



**RECLAMATION DISTRICT NO. 1000
BOARD OF TRUSTEES MEETING**

**AUGUST 12, 2022
MEETING MINUTES**

In compliance with CA Assembly Bill 361, members of the Board of Trustees and members of the public participated in this meeting by teleconference. Present were Board Vice President Elena Lee Reeder; Trustee Nick Avdis; Trustee Jag Bains; Trustee Tom Barandas; Trustee Chris Burns; General Co-Counsel Rebecca Smith; General Co-Counsel Scott Shapiro; General Manager Kevin King; Operations Manager Gabe Holleman; Administrative Services Manager Joleen Gutierrez; Admin. Assistant Christina Forehand.

1. PRELIMINARY

1.1. Call Meeting to Order

Board Vice President Elena Lee Reeder called the meeting to order.

1.2. Roll Call

ASM Gutierrez called the roll.

Trustees Present: Elena Lee Reeder, Jag Bains, Tom Barandas, Chris Burns

Trustees Absent: Thom Gilbert, Nick Avdis

Trustee Nick Avdis arrived at 8:01 am

1.3. Approval of Agenda

Moved/Second: Trustee Chris Burns/Trustee Tom Barandas

Ayes: Trustee Elena Lee Reeder, Trustee Jag Bains, Trustee Tom Barandas, Trustee Chris Burns,
Trustee Nick Avdis

Noes: None

Abstain: None

Absent: Trustee Thom Gilbert

Action: The motion to approve August 12, 2022, Board Meeting Agenda is approved.

1.4. Pledge of Allegiance

Trustee Chris Burns led the Pledge of Allegiance.

1.5. Conflict of Interest (*Any Agenda items that might be a conflict of interest to any Trustee should be identified at this time by the Trustee involved*)

There were no conflicts of interest identified by the Trustees.

2. PRESENTATIONS

There were no scheduled presentations.

3. PUBLIC COMMENT (NON-AGENDA ITEMS)

Any person desiring to speak on a matter which is not scheduled on this agenda may do so under the Public Comments section. Speaker times are limited to three (3) minutes per person on any matter within RD 1000's jurisdiction, not on the agenda.

No public comments were made.

4. INFORMATIONAL ITEMS

4.1. GENERAL MANAGER'S REPORT: Update on activities since the July 2022 Board Meeting.

General Manager Kevin King provided a verbal update on District activities.

GM King stated his time has been focused on public outreach for the property-related fee of the 4Natomas program. He continues to attend a variety of community meetings, reviewing advertising opportunities and outreach plans. GM King shared that a district radio ad is currently airing on iHeart Media targeting the Natomas community. During the first four days of airing on the radio, three thousand impressions were made. A second radio ad is scheduled to run beginning September 1. Other outreach efforts will include electronic billboards along Interstate 80 (east and westbound lanes). The first electronic ad will be visible on August 15.

GM King also touched base on the election postcard that was discussed last month. He reports that overall, the feedback is positive, however, community awareness of RD1000 and its services is still low. He anticipates the trustee appointment, to fill the current board vacancy, will be made on August 23 at the Sacramento County Board of Supervisors meeting.

GM King made known that the Sacramento County Board of Supervisors approved an ordinance to limit camping on critical infrastructure. The ordinance will return to the Board on August 23. Critical infrastructure has been identified to include levee systems and floodways.

Counsel Scott Shapiro clarified that two hearings are required for an ordinance. If it is passed on August 23, the ordinance will go into effect 30 days after. RD1000 employees will be able to call the sheriff for enforcement of the ordinance should a situation arise. Counsel Shapiro recommends posting signage stating the provisions of the ordinance and indicators of critical infrastructure so that the public is clear on what the ordinance entails.

Trustee Nick Avdis expressed his gratitude to the Board of Supervisors for voting in favor of the ordinance. The encampments on the floodways have become a major source of trash in the water. He inquired about the parameters regarding the definition of critical infrastructure as it pertains to the riverside of Garden Highway, specifically the NEMDC.

Counsel Shapiro clarified that the levee, patrol roads, pumping stations, and drainage canals are covered under the definition of critical infrastructure being used. All facilities within twenty-five feet of the channels are also considered critical infrastructure. Any part of the river itself is considered a flood-prone area and is under weather-based restrictions.

Trustee Avdis inquired about the NEMDC and if there would be a strip of land that was not covered in these parameters.

GM King affirmed that NEMDC land would be included. The patrol roads near the NEMDC count as critical infrastructure and therefore include any land within twenty-five feet as critical infrastructure. He also stated that most encampments are in flood channels. When the water level starts to rise, they may attempt to move onto the levees. The ordinance will help prevent this.

Trustee Elena Lee Reeder made it known that several of the signs that had been posted around Garden Highway had been stolen or damaged. She inquired as to what the plan was to prevent

sign removal. GM King responded that he was unsure what the plan would be at this time but that it would be discussed.

Trustee Lee Reeder brought up the CBS interview regarding the boat that caught fire and asked GM King to email it to the other trustees. GM King mentioned that a link was provided in the previous General Manager's Report; adding that CBS did a follow-up interview regarding the fee program.

4.2. OPERATIONS MANAGER'S REPORT: Update on activities since the July 2022 Board Meeting.

Operations Manager Gabe Holleman stated that 50% of the properties had their hedge modification completed as part of the Seeing Levees Saving Lives campaign. He also stated that the safety manual is being reviewed and will be brought back next month.

Trustee Chris Burns inquired if the safety manual included the handling of chemicals being used in the yard, to which Operations Manager Holleman confirmed.

General Manager King added that KSN and Utah State University set up a scaled-down model to look at our pump arrangement. Some of the findings were critical: issues such as cavitation were present.

4.3. DISTRICT COUNSEL'S REPORT: Update on activities since the July 2022 Board Meeting.

Counsel Rebecca Smith stated that she and Counsel Scott Shapiro have been working with the County on the ordinance previously mentioned. They are also working on preparation for the fee study.

General Manager King made known that Counsel also assisted with preparation for the Trustee election.

5. CONSENT CALENDAR

The Board considers all Consent Calendar items to be routine and will adopt them in one motion. There will be no discussion on these items before the Board votes on the motion, unless Trustees, staff, or the public request specific items be discussed and/or removed from the Consent Calendar.

Pulled for Discussion

Trustee Chris Burns requested item 5.7 be pulled for discussion.

Moved/Second: Trustee Elena Lee Reeder/Trustee Nick Avdis

Ayes: Trustee Elena Lee Reeder, Trustee Nick Avdis, Trustee Jag Bains, Trustee Tom Barandas, Trustee Chris Burns

Noes: None

Abstain: None

Absent: Trustee Thom Gilbert

Action: Motion to approve Consent Calendar Items 5.1-5.6, 5.8, and 5.9 is approved.

Discussion of Item 5.7

Trustee Chris Burns suggested that conflicts of interest should be reviewed by the Legal Committee, rather than a non-attorney individual. Trustee Nick Avdis supported this suggestion.

Counsel Scott Shapiro inquired if the suggestion is for the current action item or if the suggestion entails all future conflict of interests.

Trustee Burns stated that the Legal Committee should review the entire process.

Counsel Shapiro stated Downey Brand's interest in the issue. He made it known that sending an item to the Legal Committee would cause a month's delay before Downey Brand can work with the item.

Trustee Burns asked about the deadlines regarding transferring the properties to the City. Counsel Shapiro indicated there is no deadline, but that the state is withholding money from SAFCA until the properties are transferred. He also suggested that the Board send this process to the Legal Committee for review, to which Trustee Burns disagreed.

GM King suggested that the conflict-of-interest waiver for the Natomas Mutual Water Company (NMWC) be approved today to move forward with the SAFCA property transfer and acquisition. The process of conflict-of-interest waivers would then be discussed at a future Legal Committee meeting and subsequently return to the Board.

Trustee Burns inquired about the possibility of approving the NMWC conflict of interest waiver, to which Counsel Shapiro explained that the action would be to approve GM King's ability to sign off on the waiver.

Trustee Burns created a motion to approve General Manager's authority to sign the NMWC waiver and for the Legal Committee to review and authorize future conflicts of interest.

Trustee Jag Bains asked if the review of conflicts of interest by the Legal Committee would require consultation with GM King.

Counsel Shapiro stated that the Legal Committee would review the waivers, but the Board would still have to approve them.

GM King clarified that the motion would give the Legal Committee the authority to review and approve conflict of interest waivers.

Moved/Seconded: Trustee Chris Burns/Trustee Jag Bains

Ayes: Trustee Elena Lee Reeder, Trustee Nick Avdis, Trustee Jag Bains, Trustee Tom Barandas, Trustee Chris Burns

Noes: None

Abstain: None

Absent: Trustee Thom Gilbert

Action: Motion to approve Item 5.7 to authorize General Manager King to sign the NWMC Conflict of Interest Waiver and to authorize the Legal Committee to review and approve future conflict of interest waivers is approved.

- 5.1. APPROVAL OF MINUTES: Approval of Minutes from the July 8, 2022, Regular Board Meeting.
- 5.2. TREASURER'S REPORT: Approve Treasurer's Report for July 2022.
- 5.3. EXPENDITURE REPORT: Review and Accept Report for July 2022.

- 5.4. BUDGET TO ACTUAL REPORT: Review and Accept Report for July 2022.
- 5.5. ASSEMBLY BILL 361: Review and Consider Adoption of Resolution No. 2022-08-01 - Proclaiming a Local Emergency, Ratifying the Covid-19 State of Emergency, and Authorizing Remote Teleconference Meetings of Reclamation District No. 1000 Pursuant to The Ralph M. Brown Act.
- 5.6. CRITICAL INFRASTRUCTURE CLEANUP: Review and Consider Adoption of Resolution No. 2022-08-02 - Authorizing the Enforcement of Chapter 8.140 of Sacramento City Code Upon District Property and Facilities.
- 5.7. CONFLICT OF INTEREST WAIVERS: Review and Consider Authorizing the General Manager to Approve Conflict of Interest Waivers.
- 5.8. DECLARATION OF SURPLUS ASSETS AND DISPOSAL AUTHORIZATION: Review and Consider Declaration of Surplus Assets and Authorizing the General Manager to Dispose of Assets in 2022.
- 5.9. SACRAMENTO & SAN JOAQUIN DRAINAGE DISTRICT ABATEMENT PILOT PROGRAM: Review and Consider Authorizing the General Manager to Execute Agreement with Sacramento and San Joaquin Drainage District

6. SCHEDULED ITEMS

There were no scheduled items.

7. BOARD OF TRUSTEE'S COMMENTS/REPORTS

7.1. BOARD ACTIVITY UPDATES:

7.1.1. RD 1000 Committee Meetings Since Last Board Meeting

- Executive Committee (Gilbert & Lee Reeder) August 3, 2022

7.1.2. RD 1000 Committees No Meetings Since Last Board Meeting

- Finance Committee (Gilbert, Bains, & Burns)
- Legal Committee (Avdis, Barandas, & Gilbert)
- Operations Committee (Bains, Barandas & Burns)
- Personnel Committee (Bains & Barandas)
- Urbanization Committee (Lee Reeder & Burns)

8. CLOSED SESSION

8.1. No Closed Sessions Items Scheduled.

9. ADJOURN

Moved/Second: Trustee Chris Burns/Trustee Elena Lee Reeder

Ayes: Trustee Elena Lee Reeder, Trustee Nick Avdis, Trustee Jag Bains, Trustee Tom Barandas, Trustee Chris Burns

Noes: None

Abstain: None

Absent: Trustee Thom Gilbert

Action: Motion to adjourn the meeting is approved.