

January 15, 2010
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 11:00 a.m. on Friday, January 15, 2010. In attendance were Trustee Simon, Trustee Holloway, Trustee Redway, Trustee Minnema, and Trustee Moose. Trustee Simon presided. Also present from the District were General Manager Tim Kerr, Relief General Manager Gary Prall, Superintendent Richard Marck, Field Supervisor Ronald Sundberg, Office Manager Michelle Wilder, and District Legal Counsel Scott Shapiro. Nate Hershey from MBK Engineers was present from the public.

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 Election of Officers of the Board of Trustees: On a motion by Trustee Moose seconded by Trustee Redway, the Board unanimously approved the following Officers of the Board of Trustees: President: Trustee Simon; Vice President: Trustee Holloway; Secretary: Trustee Minnema; Assistant Secretary: Office Manager Wilder; Treasurer: Trustee Moose; and Assistant Treasurer: General Manager Kerr.

Item No. 3 Election and Appointments of District Representatives to Associated Organizations: On a motion by Trustee Moose seconded by Trustee Redway, the Board unanimously approved the following appointments: SAFCA Board of Directors: Trustee Holloway and Trustee Moose; SAFCA Board of Directors-Alternates: Trustee Simon, Trustee Redway, and Trustee Minnema; JPIA Director: Trustee Redway; JPIA Alternate Director: GM Kerr; and California Central Valley Flood Control Association Director: GM Kerr.

Item No. 4: Make Personnel Assignments to Existing Standing/Ad-Hoc Committees: On a motion by Trustee Moose seconded by Trustee Redway, the Board unanimously approved the following District personnel assignments to existing Standing/Ad-Hoc Committees: Policy Committee: Trustee Simon and Trustee Minnema; Personnel and Benefits Committee: Trustee Simon and Trustee Moose; Finance Committee: Trustee Holloway and Trustee Moose; and Legislative Committee: Trustee Holloway and Trustee Redway.

Item No. 5 Approval of Consent Agenda Items: On a motion by Trustee Redway seconded by Trustee Moose, the Board unanimously approved item 5a) Minutes of Regular Meeting, December 11, 2009.

Item No. 6 Approval of Reports of Investment Transactions November 2009 (City Pool A, LAIF, Chase) and Treasurer's Certification: On a motion by Trustee Redway seconded by Trustee Moose, the Board unanimously approved the Reports of Investment Transactions for November 2009 and Treasurer's Certification.

Item No. 7 Approval of Accounts Payable December 2009, General Fund Expenses, and Expenditures: Trustee Simon requested clarification on the payments to Fire Code, Pape Material Handling, and PBM Supply. Trustee Minnema requested clarification on the payment to Austerman, Inc. Trustee Redway requested clarification on the payment to the City of Sacramento. Following explanations by staff, on a motion by Trustee Moose seconded by Trustee Holloway, the Board unanimously approved payments on Schedule of Accounts Payable (December 2009) of \$59,192.44 and General Fund Expenses of \$62,122.36 (total aggregate sum of \$121,314.80). Statement of Expenditures was discussed.

Item No. 8 Resolution 2010-01: Exemption for the Program of Routine Maintenance for Calendar Year 2010: On a motion by Trustee Moose seconded by Trustee Holloway, the Board unanimously made the necessary findings and adopted Resolution No. 2010-01 authorizing the filing of the Notice of Exemption for the District's 2010 Program of Routine Maintenance and directing the General Manager to post the notice as required by law.

Item No. 9 MBK Engineers Erosion Inspection and Proposed Study of Causes of Erosion: GM Kerr introduced Nate Hershey of MBK Engineers. Mr. Hershey provided a review of the Erosion Inspection Report. Mr. Hershey indicated that there were no sites posing an imminent danger to the District. The 2009 report includes recommendations to continue the study of three sites including a known issue on the Sacramento River which has been studied in the past. Trustee Redway requested examples of a structural fix for continued erosion. Mr. Hershey noted that a cobble base could be used but it poses a challenge due to the high pedestrian use of the site. GM Kerr noted that of the 3 sites that need to be studied two are a concern and a top priority while the third simply warrants further monitoring. On a motion by Trustee Holloway seconded by Trustee Moose, the Board unanimously approved the MBK Engineers Erosion Inspection Report.

Item No. 10 Review Scope of Work and Cost Estimate from Kindle Surveying Inc.: At the request of the Board, GM Kerr had previously requested a Scope of Work and Cost Estimate from Kindle Surveying to survey property lines in River Park. The Cost Estimate provided includes approximately \$48,000 for field work and \$12,000 for recording and documentation for a total cost of approximately \$60,000. GM Kerr and Mr. Kindle are working together in an attempt to develop a useful tool for the District regarding encroachments. Trustee Redway noted two matters 1) the ability of District staff to determine property lines and 2) documentation to provide homeowners and title agencies regarding encroachments. GM Kerr noted that the encroachments could be included on the survey and recorded with the title companies. District Counsel Shaprio noted that existing features (i.e. power poles) could be indicated on the map to allow District staff to indicate encroachments to homeowners. Trustee Holloway requested GM Kerr to meet with the River Park Homeowners Association before the physical surveying commences to notify them of the project. Trustee Minnema noted that it may be possible to place monuments at the corner of property lines. Trustee Simon

suggested GM Kerr determine how it works best with the budget when considering how to proceed. GM Kerr responded that he will further investigate these concerns and suggestions to determine the costs and feasibility. No action was taken on this item.

Item No. 11 Recommendations of Personnel Committee to Advertise for Levee Maintenance Worker, Range A Vacancy: GM Kerr reported that the Personnel Committee recently met to discuss hiring a new employee to add to the staff. On a motion by Trustee Redway seconded by Trustee Minnema, the Board unanimously approved announcing an opening to hire a Levee Maintenance Worker, Range A.

Item No. 12 Creek Week 2010 Participation: GM Kerr reported that last year the District provided in-kind services and \$1,000 donation to Creek Week. On a motion by Trustee Moose seconded by Trustee Redway, the Board unanimously approved providing in-kind services and \$1,000 donation again this year.

Item No. 13 US Army Corps of Engineers Periodic Levee Inspection—Public Outreach: The Corps is conducting their periodic inspection of the District's levees. The first 0.7 mile of the North Levee of the American River upstream of Arden way is on private property. It will be necessary to contact approximately 45 homeowners to request and coordinate access to the levee for inspection.

Item No. 14 Staff Reports:

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

- General Manager's December Meeting Summary;
- Central Valley Flood Control Assoc. Public Outreach: A sub-committee is drafting a letter to homeowners regarding encroachments. It will be necessary to wait for the results of the Corps periodic inspection before developing a public outreach strategy.
- 2010 River Park Slope Improvements: GM Kerr noted that over the past two years 22 sites have been improved. A letter for contacting homeowners is being modified to further encourage participation.
- City and County MOU's are being renewed;
- Hydrologic Conditions: Folsom Lake is at 26% of capacity with an outflow of 1550 cfs. I Street Bridge is at 4.6 feet;
- Next Board Meeting: February 12, 2010.

b) *Legal Counsel Scott Shapiro had nothing further to report.*

c) *Superintendent Richard Marck showed photos and discussed the following:*

- Crew activities including encroachment removal, vegetation management, installation of ag base, and the Corps periodic inspection;
- H Street Vegetation: Trimming 20-feet from the crown edge;
- CMAS Purchase of John Deere 6430 Tractor: When the tractor was ordered the salesman incorrectly provided the 2008 price. The tractor purchase will be \$3,837.27 more than originally anticipated;

- Contract with California Conservation Corps: They will be used to haul trimmings and debris up the levee slope;
- Department of Water Resources Fall Inspection: Preliminary inspection report was reviewed and comments forwarded to DWR.

d) Office Manager Michelle Wilder reported on the following:

- Website Statistics: The District's website had 154 visits during the month of December.

Item No. 12 Correspondence: There was no correspondence.

Item No. 13 Questions and Comments by Trustees: There were no questions or comments by Trustees.

Item No. 14 Adjourn: There being no further business requiring action by the Board, the meeting was adjourned by Trustee Simon at 1:09 p.m.

Attest:

Secretary

President