voelz, Associate Engineer; Amber Kavert, Human  
Resources Technician  
Staff Absent: None  
Associate Directors Present: Kim Martin, Robert Stresak  
Associate Directors Absent: None  
General Counsel Present: Andrew Ramos, Bartkiewicz, Kronick & Shanahan  
Consultants Present: Theresa Jurotich, Raftelis

**Public Comment**

No comment.

**1. Proclamations and Announcements**

Nothing to report.

**2. Public Hearing and Consideration of the 2024-2028 Water Rate Study and Adoption of New Water Service Rates and Private Fire Protection Service Rates**

Finance Manager Patrick Lee presented the item to the Florin Resource Conservation District (District) Board of Directors (Board) before introducing Theresa Jurotich with Raftelis to give a short overview of how the water rate study was conducted.

Chair Tom Nelson opened the public hearing.

Five (5) members of the public spoke during the hearing. General Manager Bruce Kamilos encouraged the public members to reach out to him to further explore their questions and concerns.

Chair Nelson closed the public hearing.

Board Secretary Stefani Phillips stated there were five (5) protest letters received from members of the public.

MSC (Lindsay/Medina) to adopt Ordinance No. 07.18.23.01, approving the 2024-2028 Water Rate Study Report and adopting the new water service rates and private fire protection service rates prescribed by the study. 5/0: Ayes: Lindsay, Nelson, Medina, Mulberg and Scherman

### 3. **Public Hearing and Consideration of the 2024 Capacity Fee Study and Adoption of New Water Connection Fees**

Mr. Lee presented the item to the Board.

Chair Nelson opened the public hearing.

No comments were made.

Chair Nelson closed the public hearing.

MSC (Lindsay/Scherman) to adopt Ordinance No. 07.18.23.02, approving the 2024 Capacity Fee Study and revising the Elk Grove Water District water connection fees as prescribed by the study. 5/0: Ayes: Lindsay, Nelson, Medina, Mulberg and Scherman

### 4. **Consent Calendar**

- a. Minutes of Regular Board Meeting of June 20, 2023
- b. Accounts Payable Check History – June 2023
- c. Board and Employee Expense/Reimbursements – June 2023
- d. Active Accounts – June 2023
- e. Bond Covenant Status for FY 2022-23 – June 2023
- f. CASH - Detail Schedule of Investments– June 2023
- g. Consultants Expenses – June 2023
- h. Major Capital Improvement Projects – June 2023

Items a and e were pulled for questions.

Vice-chair Paul Lindsay provided direction to staff to change the word “asked” to “directed” in the minutes for item 6. General Manager Employment Agreement Amendment of the June 20, 2023, Regular Board Meeting.

Director Elliot Mulberg asked about the Bond Covenant status. Staff provided answers to his questions.

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

### 5. **Florin Resource Conservation District Associate Director Appointment**

Ms. Phillips presented the item to the Board.

In summary, an application for Associate Director to the Board was submitted by Robert Stresak. He submitted all required documents per the Associate Directors Policy. Mr. Stresak was a member of the last two (2) Water Rate Study Community Advisory Committee. The Board provided positive feedback about Mr. Stresak.

MSC (Lindsay/Medina) to appoint Robert Stresak as Associate Director to the Florin Resource Conservation District Board of Directors. 5/0: Ayes: Lindsay, Nelson, Medina, Mulberg and Scherman.

## **6. Elk Grove Water District Fiscal Year 2022-23 Quarterly Operating Budget Status Report**

Mr. Lee presented the item to the Board.

In summary, revenues collected through the fourth quarter of the fiscal year total \$15,914,508, which is 100.26% of the \$15,873,385 annual budget. The revenues are \$192,271 or 1.19% below the same quarter of the prior year due to an overall reduction in consumption for the months of July, August, and September 2022 because of conservation efforts and then an increase in rainfall during the months of January, February, and March, resulting in less water consumption.

## **7. Elk Grove Water District Fiscal Year 2022-23 Quarterly Capital Reserve Status Report**

Mr. Lee presented the item to the Board.

In summary, through the fourth quarter of Fiscal Year 2022-23, the District expended \$2,314,581 for capital projects and \$1,887 on elections costs, leaving a remaining total reserve balance on June 30, 2023, of \$17,101,488.

## **8. Rosenberg's Rules of Order – Amendment to the Bylaws of the Florin Resource Conservation District**

Mr. Kamilos presented Rosenberg's Rules of Order (Rosenberg's Rules) to the Board.

In summary, the District stipulates using Robert's Rules of Order (Robert's Rules) as a guide on all points not specified in the Amended and Restated Bylaws of the Florin Resource Conservation District (Bylaws). Robert's Rules was written in 1876 for the purpose of chairing or running a parliament. In contrast, Rosenberg's Rules was written in the 21st century as a simple, concise, and easy-to-understand guide for running board meetings of local government agencies. Staff recommended revising section 8.2(a) of the Bylaws to refer to Rosenberg's Rules in place of Robert's Rules as shown in the strikeout version of the Bylaws.

After some discussion, the Board moved to table the item until the next board meeting, pending General Counsel Andrew Ramos providing a presentation on Rosenberg's Rules.

MSC (Mulberg/Medina) to table amending the Bylaws of the Florin Resource Conservation District section 8.2 (a) until general counsel provides a presentation on Rosenberg's Rules of Order. 5/0: Ayes: Lindsay, Nelson, Medina, Mulberg and Scherman.

## **9. Trench Plate Purchase**

Associate Engineer Ben Voelz presented the item to the Board.

In summary, following the adoption of the District's Fiscal Year (FY) 2023-24 Operating Budget and FY 2024-2028 Capital Improvement Program (CIP), staff solicited bids from three (3) companies for the procurement of 40 new six-foot by ten-foot steel trench plates. Currently, the District rents 40 six-foot by ten-foot steel trench plates at a discounted rate of \$5 per plate per day. This equates to a rental expense of \$73,000 per year. This cost is likely to increase over time. The current average rental cost of trench plates from companies in the Sacramento area is between \$8 to \$10 per plate per day. The payout for purchasing trench plates as opposed to renting them is no more than two (2) years at the current rental rate. If the rental rate increases, then the payout period would be even less. Trench and Traffic Supply was the lowest responsive, responsible bidder with a bid amount of \$117,450.00.

MSC (Scherman/Medina) to authorize the General Manager to execute a purchase order in the amount of \$117,450.00 to Trench and Traffic Supply to procure 40 new six-foot by ten-foot steel trench plates. 5/0: Ayes: Lindsay, Nelson, Medina, Mulberg and Scherman.

## **10. Backhoe Loader Purchase**

Mr. Voelz presented the item to the Board.

In summary, the District currently owns a 2006 Caterpillar, Inc. (CAT) model 420E backhoe loader that is shared by both the Distribution and Utility crews. The backhoe loader is primarily dedicated to the Utility crew for water main replacement projects. When the backhoe is needed for leak repair or maintenance, the Distribution crew must borrow the backhoe from the Utility crew until the work is completed. Using the average amount of leaks over the past four (4) years, the backhoe is borrowed by the Distribution crew for an average 236.25 hours per year. This results in a substantial loss of production for the Utility crew. Purchasing a new backhoe loader is included in the approved FY 2023-24 CIP budget.

Director Mulberg asked why staff went sole source for the backhoe loader. Mr. Voelz explained that Holt is the only CAT dealer in the region and that the District already owns and knows how to properly use CAT products. He also mentioned that Holt is the District's maintenance service provider for the CAT equipment.

MSC (Lindsay/Medina) to authorize the General Manager to execute a purchase order in the amount of \$209,462.77 to Holt of California to procure a new backhoe loader. 5/0: Ayes: Lindsay, Nelson, Medina, Mulberg, and Scherman.

## **11. Amendment to District Procurement Policies Purchasing Thresholds**

Mr. Kamilos presented the agreement to the Board.

In summary, the District adopted the Purchase of Goods and Services from Outside Vendors Policy (Purchasing Policy) and the Professional and Consultant Services Agreements Policy (Professional Services Policy) back in 2018-2019. Both policies contain threshold limits for costs related to purchases of goods and services and professional and consultant services. Costs for goods and services and professional and consultant services have risen since the policies were adopted. To bring the policies current with rising costs, staff recommended raising the threshold limit from \$3,000 to \$5,000 between minor and intermediate purchases of goods and services, and for the acquisition of professional and consultant services.

Director Mulberg asked if staff would split jobs into smaller orders to keep under the threshold amount to use the same vendor without bidding. Mr. Lee pointed to Section 5 of the District's Purchasing Policy which states, "It is against District policy to split into smaller orders the purchase of goods or services for the purpose of evading the competitive bidding provisions of this policy".

MSC (Scherman/Medina) to adopt: 1. Resolution No. 07.18.23.02, amending the Purchase of Goods and Services from Outside Vendors Policy to increase the cost threshold between "minor purchases" and "intermediate purchases" from \$3,000 to \$5,000 and 2. Resolution No. 07.18.23.03, amending the Professional and Consultant Services Agreements Policy to increase the cost threshold by which professional and consultant services may be acquired from \$3,000 to \$5,000. 4/1: Ayes: Nelson, Medina, Mulberg and Scherman Noes: Lindsay

## **12. Legislative Matters and Potential Direction to Staff**

Mr. Franklin presented the current legislative matters to the Board.

**13. General Manager's Report**

Mr. Kamilos presented the item to the Board. This month, he explained that the State Water Resource Control Board will be conducting a public hearing regarding proposed hexavalent chromium maximum containment level (MCL) regulations. He explained all the District's wells are under the proposed hexavalent chromium MCL.

Mr. Kamilos also asked for direction from the Board to nominate John Woodling to the Association of California Water Agencies Groundwater Committee. The Board directed Mr. Kamilos to nominate Mr. Woodling.

**14. Elk Grove Water District Operations Report – June 2023**

Mr. Kamilos presented the EGWD Operations Report – June 2023 to the Board.

Mr. Franklin explained to the Board how the District keeps the field workers safe during days of high heat.

**15. Directors Comments**

Director Mulberg asked staff to provide an update on the Groundwater Recharge program at a future meeting.

Adjourn to Regular Board Meeting on August 15, 2023.

Respectfully submitted,



Stefani Phillips, Board Secretary

AK/SP