

July 8, 2022  
Sacramento, California

In Compliance with CA Assembly Bill 361 the Board of Trustees of the American River Flood Control District met in regular session at 11:00 a.m. on Friday, July 8, 2022 by teleconference. In attendance were Trustee Shah, Trustee Holloway, Trustee L'Ecluse, Trustee Vander Werf and Trustee Johns. Trustee Shah presided. Trustee Johns arrived during item #9. Also present from the District were General Manager (GM) Tim Kerr, Superintendent Scott Webb, Legal Counsel Austin Cho and Office Manager Malane Chapman. One member of the public was present.

*Item No. 1 Resolution No. 2022-13; Proclaiming a Local Emergency Persists, Re-Ratifying the COVID-19 State of Emergency, and Re-Authorizing Remote Teleconference Meeting of American River Flood Control District Pursuant to the Ralph M. Brown Act: On a motion by Trustee Holloway seconded by Trustee Vander Werf, the Board unanimously approved this item.*

Roll Call Vote:

Trustee Holloway:	AYE	Trustee Johns:	ABSENT
Trustee L'Ecluse:	AYE	Trustee Shah:	AYE
Trustee Vander Werf:	AYE		

*Item No. 2 Public Comments on Non-Agenda Items:*

*Item No. 3 Approval of Consent Agenda: On a motion by Trustee Holloway seconded by Trustee Shah, the Board unanimously approved items 3a) Minutes of Regular Meeting on June 10, 2022, 3b) Approval of Report of Investment Transactions May 2022 (City Pool, LAIF, River City) and Treasurer's Certification, 3c) District Financial Reports: Statement of Operations (June 2022) and Cash Flow Report, 3d)*

Correspondence: None

Roll Call Vote:

Trustee Holloway:	AYE	Trustee Johns:	ABSENT
Trustee L'Ecluse:	AYE	Trustee Shah:	AYE
Trustee Vander Werf:	AYE		

*Items No. 4 Accounts Payable and General Fund Expenses (June 2022): Trustee Holloway inquired about payment to Vortex. Trustee Vander Werf inquired about payment to L and D Landfill. Following explanation by staff and on a motion by Trustee Holloway seconded by Trustee Shah, the Board unanimously approved payments on the Schedule of Accounts Payable (June 2022) of \$57,647.45 and General Fund Expenses of \$103,476.10 (total aggregate sum \$161,123.55).*

Roll Call Vote:

Trustee Holloway:	AYE	Trustee Johns:	ABSENT
Trustee L'Ecluse:	AYE	Trustee Shah:	AYE
Trustee Vander Werf:	AYE		

*Item No. 5 Opening and Announcements of Closed Bids for Wall Removal and Reconstruction on Arcade Creek:* No Bids were received in time.

*Item No. 6 Opening and Announcements of Closed Bids for Rip-Rap Purchase and Delivery:* GM Kerr presented the Board with the one bid that was received from Nordic Industries, Inc for \$142,695.00. On a motion by Trustee Vander Werf seconded by Trustee Holloway the Board approved the bid for the rip-rap purchase and delivery.

Roll Call Vote:

Trustee Holloway:	AYE	Trustee Johns:	ABSENT
Trustee L'Ecluse:	AYE	Trustee Shah:	AYE
Trustee Vander Werf:	AYE		

At 11:18 a.m. the Trustees met in closed session with District Counsel Lucia and District Counsel Cho.

*Item No. 7 Conference with Legal Counsel – Personnel: Government Code 549547 – General Manager’s Annual Performance Evaluation:*

*Item No. 8 Conference with Legal Counsel – Anticipated Litigation: Government Code 54956.96(b) – One Case:*

The Trustees returned to open session at 11:40 a.m.

Legal Counsel Cho reported out that the Board took no action on Item No. 7 and that the Board voted in favor to issue a rejection letter for Item No. 8.

*Item No. 9 Resolution 2022-14: Transfer Funds from District Operations Fund to Capital Outlay:* On a motion by Trustee Vander Werf seconded by Trustee Shah, the Board unanimously approved the transfer.

Roll Call Vote:

Trustee Holloway:	AYE	Trustee Johns:	AYE
Trustee L'Ecluse:	AYE	Trustee Shah:	AYE
Trustee Vander Werf:	AYE		

*Trustee Johns abstained from Item No. 10.*

*Item No. 10 Endorsement of CA Central Valley Flood Board Permit - Applicant: SMUD: Description: Power Pole Replacement:* GM Kerr briefed the Board on the project. On a motion by Trustee Shah seconded by Trustee Holloway, the Board unanimously endorsed the permit.

Roll Call Vote:

Trustee Holloway:	AYE	Trustee Johns:	Abstained
Trustee L'Ecluse:	AYE	Trustee Shah:	AYE
Trustee Vander Werf:	AYE		

*Item No. 11 City of Sacramento Critical Infrastructure Resolution:* Trustees discussed the language of the resolution. Legal Counsel Cho suggested removing the phrase ‘caused by activities of unauthorized campers who have placed their’ from the first whereas and replaced it with ‘related to unauthorized’. On a motion by Trustee L’Ecluse and seconded by Trustee Vander Werf. The Board unanimously approved this item.

Roll Call Vote:

Trustee Holloway:	AYE	Trustee Johns:	AYE
Trustee L’Ecluse:	AYE	Trustee Shah:	AYE
Trustee Vander Werf:	AYE		

*Item No. 12 Administrative Staff Reports:*

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

- General Manager’s May Meeting Summary;
- Lathrop Way Encampments Update;
- By-District Election Public Meetings;
- Flood Maintenance Assistance Program Grant;
- Levee Maintenance Worker Interviews;
- Hydrologic Conditions: Folsom Lake is 76% of total capacity with an outflow of 5,198 cfs. The gauge at I Street Bridge shows a water surface elevation of 6 feet above sea level;
- Next Board Meeting is scheduled for August 12, 2022

b) *Legal Counsel Austin Cho:* Nothing further to report.

c) *Office Manager Malane Chapman:* Office Manager Chapman provided the Trustees with an election 2022 timeline.

*Item No. 13 Operations and Maintenance Staff Reports:*

*Superintendent Scott Webb:*

- Crew activities including mowing, equipment maintenance, camp cleanup, tree work, and respiratory and hearing testing training.

*Item No. 14 Questions and Comments by Trustees:* Trustee Vander Werf attended their neighborhood’s National Night Out and encouraged the other Trustees to attend their own neighborhood meetings.

*Item No. 15 Adjourn:* There being no further business requiring action by the Board, the meeting was adjourned by Trustee Shah at 12:45 p.m.

Attest:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
President