

MINUTES OF THE REGULAR MEETING OF THE FRCD BOARD

Wednesday, September 22, 2010

The regular meeting of the Board of Directors of the Florin Resource Conservation District was called to order at 6:30 p.m. by Barrie Lightfoot, Chair, at 8820 Elk Grove Blvd., Elk Grove, CA.

Call to Order, Roll Call, and Pledge of Allegiance.

Directors Present: Chuck Dawson, Barrie Lightfoot, Elliot Mulberg, and Tony Perez
Directors Absent: Tom Nelson
Staff Present: Ann Siprelle, general counsel; Tom Bartlett, treasurer/finance manager; Stefani Phillips, secretary/human resource specialist; Jeffrey Maupin, operations manager; Ellen Carlson, management analyst; and Donella Ouellette, finance supervisor
Associate Directors Present: Donald Menasco and Rich Lozano
Consultants Present: None
Public Present: Roy Herburger, Bob Gray, Matt Wheeler, and Dwane Coffey

Public Comment

No comments.

The Board moved item #2 to the end of the agenda.

1. Consent Calendar

- a. Approve Special Meeting minutes of August 20th and Regular Meeting minutes for August 25th
- b. FRCD Cash Flow Worksheet – August, 2010
- c. Warrants Paid – August, 2010
- d. Monthly Summary – August, 2010
- e. Monthly Water Connections – August, 2010
- f. Bond Covenant Requirements for FY 2010-2011
- g. Revenues and Expenses – Actual vs Budget
- h. CDARS Accounts
- i. Revenue Distribution Worksheet
- j. Consultants Expenses

Elliot Mulberg requested that item (a) be pulled for discussion.

MSC (Mulberg/Perez) to approve items b-j, 4/0: Ayes: Dawson; Mulberg, Perez, and Lightfoot.

Mr. Mulberg requested that the following revisions be made to the August meeting minutes: item #6 Department of Conservation Watershed Coordinator Grants, come back to the September meeting should be removed as the full Board did not vote on it; item #7 Drought Assistance grant draft agreement and memorandum of agreement (MOA), add "motion failed"; and item #9 Implementation of SCADA Software, add to motion "verification of references."

MSC (Mulberg/Perez) to approve items (a), 4/0: Ayes: Dawson; Mulberg, Perez, and Lightfoot.

3. Operations Report

Jeff Maupin, operations manager, entertained a question and answer period.

Mr. Mulberg requested that Mr. Maupin review RBF's billing to see if they were keeping within budget for their engineering services.

4. Adoption of the Conflict of Interest Code

Stefani Phillips, secretary, stated that at the August Board meeting, Mr. Mulberg inquired why the County of Sacramento has to authorize the FRCD's conflict of interest code if the District is a special district. Ms. Phillips stated that because the District is wholly contained within the boundaries of the County of Sacramento, the Conflict of Interest Code must be submitted to them because they are the reviewing body for Sacramento County.

Mr. Mulberg complimented Ms. Phillips on her staff report.

MSC (Mulberg/Perez) to approve Resolution 09.22.10.01 of the Board of Directors of the Florin Resource Conservation District Adopting a Conflict of Interest Code Pursuant to the Political Reform Act of 1974, 4/0: Ayes: Dawson; Mulberg, Perez, and Lightfoot.

5. Pending Legislation (AB194, AB419, AB727, AB827, AB2304, and AB1834)

Ellen Carlson, management analyst, presented the pending legislation as requested at the August Board meeting by Mr. Mulberg.

Tony Perez, director, stated that he would like information from local city councils related to water activities.

Mr. Lightfoot suggested that the Board members send an email to Ms. Carlson on water related activities they are interested in.

Ms. Carlson stated that Brown and Caldwell puts out a daily report called Water News that captures important water related topics. She stated that the report was free of charge and she already subscribes to it.

Mr. Mulberg stated that he liked the information that Ms. Carlson provided and his only request was to add a heading to the first section. Ms. Carlson stated that she would add proponents and oppositions. Mr. Mulberg thanked Ms. Carlson.

6. Forestry Challenge

Ms. Carlson stated that the District received a request for sponsorship in the amount of \$450 from Franklin High School for the Forestry Challenge. She stated that there was \$500 placed in the FRCD budget for World Water Monitoring Day, but that no request had been received for that event. Ms. Carlson requested that the Board consider awarding Franklin High School \$450 for the Forestry Challenge.

MSC (Dawson/Perez) to award \$450 to Franklin High School for the Forestry Challenge, 4/0: Ayes: Dawson; Mulberg, Perez, and Lightfoot.

7. Committee Meeting(s) Update

Chuck Dawson, director, stated that the ad hoc committee for the employee manual revisions did not meet because the employee manual was not finished being reviewed by the attorney. Ms. Phillips stated that once Tom Nelson, director, returned from vacation; she would reschedule an ad hoc committee meeting.

8. Directors Comments/Suggestions & Subjects for Future Board Meetings

Mr. Lightfoot stated that some of the Board members have questioned why the District is required to submit their nominations for Sacramento County Groundwater Forum representative and alternate representative to the City of Elk Grove for ratification. Mr. Lightfoot stated that he talked to the chairman of the SCGF about the inquiry and was told to submit the letter to the City of Elk Grove with the position titles rather than name, e.g., Board of Director and general manager. Mr. Mulberg recommended that under general manager, the letter should read "general manager or his/her designee."

The Board changed the October Board meeting to Tuesday, October 26, 2010, at 6:30 p.m.

2. Engineering Proposals

Mr. Mulberg recused himself due to a possible conflict of interest with one of the firms.

Mr. Lightfoot gave an overview of the RFP process for engineering services. He stated that the proposals needed to be received by the District by 4:00 p.m. on Friday, September 10, 2010. He stated that the District received a total of nine proposals. Mr. Lightfoot stated that the ad hoc committee consists of Board of Directors (Tom Nelson and himself) and District staff (Tom Bartlett, finance manager, Jeff Maupin, operations manager, and Ellen Carlson, management analyst). He said the District staff was given review assignments for the proposals to help the committee select the proposals. Mr. Lightfoot stated that the ad hoc committee met on Friday, September 17, 2010, to review the proposals. He said that the committee narrowed the proposals down to four engineering firms: RBF, West Yost, Wood Rodgers, and Luhdorff and Scalmanini. Mr. Lightfoot stated that the ad hoc committee will meet with each of the firms at their place of business on October 7th and October 8th. He stated that each will be asked to make a presentation at the Board in October at which time the full Board will make the final selection.

9. Closed Session

a. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

(Subdivision (a) of Section 54956.9)

Name of case: Florin Resource Conservation District v. JBK Finance, LLC, et al, Yolo County Superior Court Case No. CV08-974

b. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

(Subdivision (a) of Section 54956.9)

Name of case: J.B. Jones v. FRCD, EGWS, et al, Sacramento Superior Court Case No. 34-2009- 00046310

No reportable action.

Respectfully submitted,

Stefani Phillips

Stefani Phillips, Secretary