

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

Tuesday, November 19, 2019

The regular meeting of the Florin Resource Conservation District Board of Directors was called to order at 6:30 p.m. by Bob Gray, Vice-Chair, at 8820 Elk Grove Blvd., Elk Grove, CA.

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

Directors Present: Bob Gray, Lisa Medina, Elliot Mulberg, Sophia Scherman
Directors Absent: Tom Nelson
Staff Present: Mark Madison, General Manager; Bruce Kamilos, Assistant General Manager; Patrick Lee, Treasurer; Donella Murillo, Finance Supervisor; Stefani Phillips, Board Secretary; Jeff Ramos, Interim Program Manager
Staff Absent: None
Associate Directors Present: Paul Lindsay, Shahid Chaudhry
Associate Directors Absent: None
General Counsel Present: Ren Nosky, JRG Attorneys at Law

Public Comment

Nothing to report.

1. Proclamations and Announcements

General Manager Mark Madison informed the Florin Resource Conservation District (FRCD) Board of Directors (Board) that the FRCD received the Presidents Special Recognition Award from the Association of California Water Agencies Joint Power Insurance Authority (ACWA/JPIA). The FRCD was recognized primarily in Risk Management and Safety related to loss ratios for Liability and Property Insurance Coverages. The Board asked that staff place the awards in the lobby for public viewing.

Mr. Madison recognized Water Distribution Operator II Jose Mendoza and Water Distribution Operator II Michael Montiel for their 10 years of service to the Elk Grove Water District (EGWD). Mr. Madison also recognized Human Resources Administrator Stefani Phillips for her 20 years of service with EGWD.

Lynn Wheat told the Board that she appreciates hearing about the people that work for the District.

In the absence of Chair Tom Nelson, Vice-Chair Bob Gray asked the Board to approve an amendment to the agenda adding two (2) items: 1) Resolution to Nominate Pamela Tobin for Vice-President of the ACWA for the 2020-2021 Term, and 2) Closed Session – Conference with Real Property Negotiators, both of which arose after the agenda was posted and are time sensitive.

General Counsel Ren Nosky stated that Section 54954.2(b)(2) of the Brown Act allows a Board to take action on certain items that arise after the posting of the regular agenda, as long as the items need immediate action and cannot wait until the next meeting.

MSC (Scherman/Medina) to approve an amendment to the agenda adding two (2) items: 1) Resolution to Nominate Pamela Tobin for Vice-President of the ACWA for the 2020-2021

Term and 2) Closed Session – Conference with Real Property Negotiators. 4/0: Gray, Medina, Mulberg, and Scherman

2. Consent Calendar

- a. Minutes of Regular Board Meeting of October 15, 2019
- b. Warrants Paid – October, 2019
- c. Board and Employee Expense/Reimbursements – October, 2019
- d. Active Accounts – October, 2019
- e. Bond Covenant Status for FY 2019-20 – October, 2019
- f. Revenues and Expenses – Actual vs Budget FY 2019-20 – October, 2019
- g. Cash Accounts – October, 2019
- h. Consultants Expenses – October, 2019
- i. Major Capital Improvement Projects – October, 2019

MSC (Scherman/Mulberg) to approve Florin Resource Conservation District Consent Calendar items a-i. 4/0: Ayes: Gray, Medina, Mulberg, and Scherman.

Resolution to Nominate Pamela Tobin for Vice-President of the Association of California Water Agencies for the 2020-2021 Term

Added Pursuant to Government Code Section 54954.2(b)(2).

Mr. Madison provided background on the item.

In summary, Mr. Madison was approached by Pamela Tobin at the Regional Water Authority (RWA) Board Meeting on Thursday, November 14, 2019, asking that the Board approve a resolution that would allow the District to make a motion or second the nomination from the floor of the General Session Membership Meeting, happening the first week of December at the ACWA Fall Conference, nominating Pamela Tobin for Vice-President of ACWA for the 2020-2021 term.

MSC (Mulberg/Medina) to adopt Resolution No. 11.19.19.04, supporting the floor nomination of Pamela Tobin for Vice-President of the Association of California Water Agencies for the 2020-2021 term. The Board authorizes Vice-Chair Bob Gray to sign Resolution No. 11.19.19.04 on behalf of Chair Tom Nelson. 4/0: Gray, Medina, Mulberg, and Scherman

3. Committee Meetings

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

4. Elk Grove Water District Operations Report – October 2019

Mr. Madison presented an overview of the EGWD Operations Report – October 2019. He provided the summary points to the Board.

5. Commercial Class A Differential Pay Policy

Ms. Phillips presented the proposed policy to the Board members and provided background on the subject.

In summary, a policy establishing differential pay for water distribution and treatment operators who carry a Commercial Class A License (Class A License) was developed for the Board to consider. The proposed policy was developed to provide appropriate compensation to cover the personal impact the Class A License has on the employees; to aide in retention and recruitment; to enhance morale; and to assist the District in developing an elite team of

water operators. The proposed policy prescribes any full-time, non-exempt, water operator possessing a Class A License shall be paid a differential of \$1.50 per hour above his or her regular rate of pay. In preparation of the proposed policy, staff performed research of many agencies in the region to learn their requirements of the Class A License and if the agencies provide a differential pay. This information was provided during the Board Working Group meeting comprised of Chair Tom Nelson and Vice-Chair Bob Gray. The immediate annual impact on the operating budget is \$29,120, up to a maximum of \$49,920 for all future budget years.

Director Lisa Medina commented the importance of retaining staff and believes the Commercial Class A Differential Pay Policy is a benefit that helps ensure that.

Director Elliot Mulberg inquired about the process to acquire a Class A License. Ms. Phillips explained the process the employees have to go through in order to receive a Class A License.

Mr. Madison explained the impact on the personal lives of those who hold a Class A License. There was a lengthy discussion on the topic.

Associate Director Paul Lindsay asked a few questions, including the District's need for Class A Licenses. He also commented his opinion that staff reports should provide sufficient background supporting the recommendation, such as the research conducted for the public's knowledge.

MSC (Medina/Scherman) to adopt Resolution No. 11.19.19.01, amending the Employee Policy Manual to include Section 4.2.13 Commercial Class A License Differential Pay. The Board authorizes Vice-Chair Bob Gray to sign Resolution No. 11.19.19.01 on behalf of Chair Tom Nelson. 4/0: Gray, Medina, Mulberg, and Scherman

6. Board of Director Orientation Policy

Ms. Phillips presented the proposed policy to the Board members and provided background on the subject.

In summary, staff has developed a policy establishing an orientation process for newly elected or appointed Board members. This process will help the new Board members to understand the District, including its services, facilities and programs, as well as ensure they are properly carrying out their roles. This policy helps the District comply with part of Grand Jury Report recommendation R10, which is to establish an onboarding process for new Board members that includes information on policy and operations. This policy also follows the District's key objective for Fiscal Year 2019-20 to update all Board policies, including the addition of new policies.

MSC (Scherman/Medina) to adopt Resolution No. 11.19.19.02, establishing a Board of Director Orientation Policy. The Board authorizes Vice-Chair Bob Gray to sign Resolution No. 11.19.19.02 on behalf of Chair Tom Nelson. 4/0: Gray, Medina, Mulberg, and Scherman

7. Amendment to the Professional and Consultant Services Agreements Policy

Finance Manager Patrick Lee presented the item to the Board.

In summary, staff made proposed changes to the Professional and Consultant Services Agreements Policy. The proposed changes came from the Grand Jury Report, specifically recommendations R5 and R6, and were intended to address the types of professional and

consultant services required to be procured through the policy and to address the use of interim contracts. Staff also proposed the addition of time constraint justification to Section 7.

MSC (Scherman/Medina) to adopt Resolution No. 11.19.19.03, amending and replacing the Professional and Consultant Services Agreement Policy. The Board authorizes Vice-Chair Bob Gray to sign Resolution No. 11.19.19.03 on behalf of Chair Tom Nelson. 4/0: Gray, Medina, Mulberg, and Scherman

8. Status Update on Action Items Following the 2019 Grand Jury Report – The Florin Resource Conservation District – A Case of Mistaken Identity?

Mr. Madison provided an update on the Grand Jury Report action items. He informed the Board on the status of the action items to date, in reference to all the recommendations.

Assistant General Manager Bruce Kamilos explained the pilot program for the iHydrant to the Board. Director Medina asked about the potential cost to ratepayers of the iHydrant. Mr. Kamilos informed Director Medina that the iHydrants are economically priced and the expense impact to the District was looked at closely when deciding on which product to purchase. He also explained the other expenses that come with the use of the iHydrant, including an annual fee for a data plan.

The District is in line to complete all recommendations on time.

Mr. Lindsay complimented the Board and staff on their efforts to comply with the recommendations given by the Grand Jury Report.

9. Outside Agency Meetings Report

Staff and Board members spoke regarding the meetings they attended since the last Regular Board Meeting.

Mr. Madison thanked Jeff Ramos for helping the District.

10. Directors Comments

Nothing to report.

Closed Session

Added Pursuant to Government Code Section 54954.2(b)(2).

a. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: APN# 134-0072-016-0000

Agency negotiator: Mark Madison

Negotiating parties: Cabrera Family Trust

Under negotiation: Price and terms of payment

Property: APN# 134-0072-015-0000

Agency negotiator: Mark Madison

Negotiating parties: Bigelow Family Trust

Under negotiation: Price and terms of payment

Property: APN# 134-0072-014-0000

Agency negotiator: Mark Madison

Negotiating parties: Anthony and Eloise Badique

Under negotiation: Price and terms of payment

Property: APN# 134-0072-013-0000

Agency negotiator: Mark Madison

Negotiating parties: E/A Properties, LLC, Balfour Properties, LLC,
and HJM Properties, LLC

Under negotiation: Price and terms of payment

Property: APN# 116-0100-085-0000

Agency negotiator: Mark Madison

Negotiating parties: City of Elk Grove

Under negotiation: Price and terms of payment

Property: APN# 134-0110-123-0000

Agency negotiator: Mark Madison

Negotiating parties: Elk Grove Masonic Lodge #173

Under negotiation: Price and terms of payment

This evening the Board of Directors authorized the General Manager by a vote of four (4) to nothing to terminate the purchase and sale agreement for the District's purchase of the four (4) parcels located on Elk Grove Blvd. with parcel numbers 134-0072-013-0000, 134-0072-014-0000, 134-0072-015-0000, and 134-0072-016-0000. The Board took no other reportable action.

Adjourn to Regular Board Meeting on December 17, 2019.

Respectfully submitted,

Stefani Phillips

Stefani Phillips, Board Secretary
AK/SP