

August 12, 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, August 12, 2022 by teleconference. In attendance were Trustee Shah, Trustee L'Ecluse, Trustee Vander Werf and Trustee Johns. Trustee Holloway was absent. Trustee Shah presided. Trustee Vander Werf arrived during item number 4. Also present from the District were General Manager (GM) Tim Kerr, Superintendent Scott Webb, Legal Counsel Kim Lucia, Legal Counsel Rebecca Smith and Office Manager Malane Chapman. Two members of the public were present.

*Item No. 1 Resolution No. 2022-15; 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 L'Ecluse:	AYE	Trustee Johns:	AYE
Trustee Vander Werf:	ABSENT	Trustee Shah:	AYE

*Item No. 2 Public Comments on Non-Agenda Items:* Bill Farrell informed the Board of the unkept conveyance that hasn't been maintained for about 6 years. GM Kerr mentioned that the conveyance was maintained by the City of Sacramento and that he will reach out to city utilities to see about getting it cleared.

*Item No. 3 Approval of Consent Agenda:* On a motion by Trustee Johns seconded by Trustee L'Ecluse, the Board unanimously approved items 3a) Minutes of Regular Meeting on July 8, 2022, 3b) Approval of Report of Investment Transactions June 2022 (City Pool, LAIF, River City) and Treasurer's Certification, 3c) District Financial Reports: Statement of Operations (July 2022) and Cash Flow Report, 3d) Correspondence: Fiscal Year 2021-2022 Audit Engagement Letter

Roll Call Vote:

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

*Items No. 4 Accounts Payable and General Fund Expenses (June 2022):* Trustee L'Ecluse inquired about payments to Hunt & Sons and Nordic Industries, Inc. Following explanation by staff and on a motion by Trustee L'Ecluse seconded by Trustee Johns, the Board unanimously approved payments on the Schedule of Accounts Payable (July 2022) of \$233,430.17 and General Fund Expenses of \$112,662.83 (total aggregate sum \$346,093.00).

Roll Call Vote:

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

At 11:07 a.m. the Trustees met in closed session with District Counsel Lucia and District Counsel Smith

*Item No. 5 Conference with Legal Counsel – Personnel: Government Code 54957 – General Manager’s Annual Performance Evaluation*

The Trustees returned to open session at 12:20 p.m.

Legal Counsel Lucia reported out that the Board discussed a COLA increase of 4% and a merit increase of 1%, bringing the GM’s salary to \$192,104.64 plus longevity bonus of \$1000. On a motion by Trustee Shah seconded by Trustee L’Ecluse, the Board unanimously approved the GM’s 2022-2023 salary.

Roll Call Vote:

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

*Item No. 6 Nepenthe Homeowners Association – Property Boundary Survey:* GM Kerr briefed the Board on the possibility of splitting the costs for a property boundary survey. GM Kerr suggested that Nepenthe Homeowners Association pick which of the two companies presented to the District. On a motion by Trustee Shah seconded by Trustee Johns, the Board unanimously approved the cost share for Task 1 only using one of the two companies presented.

Roll Call Vote:

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

*Item No. 7 Administrative Staff Reports:*

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

- General Manager’s July Meeting Summary;
- Arcade Creek Erosion Repair Status;
- USACE Lower American River Erosion Protection;
- Lathrop Way Encampment Update;
- By-District Election Update;
- District Staffing – New Hires;
- Hydrologic Conditions: Folsom Lake is 54% of total capacity with an outflow of 4,151 cfs. The gauge at I Street Bridge shows a water surface elevation of 7 feet above sea level;
- Next Board Meeting is scheduled for September 9, 2022

b) *Legal Counsel Rebecca Smith:* Resolution has been sent to the City, waiting on the injunction to pass before the District will be supported with resources.

c) *Office Manager Malane Chapman:* Nothing further to report.

*Item No. 8 Operations and Maintenance Staff Reports:*

*Superintendent Scott Webb:*

- Crew activities including grouting, erosion repair, tree removal, garbage clean-up, gate repair, and training on bloodborne pathogens.

*Item No. 9 Questions and Comments by Trustees:* Trustee L'Ecluse thanked Mr. Marck for his drone footage and asked if the District thought about using drones for other inspections along the levees.

*Item No. 10 Adjourn:* There being no further business requiring action by the Board, the meeting was adjourned by Trustee Shah at 1:18 p.m.

Attest:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
President