

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

**Tuesday, November 17, 2020**

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  
Consultant Present: Shellie Anderson, Bryce Consulting

**Public Comment**

Nothing to report.

**1. Proclamations and Announcements**

General Manager Mark Madison announced to the Florin Resource Conservation District (FRCD) Board of Directors (Board) that Director Elliot Mulberg's nomination was formally accepted by the California Special Districts Association (CSDA) Legislative Committee.

**2. Consent Calendar**

- a. Minutes of Regular Board Meeting of October 15, 2020
- b. Warrants Paid – October, 2020
- c. Board and Employee Expense/Reimbursements – October, 2020
- d. Active Accounts – October, 2020
- e. Bond Covenant Status for FY 2020-21 – October, 2020
- f. Revenues and Expenses – Actual vs Budget FY 2020-21 – October, 2020
- g. Cash Accounts – October, 2020
- h. Consultants Expenses – October, 2020
- i. Major Capital Improvement Projects – October, 2020

Item f was pulled.

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

Vice-Chair Bob Gray mentioned he would prefer the new footnote added to Item f reflect the receivables as of months end. Staff will reflect months end balance going forward.

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

## **10. Florin Resource Conservation District/Elk Grove Water District Engineering Technician Series Classification Compensation Study**

Human Resources Administrator Stefani Phillips presented the item to the Board.

In summary, the FRCD/Elk Grove Water District (District) held interviews for an Engineering Technician I position and unfortunately, was unsuccessful in acquiring a candidate. Staff reevaluated the needs of the Technical Services Department and concluded that establishing an Engineering Technician series classification would provide more depth within the department, allow growth within the classification series, and ultimately provide the potential of drawing in a more diverse candidate pool with a broader skillset and experience. For the development of the proposed Engineering Technician series classification, the District retained Bryce Consulting in October 2020, who conducted an Engineering Technician Series Classification and Compensation Study. The series included the development of two (2) additional classifications, an Engineering Technician II, and III.

Bryce Consulting completed the study and concluded that the compensation for the Engineering Technician series was predicated on the Engineering Technician II position because of the stability in data. The labor market median monthly maximum for the Engineering Technician II, obtained from the District's general labor market agencies, is \$6,694 not including benefits (\$9,520 including benefits), which is Grade 53 of the Districts Salary Schedule. The study recommends setting the Engineering Technician I compensation 10% below the Engineering Technician II (Grade 50) and setting the Engineering Technician III 15% above the Engineering Technician II (Grade 59). The recommendation for setting the compensation is consistent with the market and industry standards.

MSC (Scherman/Medina) to adopt Resolution No. 11.17.20.03: 1. Accepting the Florin Resource Conservation District/Elk Grove Water District Engineering Technician Series Classification and Compensation Study; 2. Authorizing the creation of the Engineering Technician II and III classifications; and 3. Amending the Elk Grove Water District Salary Schedule to incorporate the recommended salaries for Engineering Technician series I, II, and III classifications. 5/0: Ayes: Gray, Medina, Mulberg, Nelson and Scherman.

## **3. Elk Grove Water District Operations Report – October 2020**

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

Mr. Madison explained there was a positive hit on a sampling site for chloroform. The District followed up with samples at the site, as well as upstream and downstream of the location and believe it to be an anomaly with no positive samples apparent during the second sampling.

## **4. Professional Services Agreement for Preparation of the 2020 Urban Water Management Plan and Water Shortage Contingency Plan**

Program Manager Travis Franklin presented the item to the Board.

In summary, every five (5) years, water agencies are required by the Urban Water Management Planning Act to prepare an Urban Water Management Plan (UWMP). Staff solicited proposals from six (6) consultant firms for the preparation of the UWMP and a Water Shortage Contingency Plan (WSCP). One (1) consultant firm, Tully & Young Inc., provided the District with a proposal. Tully & Young Inc provided a high-quality proposal and staff recommended selecting them to prepare the UWMP and WSCP for the EGWD.

Mr. Madison apologized for the oversight in the budget, explaining that the UWMP was not budgeted for in the Fiscal Year 2020-21 EGWD Budget.

MSC (Mulberg/Medina) to authorize the General Manager to execute a professional services agreement with Tully & Young Inc., in the amount of \$78,500, for the preparation of the 2020 Urban Water Management Plan and Water Shortage Contingency Plan. 5/0: Ayes: Gray, Medina, Mulberg, Nelson and Scherman.

## **5. Professional Services Agreements for Preparation of the 2020 Risk and Resilience Plan and Emergency Response Plan**

Mr. Franklin presented the item to the Board.

In summary, the American Water Infrastructure Act (AWIA) requires drinking water systems serving more than 3,300 people to develop or update risk assessments and emergency response plans. Staff solicited proposals from six (6) consultant firms for the preparation of the Risk and Resilience Plan (RRP) and Emergency Response Plan (ERP). Two (2) consultant firms, provided a proposal. Stantec Consulting Service Inc. (Stantec) provided a high-quality proposal and the Board Working Group (BWG), consisting of Chair Tom Nelson and Director Lisa Medina, and staff recommends selecting Stantec to prepare the RRP and ERP for the District.

Mr. Madison apologized for the oversight in the budget, explaining that the RRP and ERP were not budgeted for in the Fiscal Year 2020-21 EGWD Budget.

MSC (Mulberg/Medina) to authorize the General Manager to execute a professional services agreement with Stantec Consulting Service Inc., in the amount of \$98,212, for the preparation of the 2020 Risk and Resilience Plan and Emergency Response Plan. 5/0: Ayes: Gray, Medina, Mulberg, Nelson and Scherman.

## **6. District Administration Building Tenant Improvements Project – Architect Service Agreement**

Assistant General Manager Bruce Kamilos presented the item to the Board.

In summary, on September 29, 2020, the Professional Services Review Committee (PSRC) met to discuss the proposals the District received from five (5) architectural firms for the District Administration Building Tenant Improvements Project (Project). The proposals described the approach the architectural firms would take to complete the Project using the design-assist/build delivery method. From the five (5) proposals, the PSRC selected three (3) architectural firms to interview for the purpose of selecting a finalist to recommend to the Board.

On October 29, 2020, the PSRC interviewed MFDB Architects, Williams + Paddon Architects, and Moniz Architecture. The PSRC unanimously identified MFDB Architects as the preferred architectural firm to recommend to the Board. The PSRC's ranking of MFDB Architects was based on the unanimous determination that MFDB's proposal offered the best team for the District to work with on the project. The MFDB team has considerable depth, and has experience working with contractors on projects using the design-assist/build delivery method. MFDB also displayed a thorough understanding of the project scope of work and has extensive experience working with the City of Elk Grove on other projects, including the successful renovation of the Cosumnes Community Services District Administration Building.

Mr. Madison explained there will be two (2) workshops with the Board on December 8, 2020 and December 15, 2020. The purpose of these workshops is to review the items that should be included in the project.

MSC (Scherman/Medina) to adopt Resolution No. 11.17.20.01, amending the Elk Grove Water District Fiscal Year 2021-25 Capital Improvement Program and approving an appropriation of

\$255,750 from Future Capital Improvement Reserve funds to the fiscal year 2020-21 Capital Improvement Program budget and amending the Elk Grove Water District Fiscal Year 2020-21 Operating Budget appropriating an additional \$255,750 from operating reserves to fund expenditures in excess of revenues for fiscal year 2020-21; and authorize the General Manager to execute a professional services agreement with MFDB Architects Inc., for an amount not-to-exceed \$192,500, to provide architectural and engineering consultant services for the District Administration Building Tenant Improvements Project. 5/0: Ayes: Gray, Medina, Mulberg, Nelson and Scherman

## **7. Truck Purchases**

Mr. Kamilos presented the item to the Board.

In summary, the replacement of Trucks #102, 402 and 413 were included in the Fiscal Year 2020-21 Capital Improvement Program. In accordance with the District's Purchase of Goods and Services from Outside Vendors Policy, competitive bids were requested from four (4) vendors. The lowest responsive, responsible bidder was Elk Grove Ford with a bid amount of \$84,117.82.

MSC (Medina/Nelson) to authorize the General Manager to execute a purchase order in the amount of \$84,117.82, including tax and title fees, with Elk Grove Ford to purchase three (3) pickup trucks. 5/0: Ayes: Gray, Medina, Mulberg, Nelson and Scherman.

## **8. Nomination for Membership on Sacramento Local Agency Formation Commission Special District Advisory Committee**

Ms. Phillips presented the item to the Board.

In summary, Sacramento Local Agency Formation Commission (LAFCo) Special District Advisory Committee (SDAC) has seven (7) vacant seats for Office "B", which will serve a two (2) year term from January 2021 through December 2022. Nominations are being requested and new members will be selected by the SDAC Sub-committee, subject to confirmation by LAFCo.

The Board chose not to nominate anyone.

## **9. Additional Discretionary Payment to CalPERS**

Finance Manager Patrick Lee presented the item to the Board.

In summary, the District is a participant in the Public Agency Cost-Sharing, Multi-Employer Defined Benefit Pension Plan (Plan) administered by the California Public Employees' Retirement System (CalPERS). The Plan provides service retirement and disability benefits, annual cost of living adjustments and death benefits to District employees upon retirement from the District after at least five (5) years of service. Staff reviewed the June 30, 2019 actuarial valuations in conjunction with an analysis of the District's reserves and has developed a funding plan to continue the prudent financial management of District resources and to achieve potential future cost savings.

The District has reserve balances of approximately \$16.1 million as of October 31, 2020. The District's reserves continue to increase year over year, even without rate increases. The last time the District implemented a rate increase was January 1, 2018 and have since been able to defer any additional rate increases as a result of prudent financial management and cost control efforts. The District will continue to defer any rate increases through December 31, 2021. As part of continuing to manage the District's finances in a prudent manner and identifying ways to maintain cost savings, staff has identified the District's Unfunded Accrued Liability related to the Plan as a potential area for long term cost savings. An additional discretionary payment (ADP) to CalPERS could potentially result in interest savings on future contributions to the Plan.

MSC (Gray/Medina) to adopt Resolution No. 11.17.20.02: 1. Amending the Elk Grove Water District Fiscal Year 2020-21 Operating Budget to reflect an appropriation from operating reserves to nonoperating expenses in the amount of \$1,709,239; and 2. Authorizing the General Manager to make an additional discretionary payment to CalPERS in the amount of \$1,709,239 to pay down the unfunded accrued liability as calculated by the June 30, 2019 CalPERS actuarial valuation for both the Classic and PEPRA plans. 5/0: Ayes: Gray, Medina, Mulberg, Nelson and Scherman.

### **11. Outside Agency Meetings Report**

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

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

Mr. Franklin provided a legislative update to the Board.

In summary, the Regional Water Authority and California Special Districts Association (CSDA) held a Legislative Committee meeting during which the proposed Board Member compensation legislation was discussed. CSDA took the position to not support this legislation, this is the same position taken in the 2020 legislative session. Unfortunately, the District was not made aware of this meeting and was unable to have a discussion with CSDA members before this topic was brought up to determine CSDA's position. Staff will continue to look for avenues to advance this legislation.

Mr. Madison suggested approaching another author to help with the legislation or to try and work with Assemblymember Jim Cooper. If the District chooses to go with another author, he suggested the District should approach Susan Talamantes Eggman to carry the legislation.

Mr. Madison also suggested advancing legislation for Resource Conservation Districts to compensate Board members. He mentioned working with Ryan Ojakian to reshape the legislation as a one-off bill so that it only pertains to the FRCD.

Discussion ensued on the topic.

Staff will bring back an update at the December Board meeting.

### **13. Directors Comments**

Chair Nelson brought up the CSDA District of Distinction award that is almost complete. He mentioned all that is left is training that is needed by a few of the Board members. A few Board members objected to completing the training. The Board will consider pulling this objective out of the Strategic Plan at the December Board meeting.

Adjourn to Regular Board Meeting on December 15, 2020.

Respectfully submitted,

*Stefani Phillips*

Stefani Phillips, Board Secretary

AK/SP