



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

**MAY 13, 2022
MEETING MINUTES**

In compliance with CA Assembly Bill 361, members of the Board of Trustees and members of the public participated in this meeting by teleconference. This meeting was recorded without objection. Present were Board President Thom Gilbert; Board Vice President Elena Lee Reeder; Trustee Nick Avdis; Trustee Jag Bains; Trustee Tom Barandas; Trustee Chris Burns; Debra G. Jones; and General Counsel Scott Shapiro; General Counsel Rebecca Smith; 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 Thom Gilbert called the meeting to order.

1.2. Roll Call

Present: Trustee Thom Gilbert, Trustee Elena Lee Reeder, Trustee Nick Avdis, Trustee Jag Bains, Trustee Chris Burns, Trustee Debra G. Jones

Late Arrival: Trustee Tom Barandas (8:33 am)

1.3. Approval of Agenda

Moved/Second: Trustee Chris Burns/Trustee Nick Avdis

Ayes: Trustee Thom Gilbert, Trustee Elena Lee Reeder, Trustee Nick Avdis, Trustee Jag Bains, Trustee Chris Burns, Trustee Debra G. Jones

Noes: None

Absent: Trustee Tom Barandas

Abstain: None

Action: Motion to approve the May 13, 2022 Board meeting Agenda is approved.

1.4. Pledge of Allegiance

Trustee Thom Gilbert 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 identified by the Trustees.

2. PRESENTATIONS

2.1. No Scheduled Presentations

3. PUBLIC COMMENT (NON-AGENDA ITEMS)

Kevin King opened the floor for public comment.

Patrick Tully inquired about pulling Item 5.7 from the Consent Calendar. GM King confirmed the item would be pulled at Mr. Tully's request for public comment.

4. INFORMATIONAL ITEMS

4.1. GENERAL MANAGER'S REPORT: Update on activities since the April 2022 Board Meeting.

General Manager King provided a verbal report of his work during April. Much of his work product is featured through May's Board packet (NILP, Election, outreach materials, Budget and committee meetings, item 6.2 Technical Memorandum). He will include an update from April and May in June.

Trustee Debra G. Jones mentioned the Urbanization meeting on May 11. GM King will report the Minutes from that meeting in our June meeting.

4.2. OPERATIONS MANAGER'S REPORT: Update on activities since the April 2022 Board Meeting.

A copy of the Operation Manager's report has been included in the Board Packet.

4.3. DISTRICT COUNSEL'S REPORT: Update on activities since the April 2022 Board Meeting.

Counsel Rebecca Smith provided a verbal update of her work during April. She spent some of her time on the District's upcoming Election of Trustees and creating an election best practice sheet for staff to reference.

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.

Approval of Consent Calendar Items 5.1 through 5.6, 5.8, and 5.9

Moved/Second: Trustee Chris Burns/Trustee Debra G. Jones

Ayes: Trustee Thom Gilbert, Trustee Elena Lee Reeder, Trustee Nick Avdis, Trustee Jag Bains, Trustee Chris Burns, Trustee Debra G. Jones

Noes: None

Absent: Trustee Tom Barandas

Abstain: None

Action: Motion to approve Consent Calendar Items 5.1 – 5.6, 5.8, and 5.9 is approved.

Item 5.7 was pulled for discussion

General Manager King made known that he received a request from Patrick Tully to pull Item 5.7 for public comment.

General Manager provided an overview of FMAP grant funds and what the District has been able to clean up with these funds, primarily the riverside embankment. Emerald Site Services is the selected contractor and only bidder to address the high hazard concerns. The remaining funds will be used to continue our work on other district vegetation modification needs. A postcard will be mailed to property owners one week before Emerald Site Services is onsite. The District's Operations Manager will also deliver postcards to some properties.

Comments on Item 5.7 by Patrick Tully

I am Patrick Tully, 3067 Garden Highway, and president of the Garden Highway Community Association. Since 2008, GHCA has represented 300 resident homeowners, business owners, and private property owners along the Sacramento River and the landside from the City of Sacramento to Sutter County. Garden Highway residents support flood protection that is risk and evidence-based. GHCA strongly objects to the contract award for vegetation and tree removal. At Mr. Tully's request, his prepared and read-aloud comments will be entered into the public record and made publicly available as part of the May 13, 2022 Board meeting minutes. Comments have also been recorded and are available for listening back under Board Meetings on the District's website.

Comments on Item 5.7 by Jane Doe

Jane Doe lives in a home on Garden Highway. She spoke in objection to RD1000's planned vegetation modification. Jane Doe states that landscaping and fencing protect homes along Garden Highway from crime, and yards have become a sanctuary and habitat for several species. She says residents have endured decades of levee construction work, understanding that as the setback levee in front of our properties is incrementally completed, they would be outside the levee prism. Comments in their entirety have been recorded and will be made available for listening back, under Board Meetings, on the District's website.

Trustee Comments on Item 5.7

Trustee Nick Avdis inquired about the Emerald Site Service contract and whether it includes vegetation removal above the 100 properties on Garden Highway. GM King confirms the high hazard GH properties are the priority. Any remaining funds will be used toward other necessary vegetation modification and tree removal needs throughout the District. Trustee Avdis inquired about entering private property. GM King assured him that we would not forcibly enter properties. Property owners that do not want RD1000 entering their property for maintenance purposes can notify RD1000. Property owners that do not wish to participate in vegetational modification and the funding opportunity may be referred to the Central Valley Flood Protection Board. Trustee Avdis requested district counsel to summarize the perspective on the latitude RD1000 has on this high hazard vegetation removal.

Legal Counsel

Counsel Scott Shapiro made known the Board is not imposing anything on anyone. The Board would approve creating a program funded by the state 100%, which would allow property owners to take advantage of those funds to remove the vegetation that the District and its partners at the state, local, and federal levels have determined creates a risk. If a property owner objects to the free removal of the vegetation, the property owner can respond to the postcard and say, "Do not come on my property." The District will abide by that. This is an opportunity to not have to remove vegetation yourself and a chance to participate in reducing risk in the basin.

General Manager Kevin King clarified that primarily it's a modification, not complete removal, and in compliance with the vegetative variance afforded with the improved strengthened levees. Our job is to implement the standards that exist by the state and federal governments, which are complicated. RD1000's engineers judge that this is the best program to reduce risk in the basin.

Trustee Chris Burns

Trustee Burns spoke to ensure property owners can take advantage of the service and funding first before moving on to the second schedule. GM King confirms this is the plan and work must be completed by November 15, 2022.

Approval of Item 5.7

Moved/Second: Trustee Nick Avdis, Trustee Elena Lee Reeder

Ayes: Trustee Thom Gilbert, Trustee Elena Lee Reeder, Trustee Nick Avdis, Trustee Jag Bains, Trustee Tom Barandas, Trustee Chris Burns, Trustee Debra G. Jones

Noes: None

Absent: None

Abstain: None

Action: Motion to approve Consent Calendar Item 5.7 is approved.

5.1. APPROVAL OF MINUTES: Approval of Minutes from the following Board Meetings:

- April 7, 2022 Special Board Meeting
- April 8, 2022 Regular Board Meeting
- May 4, 2022 Special Board Meeting

5.2. TREASURER’S REPORT: Approve Treasurer’s Report for April 2022.

5.3. EXPENDITURE REPORT: Review and Accept Report for April 2022.

5.4. BUDGET TO ACTUAL REPORT: Review and Accept Report for April 2022.

5.5. ASSEMBLY BILL 361: Review and Consider Adoption of Resolution No. 2022-05-02 - Proclaiming a Local Emergency, Ratifying the Covid-19 State of Emergency, and Authorizing Remote Teleconference Meetings of Reclamation District No. 1000 Pursuant to The Ralph M. Brown Act.

5.6. DISTRICT GENERAL ELECTION PROCEDURES: Review and Consider Adoption of Resolution No. 2022-05-03 – Adopting Election Procedures for 2022 District General Election.

5.7. AWARD OF CONTRACT: Review and Consider authorizing the General Manager to Execute Construction Contract with Emerald Site Services, INC. for Natomas Basin Vegetation Maintenance Project Phase 4.

5.8. AUTHORIZATION TO SUBMIT GRANT APPLICATION: Review and Consider Adoption of Resolution No. 2022-05-04 Authorizing General Manager to Submit Application for Grant Funding with State of California Department of Water Resources – Flood Maintenance Assistance Program 2022/2023.

5.9. AUTHORIZATION TO EXECUTE FUNDING AGREEMENT: Review and Consider Adoption of Resolution No. 2022-05-05 Authorizing General Manager to Execute Funding Agreement with State of California Department of Water Resources – Flood Maintenance Assistance Program 2022/2023.

6. SCHEDULED ITEMS

6.1. FISCAL YEAR 2022/2023 DRAFT BUDGET: Review and Discuss Draft Budget for Fiscal Year 2022/2023.

General Manager Kevin King highlighted the proposed FY 22-23 Draft Budget. The items presented were approved by the Personnel, Operations, and Finance Committees and are being offered in draft form. A copy of the entire Draft Budget has been included in the May Board packet.

There will be a budget variance of \$1.4 million. GM King anticipates an increase in expenditures attributable to wages, paydown of unfunded retiree healthcare liability, liability insurance, facility repairs, power costs, vegetation management, herbicide and fuel expenses, plant 8 design costs, pumping plant video surveillance, ordering the Plant 1B transformer, audio visual equipment for the Board room.

Trustees inquired about employee pay scales and upcoming FMAP Grant qualification information, and ongoing security issues. GM King will build a final budget based on the Board’s feedback to be presented at the June Board meeting, with a Budget effective date of July 1, 2022.

6.2. DISTRICT COMPREHENSIVE FINANCIAL PLAN: Review and Discuss Comprehensive Financial Plan Phase 2.2 Technical Memorandum.

General Manager Kevin King made known the technical memorandum is the culmination of two and a half years of work to provide a framework for the District's financial needs. This includes capital investment and ongoing operations and maintenance costs. The technical memo looks at the strategies to provide funding as infrastructure costs have risen significantly and the District's charge for assessment has remained unchanged since 1992.

GM King made known that the current state of the District's infrastructure is in overall poor condition. Infrastructure lacks reliability, energy efficiency, has several points of potential failure, and requires parts that are no longer available. For these reasons, and the fact Natomas Basin urbanization has expanded significantly since 1995, the District looks to replace aging parts preemptively as more people depend on RD1000 for flood protection. GM King adds that Natomas places second in areas with most significant flood risks in the U.S.

GM King shared that a fiscally responsible future is necessary to avoid the threat of a perfect storm. Fairness in fees and assessments is paramount. Bifurcating essential functions and respective costs of service are crucial.

- Levees make up 40% of current and future expenditures. The existing assessment and CCAD #2 fund this part. This benefits all properties in the Natomas Basin.
- Stormwater services make up about 60% of current and future expenditures. Stormwater service fees are proposed to fund this work.

GM King noted that the proposed fee process would be fully transparent and collaborative to ensure fairness of fees and assessments and fiscal responsibility. Part of this process is the creation of 4Natomas.org, which will go live in early June 2022 and provide more information.

GM King opened Item 6.2 for comments. Trustee Elena Lee Reeder inquired about inflation calculations. GM King explained estimates were included in the financial model the Board approved in Phase 1.

Trustee Chris Burns expressed concern over reducing the existing assessment because of instances where a major flood event would require the current assessment to be retained. GM King explained there is no Board action to reduce the existing assessment. It would need to be adjusted and approved annually. A table exists that shows the current fees and proposed fees; the technical memo is adaptive. Trustee Chris Burns reiterated his concern about a rate reduction and the appearance of a "bait and switch." GM King intends to hear from the community about a proposed minimum fee.

Trustee Elena Lee Reeder expressed her support for this item and that it serves as a good starting point.

7. BOARD OF TRUSTEE'S COMMENTS/REPORTS

7.1. BOARD ACTIVITY UPDATES:

7.1.1. RD 1000 Committee Meetings Since Last Regular Board Meeting

- Operations Committee (Bains, Barandas & Burns) April 14, 2022
- Finance Committee (Gilbert, Bains & Burns) April 29, 2022
- Executive Committee (Gilbert & Lee-Reeder) May 4, 2022

7.1.2. RD 1000 Committees No Meetings Since Last Regular Board Meeting

- Legal Committee (Avdis, Barandas & Gilbert)
- Personnel Committee (Jones, Bains & Barandas)
- Urbanization Committee (Lee Reeder, Burns & Jones)

8. CLOSED SESSION

8.1. No Closed Sessions Items Scheduled.

9. ADJOURN

Moved/Second: Trustee Nick Avdis/ Trustee Debra G. Jones

Ayes: Trustee Thom Gilbert, Trustee Elena Lee Reeder, Trustee Nick Avdis, Trustee Tom Barandas, Trustee Debra G. Jones, Trustee Chris Burns,

Noes: None

Abstain: None

Absent: Trustee Jag Bains

Action: Motion to adjourn the meeting is approved.