



**Reclamation District No. 1000
Board of Trustees Meeting**

1633 Garden Highway
Sacramento, CA 95833

**MARCH 13, 2020
MEETING MINUTES**

The Reclamation District No. 1000 Board of Trustees met in regular session on March 13, 2020, at the District Office. Present were: Board President Jeff Smith; Vice President Chris Burns; Trustee Jag Bains, Trustee Elena Lee Reeder; General Manager Kevin King; Co-General Counsel Rebecca Smith; General Counsel Scott Shapiro; Administrative Services Manager Joleen Gutierrez; District Superintendent Don Caldwell and Administrative Assistant Christina Forehand.

Absent: Trustee Nick Avdis; Trustee David Christophel; Trustee Thom Gilbert.

1. PRELIMINARY

1.1. Call Meeting to Order

Board President Jeff Smith called the meeting to order.

1.2. Roll Call

Roll Call was taken by Board Secretary Joleen Gutierrez.

Present: Trustees Jag Bains, Elena Lee Reeder, Jeff Smith, Chris Burns,

Absent: Trustees Nick Avdis, David Christophel, and Thom Gilbert

1.3. Approval of Agenda

A motion to approve the Agenda was made by Trustee Chris Burns, seconded by Trustee Elena Lee Reeder, all in favor, and motion is approved.

Moved/Seconded: Trustees Chris Burns, Elena Lee Reeder

AYES: Trustees Jeff Smith, Jag Bains, Chris Burns, Elena Lee Reeder

NOES: None.

ABSTAIN: None.

ABSENT: Trustees Nick Avdis, David Christophel, Thom Gilbert

ACTION: A motion to approve the March 13, 2020 Board meeting agenda passed.

1.4. Pledge of Allegiance

All stand and recite the Pledge of Allegiance.

1.5. Conflict of Interest

No conflicts were identified.

2. PRESENTATIONS

No presentations were scheduled.

3. PUBLIC COMMENT (NON-AGENDA ITEMS)

No public Comments were made.

4. INFORMATIONAL ITEMS

4.1. GENERAL MANAGER'S REPORT: Update on activities since the February 2020 Board Meeting.

A copy of the General Manager's report was included in the March 13, 2020 Board packet. General Manager King stated his time was spent meeting with developers and the county on various development projects and drainage plans. An application was submitted for the Upper West Side.

The District is moving forward with the SCADA implementation and communication changes to resolve communication issues reported last month. The changes are being made per General Manager King's discussion with the Operations Committee.

General Manager King made known the Natomas Chamber's Annual State of Natomas Luncheon is scheduled for April 13, 2020; he extended the invitation to Trustees. Trustees Elena Lee Reeder, Jeff Smith Chris Burns, Jag Bains would like to attend. He also reported the District is now a member of the Natomas Chamber.

4.2. SUPERINTENDENT'S REPORT: Update on activities since the February 2020 Board Meeting.

General Manager King noted a minor correction to the Superintendent's Report. On page 76 – the total work hours spent on unauthorized encampment related changed from 25 hours to 177 hours. The total cost for the month is \$1789.09. The year to date is expense for work related to unauthorized encampments is \$48,700.20. GM King would like to make the breakdown clearer, and useful. To accomplish this, in the future, the pie chart will have additional categories.

Trustee Burns referenced an article in The Sacramento Bee and asked if the District is working with CHP on stings for illegal dumping. Superintendent Caldwell is currently not working with CHP on illegal dumping. He made known portable cameras were recently installed throughout the District.

Board President Jeff Smith asked if we have fewer or more encampments this year because the river is lower, and people are down farther. Superintendent Caldwell believes we have fewer encampments because of the levee projects where campers are actively kept out of the reach project area. General Manager King added there are still 50-75 camps at Discovery Park, and he believes there are additional camps in the floodplain closer to the water; campers just haven't migrated up to the levee prism yet. He reported the NEMDC is relatively clean when compared to last year.

4.3. DISTRICT COUNSEL'S REPORT: Update on activities since the February 2020 Board Meeting.

General Counsel Rebecca Smith provided an overview of her activities and provided a verbal overview of Serial Meetings (under The Brown Act), namely what constitutes a serial meeting and how best to avoid them. General Counsel Scott Shapiro was in attendance and helped to clarify questions and scenarios concerning serial meetings and maintaining transparency.

5. CONSENT CALENDAR

The Board considers all Consent Calendar items to be routine and will adopt them in one motion. There will be no discussion on these items before the Board votes on the motion, unless Trustees, staff or the public request specific items be discussed and/or removed from the Consent Calendar.

5.1. APPROVAL OF MINUTES: Approval of Minutes from February 14, 2020 Regular Board Meeting.

General Manager Kevin King requested to have Item 5.1 pulled from the Consent Calendar for a change. The change is to strike the last sentence of paragraph 5 on page 81 "After discussion the Board agreed to better communication."

MOVED/SECONDED: Trustee Chris Burns/Trustee Jeff Smith

AYES: Trustee Jag Bains, Trustee Chris Burns, Trustee Elena Lee Reeder, Trustee Jeff Smith

NOES: none.

ABSTAIN: none.

ABSENT: Trustee Nick Avdis, Trustee David Christophel, Trustee Thom Gilbert

ACTION: A motion to amend the February 14, 2020 Board meeting minutes is approved.

5.2. TREASURER'S REPORT: Approve Treasurer's Report for February 2020.

5.3. EXPENDITURE REPORT: Review and Accept Report for February 2020.

5.4. BUDGET TO ACTUAL REPORT: Review and Accept Report for February 2020.

Consent Calendar Items 5.2, 5.3, and 5.4 were adopted in one motion.

MOVED/SECONDED: Trustee Chris Burns/Trustee Elena Lee Reeder

AYES: Trustee Jag Bains, Trustee Chris Burns, Trustee Elena Lee Reeder, Trustee Jeff Smith

NOES: none.

ABSTAIN: none.

ABSENT: Trustee Nick Avdis, Trustee David Christophel, Trustee Thom Gilbert

ACTION: A motion to approve Consent Calendar Items 5.2, 5.3, and 5.4 is approved.

6. SCHEDULED ITEMS

6.1. WARRANT FOR FUND TRANSFER: Review and Consider Approval of Warrant for Transferring Funds between Investment Accounts.

General Manager Kevin King stated this is a request for approval for a warrant transfer of funds from the District's Sacramento County Treasurer's Fund to the District's LAIF Fund. He explained revenues are automatically placed in the Sacramento County Treasurer's Fund and that funds accumulate. The transferred funds will then be used to replenish the District's checking account as necessary. He noted the LAIF Fund has the highest liquidity and ease of transfer. He stated it has been a past practice by staff to move funds between accounts as necessary to meet business obligations.

The District's Administrative Services Manager Joleen Gutierrez projects existing funds in the District's LAIF account will be used up within the next 6-7 months and in anticipation of this she is requesting approval for a warrant transfer of funds in the amount of 1 million dollars to replenish the LAIF Fund. A handout was distributed to meeting attendees which presented the calculated rate of return for all funds; indicating the LAIF Fund as having the most favorable yield within the past year.

After robust discussion, it was determined that more information is desired supporting Fund transfers (i.e., Board Policies). Trustee Chris Burns asked several questions about budgeting, meeting obligations of operations reserve funds. Trustee Elena Lee Reeder requested to move this item to next month when all Trustees are present to make this decision. Trustee Jag Bains inquired about large fund transfer frequency. ASM Gutierrez made known the last \$1 million-dollar transfer request took place in October of 2018. President Jeff Smith explained that he is familiar with this process and that even with a transfer from fund to fund, it would still be the District's money. General Manager Kevin King recommended Board approval to transfer funds.

A motion was made to table Warrant for Fund Transfer to the next Board meeting.

MOVED/SECONDED: Trustee Chris Burns/Trustee Elena Lee Reeder

AYES: Trustee Jag Bains, Trustee Chris Burns, Trustee Elena Lee Reeder

NOES: Trustee Jeff Smith

ABSTAIN: None.

ABSENT: Trustee Nick Avdis, Trustee David Christophel, Trustee Thom Gilbert

ACTION: A motion passed to table Warrant for Fund Transfer to the next meeting with additional information.

7. BOARD OF TRUSTEE'S COMMENTS/REPORTS

7.1. BOARD ACTIVITY UPDATES:

7.1.1. RD 1000 Committee Meetings Since Last Board Meeting

- Legal Committee (Avis, Christophel, & Bains) February 25, 2020
- Personnel Committee (Christophel, Avis, & Burns) February 25, 2020
- Urbanization Committee (Lee Reeder, Burns, & Gilbert) February 25, 2020
- Finance Committee (Gilbert, Bains, & Smith) February 28, 2020
- Operations Committee (Smith, Christophel & Lee Reeder) March 3, 2020
- Executive Committee (Smith & Burns) March 4, 2020

8. CLOSED SESSION

- 8.1. PERSONNEL EVALUATION: Pursuant to Government Code § 54957, hold annual personnel evaluation of the General Manager. The Board will appraise and comment upon the performance of the General Manager. If any substantial changes in duties, compensation or benefits are to be considered or proposed, they will be considered in open session.
- 8.2. POTENTIAL LITIGATION: Conference with legal counsel, significant exposure to litigation pursuant to Gov. Code Sec. 54956.9(b) (1 case)
- 8.3. EXISTING LITIGATION: Conference with legal counsel, existing litigation (Gov. Code Sec. 54956) (Meyer v. DWR et al, Sacramento Superior Case No. 34-2020-34-00276397).

9. RECONVENE TO OPEN SESSION

9.1. Report from Closed Session

Item 8.1 - Counsel Scott Shapiro reported the Board provided a personnel evaluation to Kevin King.

Item 8.2 - Counsel Scott Shapiro reported direction was given to counsel and staff to provide a further briefing to the Board at the next meeting.

Item 8.3 - Counsel Scott Shapiro reported counsel was directed to prepare an agreement between the District and counsel so that counsel could represent it in Meyer v. DWR; that that representation would also provide defense to Mr. King and Mr. Devereux; and that counsel would work to try to get the case dismissed since Reclamation District 1000 cannot provide the remedy sought.

- 9.2. COMPENSATION & BENEFITS: Review, Discuss and Take Possible Action on General Manager's Compensation & Benefits.

GM Kevin King negotiated a monthly \$100 vehicle allowance increase and a 5% salary increase (inclusive of a COLA and performance increase). Trustee Jag Bains requested to have this information put into writing and to have legal counsel modify GM King's employment contract. The employment contract would then be presented to the full Board at the next Board meeting. Compensation is proposed to be retroactive to employee's anniversary date of hire.

MOVED/SECONDED: Trustee Chris Burns/Trustee Jag Bains

AYES: Trustee Jag Bains, Trustee Chris Burns, Trustee Elena Lee Reeder, Trustee Jeff Smith

NOES: none.

ABSTAIN: none.

ABSENT: Trustee Nick Avdis, Trustee David Christophel, Trustee Thom Gilbert

ACTION: A motion to amend General Manager Kevin King's employment contract with a 5% salary increase (inclusive of a COLA and performance increase), and a \$100 monthly vehicle allowance increase, to be paid retroactively to employee's anniversary date of hire is approved.

10. ADJOURN

Meeting adjourned.