

September 13, 2019
Sacramento, California

The Board of Trustees of the American River Flood Control District met in regular session in its office at 185 Commerce Circle, Sacramento, CA at 11:00 a.m. on Friday, September 13, 2019. In attendance were Trustee Holloway, Trustee Johns, Trustee Vander Werf and Trustee L'Ecluse. Trustee Shah was absent. Trustee Holloway presided. Also present from the District were General Manager (GM) Tim Kerr, Superintendent Ross Kawamura, Legal Counsel David Aladjem and Office Manager Malane Chapman. Two members of the public was present.

Item No. 1 Public Comments on Non-Agenda Items: Brandon Rose introduced himself and asked the Board to support his nomination for LAFCo.

Item No. 2 Approval of Consent Agenda Items: On a motion by Trustee Vander Werf seconded by Trustee L'Ecluse, the Board unanimously approved items 2a) Minutes of Regular Meeting on August 16, 2019, 2b) Approval of Report of Investment Transactions July 2019 (City Pool, LAIF, River City) and Treasurer's Certification, 2c) District Financial Reports: Statement of Operations (August 2019) and Cash Flow Report, 2d) Correspondence: None.

Item No. 3 Accounts Payable and General Fund Expenses (August 2019): Trustee Johns requested clarification on payment to Bobcat Central. Trustee Vander Werf requested clarification on payment to Kent Arborist Services and Nordic Industries, Inc. Following explanation by staff and on a motion by Trustee Johns seconded by Trustee Vander Werf, the Board unanimously approved payments on the Schedule of Accounts Payable (August 2019) of \$76,606.82 and General Fund Expenses of \$159,819.18 (total aggregate sum \$236,426.00).

Item No. 4 Two Rivers Trail Environmental Impact Report (EIR) and Public Records Act Request; a) Comment Letter on EIR, b) Public Records Act Request – Osha Meserve and c) Draft District Response to Osha Meserve

Item No. 4a: Trustee Johns recused himself from the discussion of the Comment Letter on EIR (11:25 a.m. to 11:30 a.m.). Following explanation by staff and Legal Counsel Aladjem, Trustee Vander Werf moved the letter with the additional language and additional two photos seconded by Trustee L'Ecluse, the Board unanimously approved item 4a) Comment Letter on EIR. This item was heard out of order.

Items No. 4b and 4c: Trustee Vander Werf motioned that the Policy Committee meet to discuss current safety protocols seconded by Trustee Johns. Motion passed unanimously. These items were heard out of order.

Item No. 5 Confirmation of SAFCA Alternates: Following explanation by staff and on a motion by Trustee Johns seconded by Trustee Vander Werf, the Board unanimously pass

the motion to assign the SAFCA representative and alternates as such: Seat 1 Trustee Shah with Alternate Trustee Johns and Seat 2 Trustee Holloway with Alternate Trustee Vander Werf.

Item No. 6 Endorsement of CA Central Valley Flood Board Permit; Applicant: Dr. Lawrence Bass; Description: Repair bank protection site along American River located at 1622 McClaren Drive and request that permit 4902 issued to Jamee Eddy on April 5, 1965 be transferred to Dr. Lawrence Bass:

Item No. 7 Endorsement of CA Central Valley Flood Board Permit; Applicant: Marcy Friedman; Description: Repair bank protection site along American River located at 1620 McClaren Drive and request that permit 4902 issued to Jack Steiner on August 5, 1963 be transferred to Marcy Friedman:

Items 6 & 7 these items were heard together. GM Kerr explained how homeowners are looking to repair a portion of the bank protection site along the American River. GM Kerr recommended that the Board endorse the permits. On a motion by Trustee Johns seconded by Trustee L'Ecluse, the Board did not pass this motion. Trustee L'Ecluse motioned to endorse the permit as is with a letter that clearly states if any material changes occur, the application needs to be re-submitted to the Board for additional endorsement seconded by Trustee Vander Werf, the Board passed this motion. Trustee Johns amended the motion to ask the applicant to attend the next Board meeting to discuss further seconded by Trustee Vander Werf, the Board unanimously approved the motion.

The Board took a five-minute recess between 12:10 p.m. and 12:15 p.m.

Item No 8. Flood Maintenance Assistance Program (FMAP) Grant: a) Resolution Delegating Authority to sign Funding Agreement and b) Operations, Maintenance, Repair, Replacement & Rehabilitation (OMRR&R) Agreement. Following explanation by GM Kerr and Legal Counsel Aladjem, Trustee Johns moved staff recommendation to approve the Resolution and delegate authority to the President or General Manger to sign the Funding Agreement and the OMRR&R Agreement seconded by Trustee L'Ecluse, the Board approved the motion.

Item No 9. SAFCA OMRR&R Agreement for North Sacramento Streams Project: a) May 2018 Board Action-Approval and b) 2019 State Revisions: Following explanation by GM Kerr and Legal Counsel Aladjem Trustee Johns moved staff recommendation to sign the OMRR&R Agreement and if necessary include a transmittal letter indicating the Local Maintaining Agency (LMA) understanding of OMRR&R seconded by Trustee L'Ecluse, the Board approved the motion.

Item No. 10 Administrative Staff Reports:

a) General Manager Tim Kerr reported on the following:

- General Manager's August Meeting Summary: Assembly Bill 137 Conference Call, CalPERS Prefunding OPEB Workshop and ARFCD Newsletter meeting were discussed;
- *Steelhead Creek Cleanup*;
- *Magpie Creek Diversion Channel*;
- *Ground Penetrating Radar Contract*;
- Hydrologic Conditions: Folsom Lake 74% of capacity with an outflow 2,716 cfs. The gauge at the I Street Bridge shows a water surface elevation of 9 feet above sea level;
- Next Board Meeting and District Tour is scheduled for October 11, 2019.

b) *Legal Counsel David Aladjem discussed SAFCA OMRR&R.*

c) *Office Manager Malane Chapman had nothing further to report.*

Item No. 11 Operations and Maintenance Staff Reports:

a) *Superintendent Ross Kawamura reported on:*

- Crew activities including camp cleanup, garbage cleanup, vegetation management, slope repair, erosion control, fence repair and mowing.

Item No. 12 Questions and Comments by Trustees: Trustee Vander Werf mentioned that she will be attending the Tahoe Park Spooktacular.

Item No. 13 Adjourn: There being no further business requiring action by the Board, the meeting was adjourned by Trustee Holloway at 1:00 p.m.

Attest:

Secretary

President