

**MINUTES OF THE SEPTEMBER 25, 2023  
BOARD OF DIRECTORS PUBLIC HEARING AND REGULAR MEETING  
OF THE RIO LINDA/ELVERTA COMMUNITY WATER DISTRICT**

**The Link below provides access the video of this meeting.**

<https://vimeo.com/868402760?share=copy>

**The numbers in parentheses next to each action item correlate to time marks on the video of the meeting.**

**1. CALL TO ORDER, ROLL CALL**

The September 25, 2023 meeting of the Board of Directors of the Rio Linda/Elverta Community Water District called to order at 6:30 p.m. Visitor Depot Center 6730 Front St., Rio Linda, CA 95673. This meeting was physically open to the public.

General Manager Tim Shaw took roll call of the Board of Directors. Director Jason Green, Director Chris Gifford, Director Vicky Young, Director Mary Harris, General Manager Tim Shaw, and Legal Counsel were present. Director Anthony Cline was absent. Director Green led the pledge of allegiance.

**2. PUBLIC COMMENT– None.**

Until Director Cline could attend the meeting, Board President Harris moved up the Consent Calendar on the agenda.

**5. CONSENT CALENDAR (2:38)**

**5.1. August 28, 2023 Minutes**

**5.2 July Expenditures**

**5.3 July Financials**

Comments/Questions –President Harris pulled from the August 28, 2023 minutes agenda item 5.4. and asked that they be corrected to reflect that there were just comments made by the Board members and not motions. The item 5.4 was in fact just tabled to the next meeting of the Board.

*(4:54) It was moved by Director Gifford and seconded by Director Green to approve the Consent Calendar. Directors Green, Young, Harris, and Gifford voted yes. Director Anthony Cline was absent. The motion passed with a roll call vote of 4-0-0.*

Director Cline arrived at the meeting.

President Harris stated they continue with Item 3 Election of Officers.

**(7:54) President Harris stated she was resigning as Board President.**

**3. Election of Officers(s) [pursuant to District Policy 2.01.150]**

3.1 The Board will elect the office of, Board President. Following the election, the new President (if applicable) will assume the Chair responsibilities for the remainder of the agenda.

3.2 If the newly elected Board President is currently the Board Vice President, then the Board will elect a new Vice President.

Comments/Questions –Public members thanked Director Harris for job well done while servicing as Board President.

*(8:35) It was moved by Director Harris and seconded by Director Young to nominate Director Vicky Young as Board President. Directors Green, Harris, Young, Cline and Gifford voted yes. The motion passed with a roll call vote of 5-0-0.*

*(9:22) It was moved by Director Harris and seconded by Director Young to nominate Director Chris Gifford as Vice President. Directors Green, Harris, Young, Cline and Gifford voted yes. The motion passed with a roll call vote of 5-0-0.*

Director Vicky Young shifted to the role of Board President and proceeded with the Board meeting.

#### **4. PUBLIC HEARING to adopt the Fiscal Year 2023-24 Operating and Capital Improvements Budgets (12:10)**

4.1 Open Public Hearing

4.2 FY 2023-24 Operating and Capital Improvement Budgets

4.3 Public Comment – Directors had general comments about the surcharge funds availability and being used for.

Public member made comments that the public will not go for another rate increase. She further stated the Howard Jarvis Taxpayer Association will be contacting regarding the posting of the public meeting.

4.4 Close Public Hearing (27:35)

**4.5 Consider Adoption of Resolution No. 2023-07 to approve the Fiscal Year 2023-24 Operating and Capital Improvement Budgets**

*(27:40) It was moved by Director Cline and seconded by Director Green to adopt Resolution No. 2023-07 the FY 2023-24 Operating and Capital Improvement Budgets. Directors Green, Young, Cline and Gifford voted yes. Director Harris voted no. The motion with a roll call vote of 4-1-0.*

#### **6. REGULAR CALENDAR ITEMS FOR DISCUSSION AND ACTION**

##### **6.1 GM Report (28:50)**

The General Manager, Tim Shaw provided his monthly report to the Board of Directors.

Comments/Questions – Public member inquired the type of lawsuit in the report.

*The Board took no action on this item.*

##### **6.2 District Engineer’s Report (34:12)**

The Contract District Engineer report provided a General District Engineering, Active Development Reviews (only projects with updates from the last Board Meeting), CIP Dry Creek Road Pipe Replacement Project Phase 1 & 2.

Comments/Questions – General discussion regarding the finishing touches on the Pipe Replacement Project. Discussion of new upcoming projects. Public member had questions on fire hydrants and the size of piping to be used on the upcoming project.

*The Board took no action on this item.*

##### **6.3 Consider Authorizing Payment of Late Invoices from EKI Environmental for Construction Management Services on Well 16 Pumping Station (42:15)**

Comments/Questions –GM Shaw asked the Board to consider removing this item from the agenda so that items can be further discussed between the District and EKI.

*(43:54) It was moved by Director Gifford and seconded by Director Cline to remove Agenda Item 6.3. Directors Green, Harris, Young, Cline and Gifford voted yes. The motion carried with a roll call vote of 5-0-0.*

##### **6.4 Consider Authorizing a Change in the District’s Stipulated Orderly Meeting Guide from Robert’s Rules of Order to Rosenberg’s Rules of Order (44:42)**

Comments/Questions – The general discussion from the Board were mixed opinions on both guides.

*(48:59) It was moved by Director Harris and seconded by Director Cline to table item 6.4. Directors Green, Harris, Cline, Young and Gifford voted yes. The motion carried with a roll call vote of 5-0-0*

**6.5 Consider Adopting Revision to District Policy 2.01.150 (continued from 8-28-2023 meeting). (53:05)**

Comments/Questions – Discussion on the policy on whether the Board President has to be included in placing items on the Board agenda.

*(1:08:25) It was moved by Director Harris and seconded by Director Gifford to keep the Original District Policy 2.01.150 but striking line requiring Board President's approval of an agenda item being added 24 hours prior to posting of agenda. Directors Green, Harris, Cline, Young and voted yes. The motion carried with a roll call vote of 5-1-0*

**6.6 Consider Directing Staff Regarding AB 2449 Relaxed Requirements for Board Member Remote Meeting Participation). (1:23:15)**

Comments/Questions – General Counsel explained the relaxed requirements of AB2449. Director Harris commented that late from work or on vacation are not considered emergencies. General Counsel expressed needing a further discussion with the GM on this item before a written policy. One director wanted the item tabled and reviewed by the Districts legal counsel. GM Shaw stated that referring to the District's counsel is billable and there is already several attorneys out there that have reviewed this law and provided legal opinion.

Public member agreed the item needed to be reviewed by the attorney.

*(1:31:45) It was moved by the President to table the item.*

**6.7 Consider Responding to Teamsters Local 150 Letter Dated 8-31-2023 (1:32:08)**

Comments/Questions – Director Harris denies any wrongdoing. Public member voiced to work together and protect each other.

*(1:45:07) It was moved by Director Cline and seconded by Director Gifford to respond to the Teamsters Local 150. Directors Green, Young, Gifford, and Cline voted yes. Director Harris voted no. The motion carried with a roll call vote of 4-1-0.*

**6.8 Authorize any New Board Member Assignments (committees and other) Proposed by the Chair Pursuant to District Policy 2.01.065 (1:46:46)**

No items.

**7. INFORMATION ITEMS**

**7.1 District Activities Reports**

- 7.1.1 Water Operations Report – Written report provided.
- 7.1.2 Completed and Pending Items Report – Written report provided.
- 7.1.3 Leak Repair Report – Report provided.

Comments/Questions – Public member stated the leak on U St was reported incorrect on the report.

**7.2 Board Member Report**

- 7.2.1 Report any ad hoc committees dissolved by requirements in Policy 2.01.065 – No action.
- 7.2.2 Sacramento Groundwater Authority – Harris (primary) –
- 7.2.3 Executive Committee – Gifford, Cline – Minutes provided.
- 7.2.4 ACWA/JPIA – Cline – Nothing to report.

**8 Public Comment Prior to Closed Session – Public member commented on water requirements.**

**9 CLOSED SESSION - The Board of Directors will meet in closed session to discuss the following item:**

**9.1 PUBLIC EMPLOYEE PERFORMANCE EVALUATION – General Manager:** The Board will conduct an annual performance evaluation of the General Manager pursuant to subdivision (b) of California Government Code Section 54957.

**9.2 CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION**

Pursuant to Government Code Section 54956.9(d)(1)

Name of case: Sacramento County Superior Court – Small Claims Division, Case No. 23SC01606

**10 RECONVENE IN OPEN SESSION – at 8:25pm.**

10.1 Announce any reportable actions authorized in closed session.

General Counsel reported from closed session that the Board did not appeal the Court decision regarding Case No. 23SC01606 by vote of

10.2 Consider Adjustment to Compensation for General Manager

General Counsel reported from closed session that the Boards overall votes was a satisfactory review for the GM Tim Shaw and a merit will be discussed in open session.

*(1:53:35) It was moved by Director Cline and seconded by Director Gifford to award a merit increase of 2% and increase 5 additional days of vacation. Directors Green, Young, Gifford, Harris, and Cline voted yes. The motion carried with a roll call vote of 5-0-0.*

**11. DIRECTORS' AND GENERAL MANAGER COMMENTS – No comments.**

**12. ADJOURNMENT** - The meeting was adjourned at 8:30 pm.

Respectfully submitted,

Signature on File  
Timothy R. Shaw, Secretary

Signature on File  
Vicky Young, President of the Board