

RECLAMATION DISTRICT NO. 1000  
BOARD OF TRUSTEES  
ACTION SUMMARY  
August 11, 2017  
1633 Garden Highway  
Sacramento, CA 95833

Trustees Present: Barandas, Christophel, Gilbert, Harris, Jones and Smith

Trustees Absent: Nick Avdis

Staff in Attendance: General Manager Devereux, Board Secretary Gutierrez, Foreman Tony Del Castillo, Attorney James Day, and PR Consultant Karen Pardieck; Administrative Assistant Christina Forehand

**President Smith presided at the meeting.**

**1. Approval of the Minutes – July 14, 2017**

Staff Counsel Jim Day requested minor correction to July 14, staff counsel meeting minutes.

It was moved by Trustee Christophel to adopt the minutes of July 14, 2017 as corrected. The motion was seconded by Trustee Barandas, duly put and carried by a unanimous vote.

**2. Administrative Items**

**A. Treasurer’s Report for July 2017**

Fund Balances for July 2017 follow:

Checking:	\$ 705,751.98
Money Market:	\$ 517,985.25
County Treasurer:	\$ 2,800,362.31
LAIF:	\$ 1,731,765.25
City Pool A:	\$ 2,021,143.50

Board Secretary Joleen Gutierrez provided an overview of the July 2017 Treasurer’s Report, highlighting account balances and directing the Board’s attention to the month’s new banking transactions summary provided on the provided bank register. Trustees reviewed information. Trustee Christophel requested information about the “Compass Report.” Secretary Gutierrez explained that this is a Sacramento County statement of the District’s fund balances.

Motion of Trustee Harris to approve the Treasurer’s report as presented. The motion was seconded by Trustee Christophel, duly put and carried by a unanimous vote.

### **3. COMMITTEE REPORTS**

#### **A. SAFCA Representatives**

Trustee Barandas spoke about SAFCA Legislative Advocate Mike Strachn's report on current conditions in Washington. It was further discussed the probability of having an approved budget by October 1 is not likely and that we are looking at continuing resolutions in the coming months up to one year. If the 2018 Budget proposed by the President is passed, this will mean additional work plan funding for the Corps which will benefit the Natomas project as well as other Sacramento area projects.

A Natomas project update was provided by Trustee Barandas. He informed the Board of a contract dispute in "Reach I." He explained this dispute will likely create a work delay. He estimates the project start may be moved to a later 2018 date.

Trustee Barandas also provided a project appropriations update for funding of Reach I and Reach H. If passed, the Budget would include funds for Reach H and Reach D as well as design and planning for a couple other areas.

As an update on Magpie Creek - SAFCA recently acquired three properties and a fourth property will soon be given up.

As an informational item, Trustee Barandas distributed a packet of SAFCA's levee accreditation program for the North Sacramento and Pocket areas.

Trustee Christophel inquired about the President's 2018 Budget and continued resolution funding and the possibility of additional funding. GM Devereux specified that a 5% reduction adjustment is typically made to the previous budget and then application goes back through the allocation process. Additional work plan monies may come through if this trend continues.

#### **B. Executive Committee (7/28)**

In attendance were Trustees Jeff Smith, Tom Barandas, and Fred Harris. Staff in attendance GM Devereux.

Trustee Smith reported the Committee met on August 28. As a top item, the Committee discussed whether the District should adopt Uniform Construction Cost Accounting provisions. Trustees Smith and Harris expressed interest in doing a master agreement for repetitive consulting services in the future.

Other topics discussed at the Committee meeting: Trustee Harris reported the Personnel Committee will make a recommendation for the GM's salary adjustment for 2017-2018 and whether additional staffing is necessary. Trustee Smith requested the Board get an update of the SCADA project and the Plant 1 transformer. Trustee Barandas requested a Board update on the Habitat Conservation Plan (HCP) including a brief discussion of the key policy issues and questions.

### **C. Personnel Committee (8/4)**

The Personnel Committee met on August 4. In attendance were Trustees Fred Harris, David Christophel, Debra Jones, General Manager (GM) Devereux, District Human Resource Counsel Julia Jenness and Administrative Services Manager Joleen Gutierrez.

The Committee reviewed a draft of the revised Employee Handbook. After a thorough discussion of updated provisions, Trustees, GM, and HR Counsel decided that further review and discussion is necessary. The handbook is tentatively scheduled as a September board meeting action item.

GM Devereux briefly described an administrative CalPERS issue concerning the District's tiered retirement formula. He sought the board's intention when it adopted the 2% @ 60 tier in 2011 and whether classic 2% @ 55 employees from other public and state agencies would still fall under the 2% @ 55 or 2% @ 60 tier. District HR Counsel will work with CalPERS legal counsel to determine.

The Committee expressed their appreciation of the GM's services and is recommending GM Devereux receive a 1.5% merit increase. The Committee also discussed whether an Assistant General Manager position should be created for the District. The GM expressed that he needs assistance keeping projects on track. The Committee is willing to entertain a possible 'consultant assistant' to help with special projects and keeping them on track. The GM will prepare a scope of work that could be used to solicit proposals from consulting engineers for Assistant GM services.

## **4. BOARD BUSINESS**

### **A. Request for PL 84-99 Assistance from Corps of Engineers - Sacramento River East Levee bank erosion vicinity 7907 Garden Highway (Information).**

GM Devereux provided information about the site at 7909 Garden Highway, which is experiencing significant erosion of the waterside berm and consequently is threatening the viability of the residential structure. The GM further detailed the District along with State Department of Water Resources representatives observed the site. Their initial findings are that at this time, the site is not critical. The District has submitted a PL84-99 assistance request to the Corps of Engineers for emergency repairs to address the erosion before it affects the stability of the adjacent levee. As a precaution, a Sacramento County Building Official has posted the residence for daylight occupancy only. Sacramento County Office of Emergency Services along with District staff have met with the property owner to review erosion implications and discuss potential risk. GM Devereux reports that to date, the Corps have not visited the site.

Trustee Christophel commented that stabilization of the slope will be expensive, but it is in the District's best interest to maintain a buffer for the levee. Trustee Smith expressed that because the District is requesting Corps assistance, the work may not be done before winter. Further he states the District should be proactive and possibly begin work or contract out work. He asked that the District look into flood fight supply inventory in the event an emergency response is necessary.

Trustees requested that GM Devereux keep the Board apprised of the situation and that a follow up is conducted at the September Board Meeting.

**B. Award Construction Contract for Plant No. 1 Security Fence to lowest responsible and responsive bidder**

A more secure perimeter fence is necessary at Plant 1 and ultimately, it will be a critical Plant asset. Three bids were received for this project and all are almost 30% higher than the engineer's estimate. Trustee Christophel asked if bids were compared to see if material costs are higher. GM Devereux confirmed comparisons were made and added and limited skilled workforce conditions may have led to higher costs. The higher bids is indicative of public works construction at this time.

In this particular bidding process, the lowest responsible and responsive bidder is found to be Arktos Inc. A motion by Trustee Smith was made to award the Construction Contract for Plant 1 security fencing to Arktos Inc. and authorize the GM to execute a contract with Arktos Inc. in the amount of \$59,750.00. The motion was seconded by Trustee Jones, duly put and carried by a unanimous vote.

**C. Authorize Trustee Thom Gilbert to attend CSDA Annual Conference on behalf of District at District expense**

Trustee Gilbert seeks approval to attend the upcoming 2017 CSDA Conference for special district elected officials and managers. This conference covers valuable topics that the District may benefit from – specifically, district debt, fiscal forecasting and planning, assessing overall financial health, public records, and Fair Political Practices Commission (FPPC) updates.

Trustee Christophel stated that he supports the benefits from having informed members. Trustee Smith requested that Trustee Gilbert report to the Board with learned conference information and practices.

A motion was made by Trustee Christophel to approve Trustee Gilberts attendance at the 2017 CSDA Conference. The motion was second by Trustee Harris. Duly put and carried by a unanimous vote.

**D. Uniform Construction Cost Accounting provisions of the Public Contract Code for Informal Construction Bid Process (Information)**

GM Devereux provided information to the Board concerning public contracts and whether the District should participate in the Uniform Construction Cost Accounting (UCCA) provisions of the Public Contract Code bid process. Discussion covered small contracts, modified contracts and flexibility in contracting. Questions concerning adopting a formal process included contracts that require bids, use of a developed list of contractors and compliance questions were of interest by Trustees. If the District opts in, following provisions is mandatory until it opts out. There are different provisions in the public contract code for different districts. GM Devereux wil gather more information for consideration in the future. GM Devereux and District Counsel Jim Day will work together to fully understand details of the UCCA Provisions and make a recommendation to the Board.

**E. Authorize Sponsorship for Pops in the Park Community Event**

Pops in the Park is an annual Natomas community event. The District has participated as a sponsor in the past and GM Devereux recognizes this event as an opportunity for the District to connect with and educate the community about what we do for Natomas. GM requests the

District be a sponsor of the event with a \$1000 donation. GM may request that a few Board members attend this public event to assist at our information table.

A motion was made by Trustee Jones to approve the District's sponsorship of the 2017 Pops in the Park community event at the \$1000 Neighborhood Sponsorship level. Trustee Gilbert seconded the motion, it was duly put and carried by a unanimous vote.

**F. Authorize Contract with UNICO for Survey Consulting Services**

The District is proposing a professional services agreement with UNICO Engineering Inc. (UNICO) for survey services and repairs of District facilities from the 2017 flood season. The contract is for services on a time and materials basis, not to exceed \$33,000. The work will be directed by Mead & Hunt under the general direction of the District GM.

Trustees Christophel inquired whether collected survey information would be useful for the GIS. GM Devereux confirmed that it would be available, as all use the PSOMAS system. Trustee Smith was curious about whether the survey work would be reimbursable through FEMA. GM Devereux confirmed the costs would be submitted for reimbursement

Staff recommends the Board authorize the District's GM to enter into a contract with UNICO Engineering Inc. for survey services on a time and material basis not to exceed \$33,000.

A motion was made by Trustee Jeff Smith to authorize the GM to execute a contract with UNICO Engineering Inc for survey services not to exceed \$33,000; seconded by Trustee Fred Harris, it was duly put and carried by a unanimous vote.

**G. Dates for Nominating Petition Filing for Board of Trustee Election—August 24 through September 14**

GM Devereux reminded the Board that four Board seats are up for election this November and that nominating petitions may be picked up starting on August 24 and must be filed at the District by 5 pm sharp on September 14.

If by 5:00 pm on September 14, 2017, the number of nominees is lower than or equal to the number of trustees to be elected, and the Board has not received a petition signed by 5 percent of the voters requesting that an election be held, an election shall not be held per California Water Code sections 5041 and 50732.

**H. ACWA Call For Candidate Nominations**

GM Devereux advised the Board that ACWA is soliciting petitions for the statewide positions of President and Vice President. The nominations slate will be submitted to the general membership at ACWA's Fall Conference.

**5. GENERAL MANAGER'S REPORT**

**A. Regional Flood Control Issues**

GM Devereux informed the Board that an agreement with Greenbriar will come back to the Board as they are getting ready for fall construction. Mark Rogers representing the Greenbriar

project, will be working with the developer on property owned in fee by RD 1000 within the project area. This property includes a drainage canal that the District has not actively maintained in recent years as the site was inaccessible. Developer is asking for a quitclaim deed for this parcel. If the site is graded as proposed, RD 1000 will have no need for the easement.

GM will return to Board next month with this as an action item and information about whether there is any value to the District; GM believes the value is minimal.

**B. Status – Corps Natomas Project Construction Schedule**

GM Devereux reports that the state will not have money in the current fiscal year for flood control projects due to the Governor’s attention pulled toward other competing priorities. GM stressed that for Reach I and Reach H, SAFCA needs to get back on general funds for these flood control projects.

**C. Garden Highway Encroachment Permits Endorsed**

GM Devereux reported that no Garden Highway encroachment permits were endorsed; however a property owner has approached the District about drilling a new well on an emergency basis due to water issues which requires a CVFB Permit. The homeowner is seeking permission to drill while going through the permitting process. GM notes that CVFB is hesitant to allow work before the Corps reviews and approves the request. Trustee Harris asked if the permit could qualify as an “emergency.” GM Devereux stated it would not typically qualify as an emergency; however if the original well is permitted it could qualify as maintenance.

**D. Update on Plant 1 transformer repairs and determination on possible failure cause**

GM reports the reason for the Plant 1 transformer failure is still unknown. He also advised that SMUD is committing to having the third transformer repaired by flood season so the plant will be operable. Regrettably, the spare will not be ready as a backup. Trustee Smith inquired whether the District should consider a study and if we should consider switching service voltage at this site. GM Devereux reports Mead & Hunt is studying the issue.

**E. Update on FEMA disaster claims for 2017 flood damages**

GM Devereux provided an update about FEMA disaster claims for 2017. He states that FEMA/OES has requested a timeline and is working on a PW Project Worksheet and that FEMA is encouraging the District to move forward with repairs. Mead & Hunt is working on repairs to the Main Drain where the trees fell but they have run into environmental issues and may need permits from the resource agencies.

**F. Update on off-duty law enforcement patrols in floodway**

GM Devereux provided an update on off duty law enforcement patrols along the floodway. He disclosed discussions with the Sacramento County Sheriff’s Department have revealed a jurisdictional conflict with Sacramento Police Department concerning floodway patrols. Because of this issue, GM Devereux reports signing a contract with Sacramento Police Department for off duty patrols. GM is now faced with patrol scheduling complications despite the District offering extremely lenient scheduling flexibility.

Trustees Barandas and Jones would like to have correspondence from Sacramento Police Department stating they are not able to accommodate our requested public safety related off duty patrol needs. Trustee Harris would like to bring both departments together in a meeting to see if jurisdiction can be worked out leading toward a possible off duty patrol agreement. Trustee Christophel suggested reaching out to Sacramento City Councilmembers Jeff Harris and Angelique Ashby for possible assistance and guidance on this important public safety issue.

**G. Status of in-house accounting transition to Rob Merritt (Chavez-Silva)**

GM Devereux and ASM Gutierrez provided an update about the in-house accounting transition. Both report that accountant Rob Merritt is great to work with, knowledgeable and that to date the transition appears seamless. Accountant Merritt has been steadfastly working on recreating our accounting platform under a more modern accounting software (QuickBooks). He is also working on transaction adjustments for Fiscal Year 2016-17, as well as working cooperatively with Auditor MaryAnn Cropper on the upcoming District audit.

**H. Contract with Doug Pollak for real estate consulting services**

GM Devereux reports entering into a small contract with Doug Pollak for assistance with District right of way issues. Mr. Pollak also has a GIS contract that the District may be able to benefit from.

**I. Installation of Board room audio visual hardware**

GM Devereux introduced Trustees to newly installed audio visual equipment in Boardroom. This is related to an ongoing effort to bring the District's equipment on par with the modern business age by replacing aged and obsolete equipment.

**6. PUBLIC OUTREACH UPDATE –K. Pardieck**

Ms. Pardieck announced that former ASM Terrie Figueroa's retirement event photos were shared on Facebook. As well, the former ASM is highlighted in the District's September newsletter walking us through her 29 year career with the District. Ms. Pardieck also shared information about CSDA's press release and publicly displayed a video created by CSDA which features RD 1000 and what we do. The video featured District's GM Devereux providing an educational District overview. Ms. Pardieck also intends to share the video and press release on social media.

Ms. Pardieck discussed an opportunity for the District to place our newsletter in In Magazine. This publication reaches 80,000 readers and is district wide. The cost of the Newsletter placement is modest for the coverage, at \$2800, a discounted price - which includes formatting and an electronic file to use when posting to our website or and social media sites for public sharing.

Finally, Ms. Pardieck shared a press release about the District's Board Election will go out on August 15.

Trustee Harris expressed his support for funding the N-magazine placement request which the rest of the Board members also concurred.

**7. DISTRICT COUNSEL’S REPORT – J. Day**

Legal Counsel Jim Day reported on activity for the prior month.

**8. SUPERINTENDENT’S REPORT – D. Caldwell**

District Foreman Tony Del Castillo reported on behalf of the Superintendent about field crew work activities for the previous month. He reported a significant number of man days worked (58 days) mowing; weed control (25 days); and equipment repairs (19 days).

The District did not run pumps during the month of July and no precipitation was reported.

Foreman Del Castillo reported the safety topic for the month of July as “Pesticide Workers’ Safety.”

**9. Correspondence/News/Information**

News: The Finance Committee will meet on August 18 to discuss pre audit items.

Information: ASM Gutierrez reminded the Board of a mandated requirement - AB 1825 Sexual Harassment Prevention Training which is due this year.

**10. ADJOURN**

There being no further business to come before the Board, the meeting was adjourned.

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President

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Secretary