

MINUTES OF THE REGULAR MEETING OF THE FRCD BOARD

Wednesday, June 22, 2011

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, Tom Nelson, and Tony Perez
Staff Present: Ann Siprelle, General Counsel; Tom Bartlett, Treasurer/Finance Manager; Stefani Phillips, Secretary/Human Resource Specialist; Jeffrey Maupin, Operations Manager; Donella Ouellette, Finance Supervisor; Ellen Carlson, Management Analyst; Richard Salas, Water Utility Foreman; Jose Carrillo, Water Distribution Foreman; Steve Shaw, Water Treatment Foreman; Wilfredo Quintero, Water Treatment Operator II; Aaron Hewitt, Water Treatment Operator III; Salvador Mendoza, Water Utility Operator I; Travis Small, GIS Technician I; John Diaz, Water Distribution Operator I; Marcell Wilson, Water Distribution Operator II; John Alexander, Water Distribution Operator I; John Vance, Water Distribution Operator II; Doreen Myers, Senior Utility Billing Specialist; Denise Maxwell, Utility Billing Specialist; and Daphne McGuire, Customer Service Representative I
Associate Directors Present: Donald Menasco
Consultants Present: Pete Tobia, Wood Rodgers
Public Present: Bob Gray, and Pat Myers

Public Comment - No comments

1. Consent Calendar

- a. Approve Regular Meeting minutes for May 25, 2011; and Finance Committee Minutes of June 08, 2011.
- b. FRCD Cash Flow Worksheet – May, 2011
- c. Warrants Paid – May, 2011
- d. Monthly Water Connections – May, 2011
- e. Bond Covenant Requirements for FY 2010-2011
- f. Revenues and Expenses – Actual vs Budget
- g. Cash Accounts
- h. Revenue Distribution Worksheet
- i. Consultants Expenses

MSC (Dawson/Mulberg) to approve Consent Calendar items a, b, d, e, f, g, h, and i, 5/0: Ayes: Dawson, Mulberg, Nelson, Perez, and Lightfoot.

The Board had brief questions on item c.

Tom Nelson inquired what the customer refunds were for. Donella Ouellette, Finance Supervisor, replied that the customer refunds were issued for closed accounts.

MSC (Nelson/Dawson) to approve Consent Calendar item c, 5/0: Ayes: Dawson, Mulberg, Nelson, Perez, and Lightfoot.

2. Public Hearing - Urban Water Management Plan

The public hearing was opened at 6:40 p.m.

A lengthy discussion was held regarding changes in the Urban Water Management Plan document.

Pete Tobia, Wood Rodgers, covered all the changes that had been made to the UWMP document.

Elliot Mulberg, Vice-Chairman, inquired why climate change was not addressed. He stated that climate change is now required for all CEQA documents.

Mark Madison, General Manager, replied that the data was optional and there was insufficient information to report.

The Board stated that they felt the census data on page 9 was too general. Mr. Tobia explained the methodology.

Tony Perez, Director, stated that he was not comfortable using the census data from 2000.

The Board requested the following amendments be made:

- Enlarge Figure 5 on page 35.
- Clarify the purpose for Table 35.
- Appendix J – Ordinance 04-23-08-01 will be replaced by the adopted Rate Ordinance 06-22-11-01.

MSC (Nelson/Dawson) to approve Resolution 06.22.11.01 of the Board of Directors of the Florin Resource Conservation District adopting the 2010 Update to the Urban Water Management Plan as amended. 4/0/1: Ayes: Dawson, Nelson, Mulberg and Lightfoot; Nays: 0; Abstention: Perez.

3. **Award Contract to Special District Risk Management Authority**

Mr. Madison presented a new contract to the Board to join the Special District Risk Management Authority. By joining SDRMA, the District would save over \$49,000 compared to the current insurance rates.

a. Application to Self Insure for Worker's Compensation Insurance with SDRMA

Mr. Mulberg inquired if an individual had a date of injury before the coverage ended, but did not report it until after the coverage ended, would they be covered. He inquired whether or not the current carrier offered tail coverage.

Mr. Madison requested Ann Siprelle, General Counsel to research that request.

MSC (Mulberg/Perez) to authorize the Board Chairman to execute on behalf of the Florin Resource Conservation District, an application for a public entity Certificate of Consent to self insure for worker's compensation to be submitted to the SDRMA, subject to tail coverage. 5/0: Dawson, Mulberg, Nelson, Perez, and Lightfoot.

b. Resolution Authorizing Application to Self Insure for Worker's Compensation Insurance with SDRMA

MSC (Dawson/Nelson) to adopt Resolution 06.22.01.02 authorizing application to the Director of Industrial Relations, State of California for a Certificate of Consent to self insure worker's compensation liabilities. 5/0: Dawson, Mulberg, Nelson, Perez, and Lightfoot.

c. Resolution Approving the Joint Powers Authority Agreement and Authorizing Participation with SDRMA

MSC (Mulberg/Perez) to approve Resolution 06.22.11.03 of the Board of Directors of the Florin Resource Conservation District, approving the form of and authorizing the execution of a Sixth Amended Joint Powers Agreement and authorizing participation in the Special District Risk Management Authority Property/Liability Program and Worker's Compensation Programs, subject to tail coverage, 5/0: Ayes: Dawson, Mulberg, Nelson, Perez, and Lightfoot.

4. **Elk Grove Water District FY 11-12 – Employee Cost Control Program Policies**

Mr. Madison presented the Employee Cost Control Program Policies for the Boards consideration. The ECCP policies were developed in an effort to reduce and control employee costs in FY 11-12 and future years.

a. PERS Employee Contribution Policy

MSC (Dawson/Nelson) to adopt the PERS Employee Contribution Policy, 3/1/1: Ayes: Dawson, Nelson, and Lightfoot; Nay: Mulberg; Abstention: Perez

b. Alternative Work Schedule Policy

MSC (Nelson/Dawson) to adopt the Employee Medical Contribution Policy, 5/0: Ayes: Dawson, Mulberg, Nelson, Perez, and Lightfoot.

c. Employee Disability Medical Policy

Tom Nelson, Director, requested the definition of the 9/80 Alternate Work Schedule state “The 9/80 alternate work schedule shall consist of eight (8) work days of nine (9) hours and one work day of eight (8) hours for a total of eighty (80) hours during two (2) consecutive work weeks.”

MSC (Dawson/Perez) to adopt the Alternative Work Schedule Policy as amended, 5/0: Ayes: Dawson, Mulberg, Nelson, Perez, and Lightfoot.

d. Employee Medical Contribution Policy

The Board requested that the policy include the name and title of the General Manager under A. Definitions 3. Approval of Benefits.

MSC (Mulberg/Perez) to adopt the Employee Disability Medical Policy as amended, 5/0: Ayes: Dawson, Mulberg, Nelson, Perez, and Lightfoot.

MSC (Dawson/Nelson) to approve Resolution 06.22.11.04 of the Board of Directors of the Florin Resource Conservation District adopting policies concerning certain employee benefits and work schedules, 5/0: Ayes: Dawson, Mulberg, Nelson, Perez, and Lightfoot.

Mr. Nelson thanked all of the staff members for contributing to their benefits.

Chuck Dawson, Director, stated that the Board wants to take care of the employees.

5. Elk Grove Water District FY 11-12 Budget

Mr. Madison presented the Elk Grove Water District FY 11-12 Budget for the Board's consideration.

A question and answer period occurred.

The Board complimented Tom Bartlett for providing language that explained amoritization and depreciation.

MSC (Dawson/Nelson) to adopt the Elk Grove Water District FY 11-12 Budget, 5/0: Ayes: Dawson, Mulberg, Nelson, Perez, and Lightfoot.

Barrie Lightfoot, Chairman, thanked the employees for all of their hard work.

6. Consolidated Rate Ordinance

Ellen Carlson, Management Analyst, presented the Consolidated Rate Ordinance for the Board to adopt. Ms. Carlson stated that two items were revised as requested by the Board at the June 08, 2011 Finance Committee Meeting: 1) Remove the 5-Year rate schedule table from the ordinance; and 2) Add language to the ordinance on the Districts right to preserve any rates that were previously adopted by Ordinance 04-23-08-01 and deferred.

MSC (Mulberg/Dawson) to adopt Ordinance 06.22.11.01 Prescribing Rates for Water Service; Consolidating Ordinance No. 04.23.08.01, Passed and Adopted on April 23, 2008, and Ordinances 12.10.08.01, 06.24.09.01, 08.26.09.01, 12.08.10.01, 01.26.11.01, and 01.26.11.02, which amend Ordinance 04.23.08.01 and making certain findings and determinations in connection therewith, 5/0: Dawson, Mulberg, Nelson, Perez, and Lightfoot.

7. Florin Resource Conservation District FY 11-12 Budget

Mr. Madison presented the Florin Resource Conservation District FY 11-12 Budget for the Board's consideration.

MSC (Nelson/Dawson) to adopt the Florin Resource Conservation District FY 11-12 Budget, 5/0: Dawson, Mulberg, Nelson, Perez, and Lightfoot.

8. Economic Development Corporation Budget FY 11-12 Budget

This item was moved to the end of the agenda.

MSC (Nelson/Perez) to adopt Economic Development Corporation Budget FY 11-12 Budget, 5/0: Dawson, Mulberg, Nelson, Perez, and Lightfoot.

9. Legislative Update

Ms. Carlson presented the legislative update.

A brief question and answer period followed.

10. Operations Report

Jeff Maupin, Operations Manager, presented the operations report and some additional highlights: the storage tanks have been checked for the bi-annual maintenance screening; all field workers have been trained on SCADA; well number one is up and running; and its conceivable that the District will not have to use any water from Sacramento County this summer.

Mr. Madison discussed the agreement with Sacramento County. He stated that it is agreed that if needed Sacramento County will provide the District with 2000 gallons per minute (GPM) and possibly, but not guaranteed that they will provide an additional 1600 gpm.

Mr. Madison complimented the field staff for their quality workmanship!

The Board concurred and complimented Mr. Maupin – “Good job!”

11. Committee Meeting(s) Update

Finance Committee Meeting

Minutes and Power Point presentation were provided under agenda item number 1 (a).

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

Mr. Mulberg commented that staff should address items that have been previously requested by Board members.

Mr. Perez requested a presentation on the status of the meter retrofit program, including problem areas, and projected date of completion.

13. Closed Session

- a. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION (Subdivision (a) of Section 54956.9)
United States, et al. ex rel John Hendrix v. J-M Manufacturing Company Inc. dba JM Eagle, et al.
Docket No: ED CV06-00055-GW
Court: United States District Court for the Central District of California
- b. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Pursuant to Section 54956.8:
Property: 2450 Florin Rd.
Agency Negotiator: Mark J. Madison, General Manager
Negotiating parties: Florin Resource Conservation District and County of Sacramento
Under negotiations: Price and Terms of payment
- c. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to Section 54957
Title: General Manager

No reportable action was taken.

Respectfully submitted,

Stefani Phillips, Secretary