



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

**APRIL 14, 2023
MEETING MINUTES**

Members of the Board of Trustees and the public participated in this meeting in person and by teleconference. Present were Board President Elena Lee Reeder; Vice President Thomas M. Gilbert; Trustee Nick Avdis; Trustee Jag Bains, Trustee Thomas Barandas, Trustee Edwin Perez; Trustee Thomas W. Smith; General Co-Counsel Scott Shapiro; General Manager Kevin King; Operations Manager Gabe Holleman; Administrative Services Manager Joleen Gutierrez and Administrative Assistant Christina Forehand.

1. PRELIMINARY

1.1. Call Meeting to Order

Board President Elena Lee Reeder called the meeting to order.

1.2. Roll Call

ASM Gutierrez called the roll.

Present: Trustee Lee Reeder, Gilbert, Avdis, Bains, Barandas, Perez, Smith

Absent: Avdis (absent for roll call, arrived at 8:32 am)

1.3. Approval of Agenda

MOVED/SECOND: Trustee Bains/Trustee Perez

AYES: Trustee Lee Reeder, Gilbert, Bains, Barandas, Perez, Smith

NOES: None

ABSENT: Trustee Avdis

ABSTAIN: None

ACTION: The motion to approve the April 14, 2023 Board Meeting agenda is approved.

1.4. Pledge of Allegiance

Trustee Perez led the Pledge of Allegiance.

1.5. Conflict of Interest (*Any Agenda items that might be a conflict of interest to any Trustee should be identified at this time by the Trustee involved*)

There were no Conflicts of Interest identified by the Trustees.

2. PRESENTATIONS

There were no Scheduled Presentations

3. PUBLIC COMMENT (NON-AGENDA ITEMS)

Any person desiring to speak on a matter which is not scheduled on this agenda may do so under the Public Comments section. Speaker times are limited to three (3) minutes per person on any matter within RD 1000's jurisdiction not on the Agenda.

General Manager Kevin King announced that he received a public comment email (prior to the board meeting) that contained a letter signed by 60 homeowners living in the Cove development along West El Camino Avenue. Their concern is regarding the unhoused and encampments. Recently, a cleanup occurred along Garden Highway where park rangers performed a large unhoused encampment removal. When these individuals were displaced, they began migrating into the surrounding neighborhoods. Several of them have since settled along the Main Drain Canal north of West El Camino; hence, the email received. The sent letter requested the District's help on the issue, and a similar ask was made to the City, County, and Councilmember Talamantes' office. GM King made known that some effort would be directed toward a response.

4. INFORMATIONAL ITEMS

4.1. GENERAL MANAGER'S REPORT: Update on activities since the March 2023 Board Meeting.

A copy of the General Manager's Report is available in the April 14, 2023 Board Packet. A verbal report of his district highlights for March 2023 is described below.

GM King stated he submitted a community project fund request through Congressman Bera's office. The District requested \$4.5 million under FEMA's pre-flood mitigation program to support purchasing two mobile generators and two stationary generators for Plant 8.

The USAC O&M Manual for Unit 124 has been approved. The process has taken over ten years. The manual will be assigned to the Central Valley Flood Protection Board (CVFPB), which will then take action to assign the O&M responsibility to RD1000 in April 2023. This is a step closer to implementing and approving the SWIF and the O&M manual.

GM King shared that the District has received the executed funding agreement from DWR for FMAP funding in the amount of \$421,000. An advance payment request has been submitted to DWR. Funding will be applied toward the remaining fifty high-hazard encroachments along Garden Highway. At completion of the Natomas Levee Improvement Project (NILP), a Letter of Map Revision will be submitted to FEMA, in coordination with SAFCA, the Corps, and the City and County of Sacramento. This will allow the District to keep pace with the plan for 200-year flood protection. The District will work with the CVFPB Enforcement Division to ensure that the deadline is met for specific properties.

GM King briefed the Board on a presentation the CVFPB gave on a pilot program that targeted RD1000 because of its proactive engagement with abatement. In August 2022, the Board approved and

authorized GM King to apply to the program to abate trash and debris. GM King has submitted an application for the Sacramento and San Joaquin Drainage District Property Abatement Program with a potential \$465,000 in funding.

GM King announced that he, Greg Ghironzi from NBS, and Eric Grotenhuis from Page Design have been selected to host a panel discussion at CSDA's Annual Conference in August 2023. The discussion will cover the District Property Related Fee Project focusing on the financial, administrative, and public communications aspects. The panel will also discuss the lessons learned from the 4Natomas program.

4.2. OPERATIONS MANAGER'S REPORT: Update on activities since the March 2023 Board Meeting.

A copy of the Operations Manager's report is available in the April 14, 2023 Board Packet.

Trustee Smith inquired about the calculations in the Operation Managers Report regarding rainfall and wondered if the district has enough pumping capacity. General Manager King walked through soil moisture and infiltration absorption scenarios.

4.3. DISTRICT COUNSEL'S REPORT: Update on activities since the March 2023 Board Meeting.

Co-Counsel Shapiro provided a verbal update of Counsel's work in March. Time was spent on developer agreements, finalizing the Lone Tree Canal real estate transfer, Certification of Stormwater Fee and Election, and working with Trustees on collection of information for the general manager's review.

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.

MOVED/SECOND: Trustee Perez/Trustee Barandas

AYES: Trustee Lee Reeder, Trustee Gilbert, Trustee Avdis, Trustee Bains, Trustee Barandas, Trustee Perez, Trustee Smith.

NOES: None

ABSENT: None

ABSTAIN: None

ACTION: The motion to approve Consent Calendar Items 5.1-5.6 is approved.

5.1. APPROVAL OF MINUTES: Approval of Minutes from the March 10, 2023 Board Meeting.

5.2. TREASURER'S REPORT: Approve Treasurer's Report for March 2023.

5.3. EXPENDITURE REPORT: Review and Accept Report for March 2023.

5.4. BUDGET TO ACTUAL REPORT: Review and Accept Report for March 2023.

5.5. PANHANDLE DEVELOPMENT PROJECT: Review and Consider Authorizing the General Manager to Execute Funding Agreement with MLC Holdings, INC. for Panhandle Development Project Processing

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

6. SCHEDULED ITEMS

6.1. STORMWATER SERVICE FEE: Review and Consider Adoption of Resolution No. 2023-04-01 – Certifying the Property Related Fee Election.

General Manager King stated that the District's Proposition 218 Stormwater Fee passed having received 56% of the votes in approval of the fee. The District received 23% voter participation, correlating to outreach efforts in the past year. He praised the Board, staff, consultants and legal counsel for their support with the outreach and implementation processes.

Trustee Smith inquired about how the District's Prop 218 Stormwater Fee passed with a simple majority. General Manager King explained that Prop 218 was introduced after the existing assessment. Prop 218 has a two-step process for property related fees: 1) Majority Protest Vote; 2) Simple Majority Vote. Counsel Shapiro added that thresholds define whether a proposition is a tax, assessment, or fee. Being a stormwater fee, the requirement is for it to pass without a majority protest in either of the aforementioned steps. Other types of property-related fees would require a two-thirds majority to pass.

Trustee Avdis expressed his appreciation for the effort invested in the fee. He noted that it is a significant step in transitioning from an agricultural district to a more urbanized one. He inquired whether there were any participants online. GM King stated there were none, as public meetings have resumed, and virtual attendance is no longer a requirement. A recording of the meeting will be made available for public viewing.

MOVED/SECOND: Trustee Avdis/Trustee Perez

AYES: Trustee Lee Reeder, Trustee Gilbert, Trustee Avdis, Trustee Bains, Trustee Barandas, Trustee Perez, Trustee Smith.

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

ACTION: The motion to adopt No. 2023-04-01, Certifying the Property Related Fee Election, is approved.

6.2. PROPERTY RELATED FEE ADMINISTRATION: Review and Consider Authorizing the General Manager to Execute a Contract with NBS for Administration of Property Related Fee for Fiscal Year 2023/2024.

GM King stated that now that the Stormwater Service Fee is certified, annual fee administration will be necessary. The District currently contracts with SCI for its assessment and placement on the county rolls. SCI will continue to administer the existing assessment.

GM King is proposing a \$25,000 contract to have NBS handle the property-related fee. The plan is to include the fee on the tax rolls before August 1 and then continue with NBS until next year, when a RFQ will be solicited with the goal of having a singular consultant perform administration of the existing assessment and new property related fee for FY 2024/2025.

MOVED/SECOND: Trustee Avdis/Trustee Barandas

AYES: Trustee Lee Reeder, Trustee Gilbert, Trustee Avdis, Trustee Bains, Trustee Barandas, Trustee Perez, Trustee Smith

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

ACTION: The motion to authorize the general manager to execute a contract with NBS for the Administration of Property Related Fee for Fiscal Year 2023/2024 is approved.

6.3. DISTRICT LOGO: Review and Consider Approval of Updated District Logo.

General Manager King discussed an updated District Logo with the Board, as recommended by the Urbanization Committee. Due to staff recommendation, images were passed out to Trustees instead of projecting the image on the screen, and there was mention of having the logo Trademarked. Eric Grotenhuis from Page Design was available remotely to discuss his vision for the design and was available for Board questions. Overall the Board was pleased with the new design, and after a few comments, the item was moved for approval.

MOVED/SECOND: Trustee Smith/Trustee Perez

AYES: Trustee Lee Reeder, Trustee Gilbert, Trustee Avdis, Trustee Bains, Trustee Barandas, Trustee Perez, Trustee Smith

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

ACTION: The motion to approve the updated District logo is approved.

7. **BOARD OF TRUSTEE'S COMMENTS/REPORTS**

7.1. BOARD ACTIVITY UPDATES:

7.1.1. RD 1000 Committee Meetings Since Last Board Meeting

- Executive Committee (Lee Reeder & Gilbert) April 5, 2023
- Personnel Committee (Gilbert, Lee Reeder, & Avdis) April 5, 2023
- Operations Committee (Bains, Smith, & Perez) April 11, 2023

General Manager King asked to enter into the record that he met with the Operations Committee on April 11 at 12:30 pm. The meeting was attended by Committee members Bains, Perez, and Smith. This meeting occurred after the publishing of the Board packet.

The Committee reviewed the draft Budget assumptions and had recommendations that will be incorporated into the draft budget to be presented to the full Board in May 2023 for discussion.

Consultants from KSN also attended the Committee meeting and gave a presentation and overview of the preliminary design of Pumping Plant #8.

7.1.2. RD 1000 Committees No Meetings Since Last Board Meeting

- Finance Committee
- Legal Committee
- Urbanization Committee

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.

9. RECONVENE TO OPEN SESSION

9.1. REPORT ON CLOSED SESSION: Discuss and take action on any changes in duties, compensation, or benefits for the General Manager.

Co-Counsel Shapiro announced that the Board took no reportable actions. The Board did not have an opportunity to finish General Manager's evaluation discussion. The item is requested to be put on next month to complete as a Closed Session.

10. ADJOURN

Trustee Lee Reeder asked for all in favor of adjournment of the meeting. All were in favor. The meeting is adjourned.