Reclamation District No. 1000
Board of Trustees Meeting

1633 Garden Highway
Sacramento, CA 95833

December 13, 2019
MEETING MINUTES

The Reclamation District No. 1000 Board of Trustees met in regular session on this date at the District Office. Present were: Board President Jeff Smith; Vice President Chris Burns; Trustee Nick Avdis; Trustee Jag Bains; Trustee David Christophel; Trustee Thom Gilbert; Trustee Elena Lee Reeder; General Manager Kevin King; General Counsel Jim Day; Administrative Services Manager Joleen Gutierrez; District Foreman Tony DelCastillo and Administrative Assistant Christina Forehand.

Also Present: Scott Brown from Larsen, Wurzel & Associates, District Project Manager/Engineer Paul Devereux, and Legal Counsel Scott Shapiro.

1. **PRELIMINARY**

1.1 Call Meeting to Order
The meeting was called to order by Board President Jeff Smith.

1.2 Roll Call
Trustee Christophel, Trustee Smith, Trustee Avdis (arrived 8:05 am), Trustee Burns, Trustee Gilbert, incoming Trustee Elena Lee Reeder, and incoming Trustee Jag Bains.

1.3 Approval of the Agenda
A motion was made by Trustee Burns to approve the Agenda, seconded by Trustee Christophel, all in favor, and motion is approved.

1.4 Pledge of Allegiance

1.5 Oath of Office – Trustees Jeff Smith, Elena Lee Reeder, and Jag Bains
Trustee Avdis arrived in time to conduct the Oath of Office for new Trustees Elena Lee Reeder and Jag Bains.

1.6 Election of Board President and Vice President
Trustee Smith called for nominations for President and Vice President. Trustee David Christophel made a motion to nominate Trustee Jeff Smith as Board President, Trustee Nick Avdis seconded the motion as there were no other nominations for Board President Trustee Smith was elected as Board President. Trustee Nick Avdis made a motion to nominate Trustee

Chris Burns for Vice President, Trustee Elena Lee Reeder seconded the motion. Trustee Thom Gilbert self-nominated himself for Vice President, and Trustee David Christophel seconded the motion. The second motion failed to receive enough approving votes. The original motion was then called for a vote.

Moved/Seconded: Trustee Nick Avdis / Elena Lee Reeder
Ayes: Trustees Jag Bains, Elena Lee Reeder, Nick Avdis, Chris Burns
Noes: Trustees David Christophel, Jeff Smith, Thom Gilbert
Action: By a vote of 4 Ayes and 3 Noes, motion passes and Trustee Chris Burns is elected as Board Vice President.

1.7 Conflict of Interest
No Trustees reported having any conflicts of interest.

2. PRESENTATIONS
There were no scheduled presentations.

3. PUBLIC COMMENT
There were no public comments.

4. INFORMATIONAL ITEMS

4.1 – General Manager's Report: GM King provided a verbal report of activities since the November 2019 Board Meeting.

The General Manager's written report was included in the December 13, 2019 board packet for review. For informational purposes, GM King included in the packet the Agreement from the County to use RD 1000 properties as flood fight storage. He advised the Board that additional agreement details are necessary before requesting authorization from the Board to sign the Agreement. Trustee Smith directed staff to work with the County to identify potential locations for stockpile locations prior to the January 2020 Board Meeting.

There were no public comments related to the Agreement.

Trustee Burns asked about the District's SCADA system and whether a recent power monitor issue had been resolved. RD1000 Consultant Scott Brown from Larsen Wurzel & Associates addressed this question in detail. In summary, the SCADA installation at Plant 1 and Plant 8 experienced a monitoring failure due to an unforeseen configuration issue which TESCO immediately resolved. Trustee Smith inquired about functional testing had been performed. Mr. Brown indicated function testing had been performed, but power failure and response may not have been tested. Christophel asked whether additional testing is necessary. Mr. Brown stated there is still a minor communication issue with bandwidth. Once this issue is corrected, functional testing will be performed before signing off the project and entering into the warranty phase.

4.2 – Superintendent's Report: Update on activities since the November 2019 Board Meeting

A written informational summary was provided to the Board in the December 13, 2019 board packet.

4.3 – District Counsel's Report: Update on District Legal activities since the November 2019 Board Meeting

Counsel Jim Day provided a verbal report of his activities during November 2019.

5. CONSENT CALENDAR

All Consent Calendar items are considered routine, and the Board adopts them in one Motion, unless Trustees, staff or the public request specific items be discussed and/or removed from the Consent Calendar.

There were no items pulled for further discussion.

Moved/Seconded: Trustee Avdis / Trustee Burns
Ayes: Trustees Jeff Smith, Chris Burns, Nick Avdis, Elena Lee Reeder, Jag Bains, David Christophel, Thom Gilbert
Noes: None
Action: A motion passed to approve Consent Calendar Items 5.1, 5.2, 5.3, 5.4 in one motion.

5.1 Approval of Minutes from the November 14, 2019, Regular Board Meeting

Action: Approved Minutes from November 14, 2019, Board Meeting.

5.2 Treasurer's Report for November 2019.

Action: Approved Treasurer's Report for November 2019.

5.3 Expenditure Report: Review and Accept Report for November 2019.

Action: Reviewed and Accepted Expenditure Report for November 2019.

5.4 Budget to Actual Report: Review and Accept Report for November 2019.

Action: Reviewed and Accepted Budget to Actual Report for November 2019.

6. SCHEDULED ITEMS

6.1 Professional Services Agreement: Review and Consider Authorizing the General Manager to Execute a Professional Services Agreement with Downey Brand LLP for General Counsel Legal Services.

General Manager King announced the Board interviewed five respondents to the District's RFQ for Legal Services. Based on interview results, GM King was tasked by the Board to negotiate with Downey Brand LLP on time allotment and legal services provided by General Counsels Rebecca Smith and Scott Shapiro

General Manager King stated as part of the Agreement with Downey Brand LLP; the District is being asked to sign off on a few conflicts of interest waivers as Downey Brand also represents SAFCA and neighboring Reclamation Districts. Trustee Avdis inquired whether the Engagement Letter and Agreement had been made public. At this stage, the documents were not made public. The Board had a robust discussion concerning disclosing the terms of the General Counsel Agreement. Counsel Scott Shapiro made known that under the State Bar Rules of Conduct, Engagement Letters are protected under attorney-client privilege; therefore, not a public document. However, the Board can decide to make the document public after it has been fully executed. This determination can only be made by the client and not the attorney. Counsel Shapiro also confirmed a change under the Terms of Agreement section, where a sentence had been removed to coincide with the language in the engagement letter. After discussion, all Trustees were satisfied with Scott Shapiro's explanation and Agreement/Engagement Letter changes. It is the Board's desire to release the Agreement once signed.

There were no public comments.

Moved/Seconded: Trustee Nick Avdis/ Trustee David Christophel
Ayes: Trustees Jeff Smith, Chris Burns, Thom Gilbert, Nick Avdis, Elena Lee Reeder, Jag Bains David Christophel
Noes: None
Action: A motion passed to authorize General Manager King to sign the discussed conflict of interest waivers, execute the Professional Services Agreement with Downy Brand LLP for general counsel legal services, and to disclose the document publicly after full execution.

6.2 Audited Financial Statements Year End June 30, 2019: Review and Receive the Audited Financial Statements for Year-End June 30, 2019:

General Manager King stated the District's Financial Audit has been completed by Mary Ann Cropper of Cropper Accountancy. Finance Committee Chair Thom Gilbert provided a brief overview of the December 4, 2019 Finance Committee Meeting, where the financial audit was thoroughly reviewed and discussed. A few recommended changes to the GASB

statement were made after this meeting thereby creating the Audit Report in its final form. Trustee Gilbert briefed the Board of an overall clean audit. The audit is in its final form for the Board to review and accept.

There were no public comments.

Moved/Seconded: Trustee Chris Burns/ Trustee Thom Gilbert
Ayes: Trustees Thom Gilbert, Chris Burns, Nick Avdis, Jeff Smith, Elena Lee Reeder, Jag Bains, David Christophel
Noes: None
Action: A motion to receive the Audit Report for Year-End June 30, 2019 and publish the report publically is approved.

6.3 Peabody Lease Agreement 3rd Amendment: Review and Consider Authorizing the General Manager to Execute 3rd Amendment to Lease Agreement of District Property with Ross E. Peabody.

This item was pulled from the agenda.

6.4 2020 Creek Week Sponsorship: Review and Consider Approval of Financial Sponsorship for Support of Creek Week 2020.

The Sacramento Creeks Council is requesting the District's support for their 2020 Creek Week cleanup event scheduled for April 18-19. RD1000 is a long-time supporter of this event. Staff suggests a financial sponsorship at $1000, plus in-kind services during the event (estimated at $1000). The Board asked GM King to work with the Council to qualify for their $2000 Platinum Level Sponsorship.

There were no public comments.

Moved/Seconded: Trustee Nick Avdis / Trustee David Christophel
Ayes: Trustees Thom Gilbert, Chris Burns, Nick Avdis, Jeff Smith, Elena Lee Reeder, Jag Bains, David Christophel
Noes: None
Action: A motion to approve sponsorship of Creek Week 2020 with a $1000 financial contribution and $1000 in-kind contribution is approved.

6.5 Recognition of Service: Review and Consider Adoption of Resolution No. 2019-12-01 Recognizing Trustee Tom Barandas for Service to the Community.

Board President Jeff Smith presented outgoing Board Trustee Tom Barandas with a Resolution plaque thanking him for his decades of service to the community.
Outgoing Trustee Tom Barandas addressed the Board with a farewell speech and offered his continued expertise should the Board ever need his assistance. Board members offered individual comments and wished him well in retirement.

Moved/Seconded: Trustee Chris Burns/ Trustee Nick Avdis
Ayes: Trustees Thom Gilbert, Chris Burns, Nick Avdis, Jeff Smith, Elena Lee Reeder, Jag Bains, David Christophel
Noes: None
Action: A motion passed to adopt Resolution 2019-12-01, Recognizing Trustee Tom Barandas for his service to the community.

6.6 Recognition of Service: Review and Consider Adoption of Resolution No. 2019-12-02 Recognizing Trustee Frederick Harris for Service to the Community.

Outgoing Trustee Fred Harris was not in attendance to accept his Resolution.

There were no public comments.

Moved/Seconded: Trustee Nick Avdis / Trustee Thom Gilbert
Ayes: Trustees Thom Gilbert, Chris Burns, Nick Avdis, Jeff Smith, Elena Lee Reeder, Jag Bains, David Christophel
Noes: None
Action: A motion passed to adopt Resolution No. 2019-12-02, Recognizing Trustee Frederick Harris for his service to the community.

6.7 Recognition of Service: Review and Consider Adoption of Resolution No. 2019-12-03 Recognizing General Counsel Jim Day for Service to the Community.

Counsel Jim Day was presented a Resolution thanking him for his service to the District and community for many decades. He is wished well in retirement.

There were no public comments.

Moved/Seconded: Trustee David Christophel/ Trustee Nick Avdis
Ayes: Trustees Thom Gilbert, Chris Burns, Nick Avdis, Jeff Smith, Elena Lee Reeder, Jag Bains, David Christophel
Noes: None
Action: A motion passed to adopt Resolution No. 2019-12-03 Recognizing General Counsel Jim Day for his service to the community.

7. BOARD OF TRUSTEE'S COMMENTS

7.1 – Board Activity Updates:

7. 1.1. RD 1000 Committee Meetings Since Last Board Meeting

- Executive Committee (Smith, Barandas, & Burns) December 4, 2019
- Finance Committee (Gilbert & Smith) December 4, 2019

A summary of Committee Meeting Minutes was included for review in the December 13, 2019 board packet.

7.1.2 RD 1000 Committees No Meetings Since Last Board Meeting

- Legal Committee (Avdis, Barandas, & Harris)
- Operations Committee (Smith, Barandas, & Christophel)
- Personnel Committee (Harris, Burns, & Christophel)
- Urbanization Committee (Burns, Gilbert, & Avdis)

7.1.3 Trustee's Comments/Reports

Trustee Smith made known the Board President makes committee assignments. He will work with new board members to educate each about the work scope of each committee and as well as understand their individual interests. Committee assignments will be revealed during the January 2020 Board meeting.

8. Closed Session

No scheduled Closed Session items.

9. ADJOURN

Meeting adjourned.