

MINUTES OF THE REGULAR MEETING OF THE FRCD BOARD

Wednesday, September 28, 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: Barrie Lightfoot, Tom Nelson, and Tony Perez
Directors Absent: Chuck Dawson and Elliot Mulberg
Staff Present: Mark J. Madison, General Manager; Ann Siprelle, General Counsel; Jim Malberg, Interim Finance Manager; Stefani Phillips, Secretary/Human Resource Specialist; Donella Ouellette, Finance Supervisor; and Ellen Carlson, Management Analyst
Associate Directors Present: Donald Menasco and Davies Ononiwu
Associate Directors Absent: None
Consultants Present: Larry Ernst, Wood Rodgers; Kyle Snow, BB&K; and Ken Dieker, Del Rio Advisors, LLC
Public Present: Dennis Coleman, Roy Herburger, Rob Schwartz, Bob Gray, and Carolyn Humphrey

Public Comment

Carolyn Humphrey stated she had previously requested to have a meter installed at her home to try and reduce the water bill expense and commented that she was upset with the District's water rates. She inquired about the base charge for a meter, which does not include water usage and why the base charge is so high.

Mark Madison, General Manager, replied that the District does have a fixed base charge of \$56.53 and a consumption charge of \$1.46 for the first 3000 cubic feet of water and \$1.80 for over 3000 cubic feet.

Mr. Madison offered to have staff get in contact with Ms. Humphrey to review her water usage and to determine if there were any helpful remedies.

Mr. Madison gave introductions to the new Finance Manager Dennis Coleman. He stated that Mr. Coleman would begin employment with the District on September 29, 2011. Mr. Madison stated that Mr. Coleman would be coming to the District from the City of Solano Beach.

Dennis Coleman stated "It is a pleasure to be aboard, thank you very much!"

Mr. Madison complimented Jim Malberg, Willdan, who has been serving as the Interim Finance Manager. He stated that his level of professionalism has been marvelous. Mr. Madison stated that Mr. Malberg has done a great job!

The Board echoed Mr. Madison's comments.

1. Consent Calendar

- a. Approve Regular Meeting minutes for August 24, 2011
- b. FRCD Cash Flow Worksheet – August, 2011
- c. Warrants Paid – August, 2011
- d. Active Accounts – August, 2011
- e. Bond Covenant Requirements for FY 2011-2012
- f. Revenues and Expenses – Actual vs Budget
- g. Cash Accounts
- h. Consultants Expenses

MSC (Lightfoot/Nelson) to approve the Consent Calendar items b-h, 3/0: Ayes: Nelson, Perez, and Lightfoot.

A brief discussion occurred regarding item three (Solar Energy Development Presentation) of the Regular Meeting minutes for August 24, 2011. Tony Perez, Director, stated that there had been many comments made that were not reflected in the minutes and would like them added. Stefani Phillips, Board Secretary, inquired if there was a specific comment he was referring to, because the minutes are not verbatim. Ann Siprelle, General Counsel, stated that the minutes are a summary of the Board meeting.

Mr. Madison recommended that the Board tentatively adopt the minutes. He stated that he would have staff listen to the tape to identify any additional comments and bring them back, so that the Board can be assured the comments were reflected in the minutes.

MSC (Lightfoot/Perez) to tentatively approve Consent Calendar item a, 3/0: Ayes: Nelson, Perez, and Lightfoot.

2. Water Efficiency Acceleration Program

Ellen Carlson, Management Analyst, gave a presentation on the Water Efficiency Acceleration Program grant opportunity through Regional Water Authority (RWA). The District is entitled to a \$200,000 share of the Proposition 50 grant for water meter installations, which was extended until December 2013. The purpose of the grant would be to fund the acceleration of the Districts Meter Retrofit Program by using contractors to work concurrently with existing staff.

Rob Schwartz, RWA, spoke about the Water Efficiency Acceleration Program and briefed the Board on how RWA administers the funds, including the reporting to Department of Water Resources and ensuring the Districts reimbursement.

A question and answer period followed.

Davies Ononiwu, Associate Board Member, complimented District staff on obtaining the grant and encouraged future efforts for grand funding.

The Board requested an update be provided on the progress of the grant agreement at the October Board meeting.

MSC (Nelson/Lightfoot) to authorize the General Manager to execute an agreement with RWA to provide for a \$200,000 Proposition 50 grant for water meter installations, 3/0: Ayes: Nelson, Perez, and Lightfoot

3. Wood Rodgers Change-Order Request

Mr. Madison presented Amendment No. 5 to the Wood Rodgers Professional Services Agreement to provide additional engineering services for the Source Capacity Improvement Program. Mr. Madison stated that Wood Rodgers services agreement is task based. Mr. Madison led the Board through the previous amendments.

Additional engineering services include the following:

- and 11D Capacity Enhancement Projects Wells 4D
- Modification Project Well 6
- Modification Project Well 9
- Meetings and Coordination Project

MSC (Nelson/Lightfoot) to authorize the General Manager to execute Amendment No. 5 to the Professional Services Contract with Wood Rodgers, in the amount of \$78,000, to provide additional engineering services for the Source Capacity Improvement Program, 3/0: Ayes: Nelson, Perez, and Lightfoot.

4. Legislative Update

Ms. Carlson gave the legislative update. She stated that seventeen of the bills that staff has been monitoring have been given to the Governor for his signature.

Ms. Carlson informed the Board that SB 293 (Contract Restrictions) may have significant impact on the District and recommended that they authorize the Chairman to sign a letter urging Governor Brown to veto the bill.

MSC (Nelson/Lightfoot) to authorize the Florin Resource Conservation District Board Chairman to sign and send a letter to Governor Brown, urging for a veto of SB 293, Ayes: Nelson, Perez, and Lightfoot.

5. Committee Meeting(s) Update

No report given.

6. Operations Report

Mr. Madison presented the Operations Report to the Board.

Mark Madison reported that some errors were found in the Operations Activity Report that staff will be working with Thomas Dainet, Information Technology, to resolve.

Mr. Madison informed the Board that Well Sites 3 and 8 have very high specific capacities, which are efficient wells He stated that this information gives credence to making modifications to Well Sites 6 and 9.

The Board suggested that the Operations Report be placed on the overhead projector for the audience to view.

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

Barrie Lightfoot, Chairman, suggested having the Board meeting for November and December on December 7, 2011 at 9257 Elk Grove Blvd. (EGWD Administration Building), in keeping with past practices during the holidays. The Board agreed.

8. Closed Session

- a. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: 2450 Florin Rd., Sacramento, CA
Agency negotiators: Mark Madison and Kyle Snow, and Ken Dieker
Negotiating parties: FRCD and Sacramento County
Under negotiation: Terms of payment
- b. CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION (Gov't. Code Section 54956.9(a))
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
- c. 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 was taken.

Respectfully submitted,

Stefani Phillips, Secretary