

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

Tuesday, March 15, 2022

The regular meeting of the Florin Resource Conservation District Board of Directors was called to order at 6:00 p.m. by Chair Sophia Scherman via Zoom.

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

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

Public Comment

No comment.

1. Future Florin Resource Conservation District Board Meeting by Teleconference

Board Secretary Stefani Phillips presented the item to the Florin Resource Conservation District (District) Board of Directors (Board).

In summary, the Board has conducted board meetings by teleconference since April 21, 2020. On September 30, 2021, Executive Order No. N-29-20, which allows for board meetings to be conducted by teleconference expired. On September 15, 2021, the Governor passed Assembly Bill (AB) 361 extending the allowance of public board meetings to be conducted by teleconference effective October 1, 2021, through December 31, 2023. At the September regular board meeting, the Board concurred that meetings continue to be conducted by teleconference in accordance with AB-361. To meet by teleconference under AB-361, local agency boards must include an initial agenda item to consider finding that the circumstances allowing a teleconference meeting under AB-361 exist. After the initial meeting, if 30 days or less have elapsed since the last meeting, an agenda item should be included to renew the determination that meeting in person presents health risks. However, if more than 30 days have passed, an initial agenda item must be included to re-authorize meeting by teleconference under AB-361.

By unanimous consent, the Board found by a majority vote under Gov. Code § 54953, subd. (e)(1)(B) that as a result of the COVID-19 emergency: (i) meeting in person would present imminent risks to the health or safety of attendees; and (ii) the meeting is authorized to be held by teleconference pursuant to Gov. Code § 54953, subd. (e)(1)(C). 5/0: Ayes: Lindsay, Medina, Mulberg, Nelson and Scherman.

The Board voted to add a time sensitive item to the agenda following the consent calendar after exercising appropriate Brown Act requirements.

MSC (Medina/Lindsay) to add California Special Districts Association Calling for Nominations for Board of Directors as a time sensitive item to the agenda. 5/0: Ayes: Lindsay, Medina, Mulberg, Nelson and Scherman.

2. Proclamations and Announcements

Nothing to report.

3. Consent Calendar

- a. Minutes of Regular Board Meeting of February 15, 2022
- b. Accounts Payable Check History – February 2022
- c. Board and Employee Expense/Reimbursements – February 2022
- d. Active Accounts – February 2022
- e. Bond Covenant Status for FY 2021-22 – February 2022
- f. Year to Date Revenues and Expenses Compared to Budget – February 2022
- g. CASH - Detail Schedule of Investments – January 2022
- h. Consultants Expenses – February 2022
- i. Major Capital Improvement Projects – February 2022

Vice-Chair Tom Nelson pulled item b.

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

Vice-Chair Nelson asked about check number 054755, the Water Arrearages Program Unused Fund Reimbursement that was sent to State Water Resources. Finance Manager Patrick Lee explained only \$145,754 of the original \$246,619 was applicable for the arrearages program after taking the time frame into consideration, as well as customers paying their bills by the time the District was awarded the funds.

MSC (Nelson/Medina) to approve Florin Resource Conservation District Consent Calendar item b. 5/0: Ayes: Lindsay, Medina, Mulberg, Nelson and Scherman.

California Special Districts Association Calling for Nominations for Board of Directors

Ms. Phillips presented the item to the Board.

In summary, the California Special Districts Association (CSDA) is calling for nominations for various seats on the Board of Directors for the term 2023-2025. Director Elliot Mulberg is interested in being a board member for the CSDA.

MSC (Nelson/Medina) to adopt Resolution No. 03.15.22.04, placing in nomination Elliot Mulberg as a member of the California Special District Association Board of Directors representing Sierra Network Seat B. 5/0: Ayes: Lindsay, Medina, Mulberg, Nelson and Scherman.

4. Groundwater Workshop – Conjunctive Use

General Manager Bruce Kamilos presented a PowerPoint on conjunctive use to the Board.

5. Florin Resource Conservation District/Elk Grove Water District 2020-025 Strategic Plan Update

Mr. Kamilos presented the item and gave background information to the Board.

In summary, Mr. Kamilos went over each of the objectives, as well as an anticipated timeline of when

those objectives are to be completed, necessary to reach the seven (7) strategic plan goals. The seven (7) strategic goals are: 1. Governance and Customer Engagement – Conduct public affairs and manage public resources in an effective, efficient and transparent manner; 2. Fiscal Responsibility – Make financial decisions that benefit District customers; 3. Planning and Operational Efficiency – Practice ongoing infrastructure renewal and organizational improvement through planning and increased operational efficiency; 4. Protection of Public and Environmental Health – Provide a safe, abundant and reliable water supply; 5. Community Relations and Customer Engagement – Increase engagement with the customers and community to provide superior customer service, increase public awareness of the water industry and the District; 6. Employer of Choice – Attract and retain skilled employees. The District remains a driven, supportive and family-oriented work environment; and 7. Water Industry Leadership – Demonstrate water industry leadership through partnerships and active participation in regional and statewide water efforts.

After discussion, staff will bring the Board Bylaws back to the Board for discussion and update at the September meeting.

Mr. Kamilos would like to kick off an “Exceptional Customer Service Campaign” as a key objective for the next fiscal year.

Director Elliot Mulberg made a recommendation to Staff to put an article in the Elk Grove Citizen to provide an update on the new administration building. Staff will do so.

6. Amendment to the Elk Grove Water District Employee Policy Manual

Ms. Phillips presented the item to the Board.

In summary, staff proposed language be added to sub-section 5.9.5, Post-Retirement Benefits of the Employee Policy Manual, specifically, 5.9.5.5 Health Savings Account, to clarify that Health Savings Account (HSA) is incorporated with the high deductible plans for retirees. Additionally, staff confirmed with legal counsel, LCW, that including the HSA for retirees is legal and conforms with the District’s policy. There is no direct financial impact related to the amendment because the benefit remains limited to the maximum medical insurance contribution established by the District.

MSC (Nelson/Medina) to adopt Resolution No. 03.15.22.01, amending the Elk Grove Water District Employee Policy Manual, sub-section 5.9.5, Post-Retirement Benefits. 5:0 Ayes: Lindsay, Medina, Mulberg, Nelson, and Scherman

7. Amendment to Professional Services Agreement with Earl Consulting Co. for Project Management Services

Mr. Kamilos provided background on the item.

In summary, staff would like to issue a contract amendment for the professional services agreement with Earl Consulting Co. in an amount not-to-exceed \$28,000 to complete the construction phase of the Administration Building Tenant Improvement Project. Tasks include reviewing construction submittals for the Project and providing direction back to the contractor as needed; attending weekly construction meetings to resolve any issues; reviewing monthly payment applications from the contractor; and inspecting the work. These are tasks best suited for Bob Earl who has years of construction experience on projects similar to the one the District is constructing. At the February 15, 2022, board meeting, the Board approved an amendment to the FY 2021-22 Capital Improvement Program (CIP) and FY 2021-22 Operating Budget for the Project that includes the additional \$28,000 for Earl Consulting Co. Staff requested an amendment to the Agreement to keep Earl Consulting Co.’s contract within the approved amended CIP and operating budget.

MSC (Medina/Lindsay) to authorize the General Manager to execute an amendment to the professional services agreement with Earl Consulting Co. for an additional amount not-to-exceed \$28,000 bringing the contract total to a not-to-exceed amount of \$78,000.5/0: Ayes: Lindsay, Medina, Mulberg, Nelson and Scherman.

8. Florin Resource Conservation District Election

Ms. Phillips presented the item to the Board.

In summary, Board members individually serve a four (4) year term. Every two (2) years an election is held, and the Board must adopt a resolution calling the General Election (Election). The resolution also identifies that the candidates may voluntarily purchase a candidate's statement of 200 words at the Registrar of Voters office. The District will have three (3) Board members whose terms will end in December 2022, Directors Paul Lindsay, Elliot Mulberg and Tom Nelson.

MSC (Medina/Nelson) to adopt Resolution No. 03.15.22.02, calling the General Election and requesting consolidation with the November 8, 2022, statewide election. 5:0 Ayes: Lindsay, Medina, Mulberg, Nelson and Scherman.

9. Disposal of Surplus Properties

Program Manager Travis Franklin presented the item to the Board.

In summary, the FRCD owns four (4) pieces of real property each under 5,000 square feet inside the Elk Grove Water District (EGWD) service area. These properties are not being used by the District and may be sold following the District's Disposal of Surplus Property Policy (Policy).

MSC (Lindsay/Medina) to adopt Resolution No. 03.15.22.03, declaring that the real properties of assessor's parcel numbers 134-0470-077, 125-0330-022, 134-0380-016, and 134-0670-028 are surplus and subject to Florin Resource Conservation District's Disposal of Surplus Property Policy. 5:0 Ayes: Lindsay, Medina, Mulberg, Nelson and Scherman.

Director Paul Lindsay excused himself from the Board meeting.

10. Legislative Matters and Potential Director to Staff

Mr. Franklin presented the item to the Board.

After presenting the current bills that could have a potential impact on the District, Director Mulberg asked, in regard to Assembly Bill 1902 – Resource Conservation: resource conservation districts, if staff has discussed or approached the California Association of Resource Conservation Districts about including compensation for directors since they are amending the enabling act. Mr. Franklin informed Director Mulberg, staff has not yet, but if it is something the Board wants staff to entertain then we will. The Board agreed to have staff to take steps to add compensation language for directors to Assembly Bill 1902.

11. General Managers Report

Mr. Kamilos presented the item to the Board.

In summary, Mr. Kamilos gave an update on when the American River Plan Act (ARPA) funds will be disbursed to the District, as well as informed the Board that staff has requested ARPA funds for Advanced Metering Infrastructure and a well rehabilitation project. He also explained the construction on the new Administration Building started and provided a timeline of when the project will be completed.

12. Elk Grove Water District Operations Report – February 2022

Mr. Kamilos presented the EGWD Operations Report – February 2022 to the Board and provided information on a couple operational events.

In summary, the Valve Exercising and Hydrant Maintenance program, which was paused to send the Distribution crew to more critical work, will start back up in March. Staff will be changing the metric for hydrant maintenance to free up a fulltime employee. Next, Well 11D is still off. Staff has been dealing with a couple different issues and need to do a bit more troubleshooting. Staff is doing their own investigative study by getting inside the water filtration vessels at water treatment plant to determine the extent of fouling from sand.

13. Directors Comments

Nothing to report.

Adjourn to Regular Board Meeting on April 19, 2022.

Respectfully submitted,

Stefani Phillips

Stefani Phillips, Board Secretary

AK/SP