

November 17, 2023
Sacramento, California

The Board of Trustees of the American River Flood Control District met in regular session at 11:00 a.m. on Friday, November 17, 2023. In attendance were Trustee Johns, Trustee Holloway, Trustee L'Ecluse, and Trustee Vander Werf. Trustee Johns presided. Trustee Shah arrived during item three. Also present from the District were General Manager (GM) Tim Kerr, Interim-Superintendent David Diaz, Retired Annuitant Ross Kawamura, Legal Counsel Rebecca Smith, and Office Manager Malane Chapman. One member of the public was present.

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: On a motion by Trustee Holloway seconded by Trustee Vander Werf, the Board unanimously approved item 2a) Minutes of Regular Meeting on October 13, 2023, 2b) Approval of Report of Investment Transactions September 2023 (City Pool, LAIF, River City) and Treasurer's Certification, 2c) District Financial Reports: Statement of Operations (October 2023) and Cash Flow Report, and 2d) Correspondence: None.

Item No. 3 Accounts Payable and General Fund Expenses (October 2023): Trustee Vander Werf inquired on payment made to MBK Engineers. Following explanation by staff and on a motion by Trustee L'Ecluse seconded by Trustee Vander Werf, the Board unanimously approved payments on the Schedule of Accounts Payable (October 2023) of \$105,068.99 and General Fund Expenses of \$88,846.04 (total aggregate sum \$193,915.03).

Item No. 4 Proposed 24/7 Cooperative Business Park Security: GM Kerr presented the Board with information about the Johnston Business Park security. The District was approached by a representative of the coalition to request that the District consider joining the coalition of other business owners, property owners, and tenants to cost-share some of the cost of the security services. Trustee Holloway expressed that he was in support of the District participating. Trustee Shah also expressed interest in joining the coalition and felt that the benefit would not only protect the District facilities and equipment, but also the health and safety of staff. Trustee L'Ecluse expressed concern for the perception of our participation. Trustee Vander Werf is hesitant to join without knowing who is participating and what amount they are contributing. On a motion by Trustee Johns seconded by Trustee Shahs, the Board agreed to participate in the coalition for six months or less and to contribute \$1000 for each of those months. Trustee Vander Werf opposed this motion.

Item No. 5 Endorsement of CA Central Valley Flood Board Permit: Applicant: Dominic Leber: Description: Installation of Swimming Pool Adjacent to the Levee in River Park at 5091 Teichert Ave, Sacramento, CA: GM Kerr presented the application and supporting geotechnical evaluation for the permit endorsement to the Board. On a motion by

Trustee Holloway seconded by Trustee Johns, the Board unanimously endorsed Mr. Leber's permit application to install a swimming pool.

Item No. 6 Resolution 2023-08 Establishing a By-District Election Process Pursuant to California Elections Code Section 10010: Legal Counsel Smith presented to the Board the Resolution, explaining that the District wants to keep all seats staggered so not all five are up for election at the same time, District cannot have more than five Trustees. Trustee Holloway would like to see one of the unrepresented districts on the election for 2024. On a motion by Trustee Johns, District Four and District Three would run for election in 2024 with Districts One, Two, and Five in the 2026 election seconded by Trustee Holloway. The motion did not carry. The Board did not take action on this item and asked that it be presented at the December meeting.

Item No. 7 Administrative Staff Reports:

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

- General Manager's October Meeting Summary: SAFCA/USACE Cutoff Wall Protection meeting, SAFCA/USACE River Park Access Ramps Site Visit, and City of Sacramento Highwater Jamboree were discussed;
- Sutter's Landing Regional Park;
- Future Purchase of a Flatbed Tilt Trailer;
- Hydrologic Conditions: Folsom Lake is 52% of total capacity with an outflow of 2,165 cfs. The gauge at I Street shows a water surface elevation of 6 feet above sea level;
- Next Board Meeting is scheduled for December 8, 2023

b) *Legal Counsel Rebecca Smith:* Nothing further to report.

c) *Office Manager Malane Chapman:*

- *Fiscal Year 2022-2023 Audit, Fieldwork the Week of November 27, 2023*

Item No. 8 Operations and Maintenance Staff Reports:

a) *Interim-Superintendent David Diaz*

- *Crew Activities* including trimming, erosion repair, and flood fight training.

Item No. 9 Questions and Comments by Trustees: No further questions or comments by the Board.

Item No. 10 Adjourn: There being no further business requiring action by the Board, the meeting was adjourned by Trustee Johns at 12:32 p.m.

Attest:

Secretary

President