

In Compliance with CA Executive Orders N-25-20 and N-29-20 the Board of Trustees of the American River Flood Control District met in regular session at 11:00 a.m. on Friday, May 14, 2021 by teleconference. In attendance were Trustee Shah, Trustee Johns, Trustee Holloway and Trustee L'Ecluse. Trustee Vander Werf arrived at the beginning of item 6. Trustee Shah presided. Also present from the District were General Manager (GM) Tim Kerr, Superintendent Ross Kawamura, Field Supervisor Scott Webb, Legal Counsel Austin Cho, and Office Manager Malane Chapman. Mr. Ric Reinhardt from MBK was present. Two members of the public were present.

*Item No. 1 Public Comments on Non-Agenda Items:* No public comment on non-agenda items.

*Item No. 2 Approval of Consent Agenda:* On a motion by Trustee Holloway seconded by Trustee Johns, the Board unanimously approved items 2b Approval of Report of Investment Transactions March 2021 (City Pool, LAIF, River City) and Treasurer's Certification, 2c) District Financial Reports: Statement of Operations (April 2021) and Cash Flow Report, 2d) None.

Roll Call Vote:

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

*Item No. 2a Minutes of Regular Meeting on April 9, 2021:* Trustee Shah asked that language be added to item 4 of the minutes reflecting direction to staff. On a motion by Trustee Shah seconded by Trustee Holloway, the Board unanimously approved item 2a.

Roll Call Vote:

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

*Item No. 3 Accounts Payable and General Fund Expenses (April 2021):* On a motion by Trustee L'Ecluse seconded by Trustee Johns, the Board unanimously approved payments on the Schedule of Accounts Payable (April 2021) of \$175,653.07 and General Fund Expenses of \$93,837.02 (total aggregate sum \$269,490.09)

Roll Call Vote:

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

*Item No. 4 MBK Scope of Work for North Area System-wide Improvement Framework (SWIF):* GM Kerr briefed the Board on the Scope of Work and explained how he strives to maintain compliance with all Federal and State standards for levees and part of this is being part of the Corps Rehabilitation and Inspection Program (RIP). Corps inspection in 2010 noted some deficiencies on the levees and noted that there were a few items on the levees that needed to be addressed within a 2-year timeframe (video inspections on pipes, confirm permitting on pump stations and confirm easements location of some encroached fences). These items were not addressed within the two year time frame

and during the 2015 Corps inspection these items became unacceptable and put the District on the list to lose eligibility for the RIP eligibility PL 84-99 rehabilitation assistance. To date the District has not received the letter stating we are no longer eligible, but we are anticipating it would be coming. We worked with MBK Engineers submit a Letter of Intent to keep our eligibility in the program. The SWIF addresses how we plan to address the infractions over time. Mr. Reinhardt addressed the Board and appreciates how the District is being very proactive in their approach to correct these infractions. On a motion by Trustee L'Ecluse seconded by Trustee Johns, the Board unanimously approved this item.

Roll Call Vote:

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

*Item No. 5 Adopt Resolution 2021-05: Levying a Benefit Assessment Establishing the Rate Thereof and Requesting Collection of Benefit Assessment:* GM Kerr presented the resolution to the Board. Trustee Johns inquired about the assessment rate. GM Kerr informed it is the same rate and in order to change it the District would need to hold a Prop 218 election. On a motion by Trustee Johns seconded by Trustee L'Ecluse, the Board unanimously approved the item.

Roll Call Vote:

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

*Item No. 6 Final FY 2019-2020 Audit:* Following explanation by staff and on a motion by Trustee Shah seconded by Trustee Johns, the Board unanimously approved this item.

Roll Call Vote:

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

*Item No. 7 City of Sacramento Two Rivers Trail Permit (Maintenance Agreement):* GM Kerr reminded the Board that this permit was presented to them in December 2020. This permit describes the commitment and obligations of having an encroachment on the levee crown. These extra burdens will also incur additional costs to the District (flaggers, cones, barricades and detours). The District worked with the City to come up with a one time fee of \$80,000. Trustee Holloway asked how these funds will be tracked and if they will be held into a different account separate from all other funds. GM Kerr explained that the District is currently working with our Bookkeeper to determine the best way to track these funds. Trustee Shah expressed his gratitude to Downey Brand, Rebecca Smith and

Austin Cho for all their work with this agreement. On a motion by Trustee Holloway seconded by Trustee Johns, the Board unanimously approved this permit.

Roll Call Vote:

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

*Item No. 8 Administrative Staff Reports:*

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

- General Manager's April Meeting Summary;
- Urban Encampments Policy;
- Local Hazard Mitigation Plan;
- Hydrologic Conditions: Folsom 38% of total capacity with an outflow of 1,314 cfs. The gauge at I Street Bridge shows a water surface elevation of 6.0 feet above sea level;
- Next Board Meeting is scheduled for June 9, 2021: Office Manager Chapman apologized for the typo, June meeting is actually June 11, 2021

*b) Legal Counsel Austin Cho informed the Board that we are entering a critical drought year. He and GM Kerr have been continue to work on the CalTrans conditional endorsement permit.*

*c) Office Manager Malane Chapman informed the Board that a draft newsletter is projected to be presented to the Board as early as the June Board Meeting.*

*Item No. 9 Operations and Maintenance Staff Reports:*

*a) Superintendent Ross Kawamura:*

- Crew activities including gate barrier repair, new equipment demos, pesticide training, forklift training, heat safety training, equipment repair, fence repair, ramp improvements, tire repair, new spray rig fabrication and district office electrical work. The crew and emergency services are now running into problems with individuals parking and blocking the access points to the levee. Trustee L'Ecluse commented that we need to prioritize getting people off of the levee. Trustee Holloway suggested that signs state that areas need to be cleared due to regular patrolling.

*Item No. 10 Questions and Comments by Trustees:*

*Item No. 11 Adjourn:* There being no further business requiring action by the Board, the meeting was adjourned by Trustee Shah at 12:03 p.m.

Attest:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
President