

September 9, 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, September 9, 2022 by teleconference. In attendance were Trustee Shah, Trustee Holloway, Trustee L'Ecluse, Trustee Vander Werf and Trustee Johns. Trustee Shah presided. Also present from the District were General Manager (GM) Tim Kerr, Superintendent Scott Webb, Legal Counsel Rebecca Smith and Office Manager Malane Chapman. Eight members of the public were present.

Item No. 1 Resolution No. 2022-16; 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 Johns seconded by Trustee Shah, the Board unanimously approved this item.

Roll Call Vote:

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

Item No. 2 Public Comments on Non-Agenda Items: There was no public comment on non-agenda items.

Item No. 3 Approval of Consent Agenda: On a motion by Trustee Holloway seconded by Trustee Johns, the Board unanimously approved items 3a) Minutes of Regular Meeting on August 12, 2022, 3b) Approval of Report of Investment Transactions July 2022 (City Pool, LAIF, River City) and Treasurer's Certification, 3c) District Financial Reports: Statement of Operations (August 2022) and Cash Flow Report, 3d) Conflict of Interest Code – Biennial Review, and 3e) Correspondence: None

Roll Call Vote:

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

Items No. 4 Accounts Payable and General Fund Expenses (August 2022): Trustee Vander Werf inquired about payments to Pirtek and Sacramento County MSA. Following explanation by staff and on a motion by Trustee Vander Werf seconded by Trustee L'Ecluse, the Board unanimously approved payments on the Schedule of Accounts Payable (August 2022) of \$99,889.57 and General Fund Expenses of \$94,974.19 (total aggregate sum \$194,863.76).

Roll Call Vote:

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

Item No. 5 Declare Lathrop Way as Surplus – GM Kerr briefed the Board on the Lathrop Way parcel. He explained that the District purchased the parcel in 2012 to enhance access to the levee for O&M. Approximately in 2017 the parcel had a marked increase in unauthorized camping along the levees. The Lathrop Way parcel has been a target for camping and rapid decline. The parcel now serves no purpose for the District, access is now worse than it was before the District acquired the parcel. Trustee Shah opened the discussion to the public. Members of the public all expressed their concern for safety of businesses and their patrons. Also, it was brought to the attention of the Board that businesses are also in threat of losing liability insurance due to the increased threat on the parcel. Trustee Holloway informed the Board that he had had a few conversations with Business owners confirming that their insurance is in jeopardy. Trustee Johns reminded the Board and the public that the District had done everything that the city had requested and that declaring surplus and parting with the parcel would be in the best interest of the District. In the interest of improving conditions for the entire Lathrop Way community, certain of the neighboring landowners are willing to assume ownership of the parcel and exchange this parcel for other property necessary for the District’s use. Staff advised that such an exchange would allow the District to continue focusing its resources on providing flood control services, rather than diverting them to clearing encampments and maintaining this particular problematic parcel. On a motion by Trustee Holloway seconded by Trustee Johns, the Board unanimously approved declaring the Lathrop Way parcel as exempt surplus land, and directed staff to move forward with disposing of the parcel accordingly.

Roll Call Vote:

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

Item No. 6 Sourcewell Purchase of International Dump Truck: GM Kerr briefed the Board on the proposal to purchase the International Dump Truck. Trustee Shah informed staff to think about future supply chain issues and to plan accordingly in regard to future budgets. Trustee Shah also informed the Board that this item was already accounted for in the Fiscal Year 2022-2023 budget. On a motion by Trustee Johns seconded by Trustee Holloway, the Board unanimously approved the purchase of the International Dump Truck.

Roll Call Vote:

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

Item No. 7 Administrative Staff Reports:

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

- General Manager’s August Meeting Summary: USACE Erosion O&M meeting was discussed;
 - Arcade Creek Erosion Repair Status;
 - Hydrologic Conditions: Folsom Lake is 42% of total capacity with an outflow of 3,232 cfs. The gauge at I Street Bridge shows a water surface elevation of 6.5 feet above sea level;
 - Next Board Meeting is scheduled for October 14, 2022
- b) *Legal Counsel Rebecca Smith:* Legal Counsel Smith briefed the Board that the county is also adopting an infrastructure ordinance similar to the city’s ordinance.
- c) *Office Manager Malane Chapman:*
- 2022 Election Update: The District will not have to have an election in 2022, all incumbents were running unopposed.
 - Ethics Training: Two-hour ethics training will follow the October 14, 2022 Board Meeting.
 - Sexual Harassment – AB 1825: Two-hour sexual harassment – AB 1825 training to follow the November Board Meeting. Office Manager Chapman informed the Board that the November Board meeting is scheduled for Friday, November 11, 2022 which is Veterans Day. On a suggestion by Office Manger Chapman the Board agreed to move the November meeting to Thursday, November 10, 2022.

*Item No. 8 Operations and Maintenance Staff Reports:
Superintendent Scott Webb:*

- Crew activities including Arcade Creek erosion repair, trash pickup, cross training and equipment maintenance.

Item No. 9 Questions and Comments by Trustees: There were no questions or comments from the Board.

Item No. 10 Adjourn: There being no further business requiring action by the Board, the meeting was adjourned by Trustee Shah at 12:21 p.m.

Attest:

Secretary

President