

February 13, 2009
Sacramento, California

The Board of Trustees of the American River Flood Control District met in regular session in its office at 165 Commerce Circle, Suite D, Sacramento, CA at 10:00 a.m. on Friday February 13, 2009. In attendance were Trustee Simon, Trustee Holloway, Trustee Minnema, Trustee Moose, and Trustee Redway. Trustee Simon presided. Also present from the District were General Manager Tim Kerr, Relief General Manager Gary Prall, Field Operations Manager Richard Marck, Field Supervisor Ronald Sundberg, Office Manager Michelle Wilder, and District Legal Counsel Scott Shapiro. Present from the public was Ric Reinhardt of MBK Engineers.

Item No. 1 Public comments on non-agenda items: There were no comments on non-agenda items from members of the public.

Item No. 2 Approval of Consent Agenda Items: All items were removed from the Consent Agenda and addressed individually. Trustee Moose requested clarification on transferring monies to a retirement fund account. Trustee Moose also requested clarification on the difference between Non-sufficient funds and Overdraft. Staff provided an explanation that Non-sufficient funds are strictly in reference to checks and an Overdraft is in reference to any type of bank withdrawal such as a transfer. Trustee Simon requested clarification on excess activity fees. Following explanations by staff on a motion by Trustee Moose seconded by Trustee Holloway, the Board unanimously approved item 2a) Minutes of Regular Meeting January 2009, 2b) Report of Investment Transactions December 2008, and 2c) Treasurer's Certification.

Item No. 3 Approval of Accounts Payable January 2009, General Fund Expenses, and Expenditures: President Simon requested clarification on payments to Import Repair, Inland Business Systems, and Krueger International, Inc. Trustee Moose requested clarification on payments to Pape Machinery and Pape Material Handling. Following explanations by staff, on a motion by Trustee Moose seconded by Trustee Redway, the Board unanimously approved payments on Schedule of Accounts Payable (February 2009) of \$42,867.26 and General Fund Expenses of \$67,111.44 (total aggregate sum of \$109,978.70). Expenditures to Date comparison with the budget were discussed.

Item No. 4 Draft MBK Engineers Erosion Inspection: GM Kerr introduced Ric Reinhardt of MBK Engineers. Mr. Reinhardt provided a review of the Erosion Inspection report. He noted that the river hasn't had high flows to test the current bank protection in place. Current erosion is primarily from recreation activities and a survey of the progression would clarify the point that it starts to threaten the levee. He recommended that corrective action be taken on the Sacramento River at RM 60.3 and RM 60.1. Trustee Simon requested clarification regarding the prioritization of concerns. Mr. Reinhardt responded that the prioritization is provided on page 7 of the report. Trustee Minnema requested clarification regarding a timetable for implementation. GM Kerr responded that the District will be focusing its efforts on RM 8.8, RM 9.8, RM 60.1, and RM 60.3. GM Kerr offered to brief the Board on a game plan for performing the recommended studies. On a motion by Trustee Minnema seconded by Trustee Moose, the Board unanimously approved the MBK Engineers Erosion Inspection Report.

Item No. 5 Draft Contract with Kleinfelder for WRDA-96 Alternatives Review: GM Kerr reported to the Board that he and District Counsel Aladjem spoke with Lynn O'Leary on the phone regarding extending the limits of liability of the consultant to the limit of their Errors and

Omissions Policy. We are waiting to hear back from Ms. O'Leary regarding this request. This item was for informational purposes only and no action was taken.

Item No. 6 Vehicle Idling Policy: In reference to direction given at the January Board Meeting GM Kerr provided a draft vehicle idling policy to the Board. Trustee Redway requested that concession be made to allow staff to update the "List of applicable off-road vehicles in the fleet" whenever the District's vehicle fleet changes without it being necessary to return to the Board to revise the policy. Trustee Simon requested that "clear of ice and snow" be stricken from item 4. On a motion by Trustee Holloway seconded by Trustee Moose, the Board unanimously approved the vehicle idling policy with changes including allowing staff the ability to update the "List of applicable off-road vehicles in the fleet" without bringing the policy to back to the Board.

Item No. 7 Draft Vehicle Specifications—Heavy Dump Truck Purchase: FOM Marck provided a draft Vehicle Specification for the District to list an invitation for bids for a 3-axel dump truck purchase. An advertisement will be placed in the local newspaper as soon as possible and any bids received will be opened and read in public session at the Board meeting on March 13th. On a motion by Trustee Minnema seconded by Trustee Moose, the Board unanimously approved the Vehicle Specifications for a 3-axel dump truck and authorized staff to place the ad in the Sacramento Bee.

Item No. 8 Staff Reports:

a) *General Manager Tim Kerr reported on the following:*

- General Manager's January Meeting Summary.
- Update on Implementation of Audit Recommendations: Policies are in development. It will be necessary to discuss them with Julia Jenness before they are finalized.
- Trash Accumulation on Levees near Bell Marine: District staff noticed a drop box sitting on the levee. They felt it had been provided by the city for trash from the nearby homeless encampments. The location of this container hinders the passage of maintenance vehicles. GM Kerr will contact the city to discuss this issue further.
- Corps' proposed policy on vegetation on levees: SAFCA has drafted a life cycle management document from their roundtable discussions. It will be presented to the Corps for inclusion in the general re-evaluation report. The District will submit comments.
- Update on 109 Waterglen Encroachment Permit: The fence relocation is complete. There is minor vegetation remaining and an old irrigation system. District staff will work to remove these remaining items.
- Update on Clear Channel Outdoor Tolling Agreement: GM Kerr spoke with Dennis Viglione regarding the status of this tolling agreement. Mr. Viglione indicated that progress has been slow and another extension to the Tolling Agreement may be necessary. On a motion by Trustee Redway seconded by Trustee Moose, the Board unanimously approved authorizing GM Kerr and District Counsel to provide a one-time extension to the agreement if necessary.
- Hydrologic conditions: Folsom Lake is at 26% capacity with an inflow of 5000 cfs and an outflow of 800 cfs. I street bridge is currently at 6 feet.
- The next Board meeting is March 13, 2009.

b) *Legal Counsel Scott Shapiro reported on the following:*

- Update on status of the CCC: The CCC is ok for at least another 6 months and former governors have written letters of recommendations in support of maintaining the CCC program.
- Update on Central Valley Flood Protection Board JPA Indemnity Policy: The subcommittee is holding a workshop today for the Board members to become educated on these issues so they are able to decide the best way to approach the indemnity issues. The issues will hopefully be resolved by this summer.

c) *Field Operations Manager Richard Marck reported on the following:*

- Photos of crew activities
- Surplus equipment disposal update: The Lincoln Welder has been sold. Prices have been lowered on the other equipment. However, we have received no further interest.
- Tree removal coordination with SMUD: There is a walnut tree in River Park which is dying and needs to be removed. The tree is also growing into the SMUD high power lines. The District has contacted SMUD. They have offered to remove the tree and the District will haul off the debris.

d) *Office Manager Michelle Wilder reported on the following:*

- Form 700 is due by April 1, 2009.

Item No. 17 Correspondence:

- Policy issues for 2009 Board Agendas

Item No. 18 Questions and Comments by Trustees: There were no questions or comments by Trustees.

Item No. 19 Adjourn: There being no further business requiring action by the Board, the meeting was adjourned by President Simon at 11:45 a.m.

Attest:

Secretary

President