



**RECLAMATION DISTRICT NO. 1000
BOARD OF TRUSTEES MEETING**

**May 8, 2020
MEETING MINUTES**

In light of COVID-19 and in Compliance with CA Executive Orders N-25-20 and N-29-20 members of the Board of Trustees and members of the public participated in this meeting by teleconference. The meeting was recorded without objection. Present were: Board President Jeff Smith; Vice President Chris Burns; Trustee David Christophel; Trustee Jag Bains, Trustee Elena Lee Reeder; Trustee Nick Avdis; Trustee Thom Gilbert; 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. District Engineering Consultant Scott Brown from Larsen Wurzel also attended the meeting as well as Kim Boehler representing NBS.

1. PRELIMINARY

1.1. Call Meeting to Order

President Smith called the meeting to order.

1.2. Roll Call

Administrative Service Manager Gutierrez called the roll.

1.3. Approval of Agenda

MOVED/SECONDED: Trustee Avdis/Trustee Christophel

AYES: Trustee Christophel, Trustee Bains, Trustee Lee Reeder, Trustee Smith, Trustee Avdis, Trustee Burns, Trustee Gilbert

NOES: None.

ABSTAIN: None.

ACTION: None.

1.4. Pledge of Allegiance

All recite the Pledge of Allegiance.

1.5. Conflict of Interest

No conflicts of interest were identified.

2. PRESENTATIONS

2.1. No presentations were scheduled.

3. PUBLIC COMMENT (NON-AGENDA ITEMS)

There were no public comments.

4. INFORMATIONAL ITEMS

4.1. GENERAL MANAGER'S REPORT: Update on activities since the April 2020 Board Meeting.
General Manager Kevin King provided a verbal overview of his activities during April 2020.

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

A copy of the Superintendent's Report for April 2020 was included in the May 8, 2020 Board Packet. Trustee Burns inquired if the damage to the canal near River Plaza from a car accident over the previous weekend had been repaired. Superintendent Caldwell informed Trustee Burns he had not been aware of the incident but would add repairs to the canal to his schedule.

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

Co-Counsel Rebecca Smith gave a verbal report of her District related activities during April 2020. There were no comments or questions.

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 April 17, 2020, Regular Board Meeting.

ACTION: Approved

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

ACTION: Approved

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

ACTION: Approved

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

ACTION: Approved

5.5. PROFESSIONAL SERVICES AGREEMENT: Review and Consider Authorizing General Manager to Execute a Professional Services Agreement with NBS for Comprehensive Financial Plan and Assessment Rate Study.

Trustee Burns requested that item 5.5 be pulled from the Consent Calendar for further discussion.

GM King explained the District went out for the Request for Qualifications Comprehensive Financial Plan and Assessment Rate Study back in March. We received interest from 3 respondents, and the recommendation of the Finance Committee is to recommend NBS for this work. NBS did propose as did other respondents for optional tasks after the comprehensive financial plan and assessment rate study.

Trustee Avdis requested further clarification on each phase of the agreement and inquired if the District had the option of approving only Phase 1. A lengthy discussion ensued regarding the merits of approving the Professional Services Agreement with NBS as written. All Trustees indicated they agreed with a financial study to determine the financial health of the District long term, however, an agreement on proceeding with Phase 2 or optional Phases 3 & 4 could not be met.

Trustee Lee Reeder commented on timing and made known that the Board would come across as tone-deaf to our friends, our neighbors, and our community if we moved forward with the proposal in the current economy. Trustee Reeder is concerned that the current scope of services, while in different phases, contains the term 'Prop 218.' She expressed concern that the average constituent will not be able to distinguish the difference between going with Phase 1, Phase 2, and the fact that Phase 3 and Phase 4 are in the proposal. Trustee Reeder stated the Board should be cognizant of what other people in our community are going through and suggested tabling this item until next year because the optics are terrible.

Item 5.5 was opened for public comment. Bruce Lee, President of the Sacramento County Tax Payers Association, informed the Board that due to several other potential assessments being proposed at the local and state level and given the current and potential future economic climate, ratepayers would likely be opposed to additional assessments in the near future.

Trustee Gilbert made a motion to approve the Professional Services Agreement with the proposal that Phase 2 be required to be affirmed after completion of Phase 1.

Trustee Smith seconded the motion but amended that optional Phases 3 and 4 be brought before the Board before approval.

Trustee Avdis requested that the motion be delayed for one month.

Trustee Burns made a substitute motion to authorize GM King to execute a professional services agreement with NBS to complete Phase 1 of the proposal, to remove all references to Phases 2, 3, and 4, and then report back to the Board in June on whether NBS is the lowest cost firm.

Trustee Avdis seconded the substitute motion.

SUBSTITUTE MOTION

MOVED/SECONDED: Trustee Burns/Trustee Avdis

AYES: Trustee Christophel, Trustee Bains, Trustee Burns, Trustee Lee Reeder, Trustee Advis

NOES: Trustee Gilbert, Trustee Smith

ABSTAIN: None.

ABSENT: None.

ACTION: A motion to authorize GM King to execute a professional services agreement with NBS

to complete Phase 1 of the proposal and to remove all references to Phases 2, 3, and 4 is approved.

- 5.6. PROFESSIONAL SERVICES AGREEMENT: Review and Consider Authorizing General Manager to Execute Professional Services Agreement with Richardson and Company, LLP. For Financial Audit Services.

ACTION: Approved.

Consent Calendar Items 5.1, 5.2, 5.3, 5.4, and 5.6 were approved in one motion.

MOVED/SECONDED: Trustee Gilbert/Trustee Lee Reeder

AYES: Trustee Christophel, Trustee Bains, Trustee Lee Reeder, Trustee Smith, Trustee Avdis, Trustee Burns, Trustee Gilbert

NOES: None.

ABSTAIN: None.

ACTION: A motion to approve Consent Calendar Items 5.1, 5.2, 5.3, 5.4, and 5.6 is approved.

Trustee Avdis departed the meeting at 9:05 A.M.

6. SCHEDULED ITEMS

- 6.1. FISCAL YEAR 2020/2021 DRAFT BUDGET: Review and Discuss Draft Budget for Fiscal Year 2020/2021

GM King provided in the board packet a copy of the Draft Budget for Fiscal Year 2020/2021. He informed the Board he had met with several of the Board Committees to ensure every trustee had the opportunity to provide input on the Draft Budget, and the draft would likely be similar to what is presented in the final budget at the June Board Meeting. Trustee Burns inquired about the position of Operations Manager. GM King stated he wanted to have that position as a place holder as he felt the District might need to hire an additional manager to assist with field operations and future succession planning. Trustee Lee Reeder requested that the Capital Office Upgrades budgeted amount to be reduced by \$10,000.

No action was taken on Item 6.1

- 6.2. CHANGE ORDER: Review and Consider Authorizing the General Manager to Execute Contract Change Order with Larsen Wurzel and Associates, Inc.

MOVED/SECONDED: Trustee Smith/Trustee Burns

AYES: Trustee Christophel, Trustee Bains, Trustee Lee Reeder, Trustee Smith, Trustee Burns, Trustee Gilbert

NOES: None.

ABSTAIN: None.

ABSENT: Avdis

ACTION: A motion passed to Authorize the General Manager to Execute a Contract Change Order.

7. BOARD OF TRUSTEE'S COMMENTS/REPORTS

7.1. BOARD ACTIVITY UPDATES:

7.1.1. RD 1000 Committee Meetings Since Last Board Meeting

- Operations Committee (Smith, Christophel & Lee Reeder) April 17, 2020
- Finance Committee (Gilbert, Bains & Smith) April 21, 2020
- Legal Committee (Avis, Bains & Christophel) April 27, 2020
- Finance Committee (Gilbert, Bains & Smith) April 27, 2020
- Executive Committee (Smith & Burns) April 29, 2020

8. CLOSED SESSION

Trustee Avis rejoined the meeting during closed session discussion.

8.1 POTENTIAL LITIGATION: Conference with legal counsel, significant exposure to litigation pursuant to Gov. Code Sec. 54956.9(b) (3 cases).

8.2 EXISTING LITIGATION: Conference with legal counsel, existing litigation (Gov. Code Sec. 54956) (Meyer v. DWR et al., Sacramento Superior Court Case No. 34-2020-34-00276397).

9. RECONVENE TO OPEN SESSION

9.1 Report from Closed Session

Item 8.1 the Board voted to deny the claim. No action was taken on Item 8.2

10. ADJOURN

Meeting adjourned.