

**RIO LINDA / ELVERTA COMMUNITY WATER DISTRICT
PUBLIC HEARING AND REGULAR MEETING OF THE
BOARD OF DIRECTORS**

September 25, 2023 (6:30 p.m.)

Visitor's / Depot Center
6730 Front Street
Rio Linda, CA 95673

Our Mission is to provide a safe and reliable water supply in a cost-effective manner.

AGENDA

The Board may discuss and take action on any item listed on this agenda, including items listed as information items. The Board may also listen to the other items that do not appear on this agenda, but the Board will not discuss or take action on those items, except for items determined by the Board pursuant to state law to be of an emergency or urgent nature requiring immediate action. The Board may address any item(s) in any order as approved by the Board.

The public will be given the opportunity to directly address the Board on each listed item during the Board's consideration of that item. Public comment on items within the jurisdiction of the Board is welcomed, subject to reasonable time limitations for each speaker. Public documents relating to any open session item listed on this agenda that are distributed to all or any majority of the members of the Board of Directors less than 72 hours before the meeting are available for public inspection at the District office at 730 L Street, Rio Linda, CA 95673. In compliance with the Americans with Disabilities Act, if you have a disability and need a disability-related modification or accommodation to participate in this meeting, please contact the District office at (916) 991-1000. Requests must be made as early as possible, and at least one full business day before the start of the meeting.

1. CALL TO ORDER, ROLL CALL, & PLEDGE OF ALLEGIANCE

2. PUBLIC COMMENT

2.1. Members of the public are invited to speak to the Board regarding items within the subject matter jurisdiction of the District that are not on the agenda or items on the consent agenda. Each speaker may address the Board once under Public Comment for a limit of 2 minutes. (Policy Manual § 2.01.160).

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.

4. PUBLIC HEARING to adopt the Fiscal Year 2023-24 Operating and Capital Improvements Budgets

4.1. Open Public Hearing

4.2. FY 2023-24 Operating and Capital Improvement Budgets

4.3. Public Comment

4.4. Close Public Hearing

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

5. CONSENT CALENDAR (Action items: Approve Consent Calendar Items)

5.1. Minutes

The Board is being asked to approve the Minutes from the August 28, 2023 Regular Board Meeting.

5.2. Expenditures

The Executive Committee recommends the Board approve the July 2023 Expenditures.

5.3. Financial Reports

The Executive Committee recommends the Board approve the July 2023 Financial Report.

6. REGULAR CALENDAR

ITEMS FOR DISCUSSION AND ACTION

6.1. GM Report.

6.1.1. The General Manager will provide his monthly report to the Board of Directors

6.2. District Engineer's Report.

6.2.1. The Contract District Engineer will provide his monthly report to the Board of Directors.

6.3. Consider Authorizing Payment of Late Invoices from EKI Environmental for Construction Management Services on Well 16 Pumping Station.

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.

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

6.6. Consider Directing Staff Regarding AB 2449 Relaxed Requirements for Board Member Remote Meeting Participation.

6.7. Consider Responding to Teamsters Local 150 Letter Dated 8-31-2023.

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

7. INFORMATION ITEMS

7.1. District Activities Reports

7.1.1. Water Operations Report

7.1.2. Completed and Pending Items Report

7.1.3. Leak Repair Report

7.2. Board Member Reports

7.2.1. Report any ad hoc committees dissolved by requirements in Policy 2.01.065

7.2.2. Sacramento Groundwater Authority – Harris (primary)

7.2.3. Executive Committee – Gifford, Cline

7.2.4. ACWA/JPIA – Cline

8. Public Comment Prior to Closed Session

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

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

10.1. Announce any reportable actions authorized in closed session.

10.2. Consider Adjustment to Compensation for General Manager

11. DIRECTORS’ AND GENERAL MANAGER COMMENTS

12. ADJOURNMENT –

Upcoming meetings:

Executive Committee

October 11, 2023, Monday, 6:00 pm. Visitors / Depot Center, 6730 Front St. Rio Linda, CA

Board Meeting

October 23, 2023, Monday, 6:30 pm. Visitors / Depot Center, 6730 Front St. Rio Linda, CA



**Items for Discussion and Action
Agenda Item: 3.1**

Date: September 25, 2023

Subject: Election of Officers [pursuant to District Policy 2.01.150]

Staff Contact: Timothy R. Shaw, General Manager

Recommended Committee Action:

N/A Not Discussed at Committee.

Current Background and Justification:

- 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.

Board Action / Motion

Motioned by: Director _____ Seconded by Director _____
Cline _____ Gifford _____ Green _____ Harris _____ Young _____

(A) Yea (N) Nay (Ab) Abstain (Abs) Absent



**Public Hearing
Agenda Item: 4**

Date: September 25, 2023

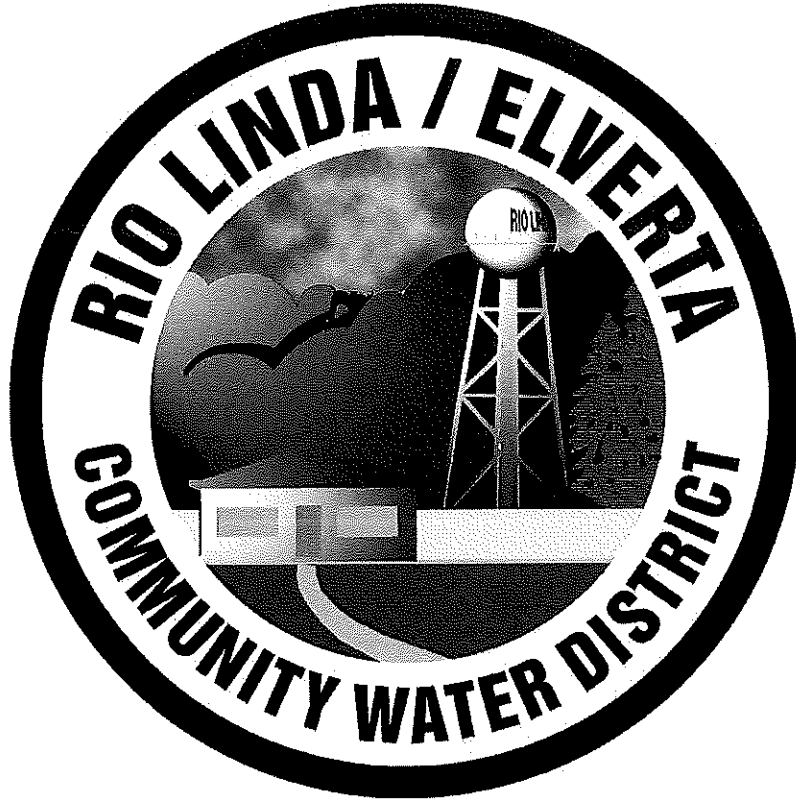
Subject: Public Hearing

Staff Contact: Timothy R. Shaw

4. PUBLIC HEARING TO ADOPT THE FISCAL YEAR 2023-24 OPERATING AND CAPITAL IMPROVEMENT BUDGETS

- 4.1 Open Public Hearing
- 4.2 FY 2023-24 Operating and Capital Improvement Budgets
- 4.3 Public Comment
- 4.4 Close Public Hearing

4.5 Consider Adoption of Resolution No. 2023-07 To Approve the Fiscal Year 2023-24 Operating and Capital Improvement Budgets



2023-24 Operating and Capital Budget

Fiscal Year July 1, 2023 – June 30, 2024

Budget prepared by Timothy Shaw, General Manager, District Staff, and District Engineer

8/28/2023 · Original Adoption

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EXECUTIVE SUMMARY

August 28, 2023

Board of Directors
Rio Linda Elverta Community Water District

I hereby submit the Rio Linda/Elverta Community Water District's Fiscal Year 2023-2024 Operating and Capital Budget. The budget document provides detailed information about the District's revenue and expenditure forecast for the next fiscal year and addresses the main points and major decisions made in compiling the budget.

The District's overall operation is achieved, in part, by regularly reviewing its goals, compliance mandates and means to accomplish such goals and mandates. These relationships are considered during the budget development process to provide the basis for prioritizing efforts, activities, needs, human resources, and financial resources.

Monitoring the budget and responding to both anticipated and unanticipated events is a continuous process. The District maintains a proactive response in regularly performing budget reviews if adjustments are required. The District amended its budget adoption policy in 2019 to:

- Associate the public hearing / public notice requirement with the final budget adoption (in August) instead of the preliminary budget adoption (in May or June).
- Allow for minor budget revisions by the General Manager where the overall spending is not increased. Examples include moving funding from a relatively over-funded (where actual costs have been lower than projected costs) line item to an under-funded line item.

The most impactful, recent aspects affecting the District's financial condition have been record inflation and mandated water conservation. The District's current rate structure assumes no more than 3% annual inflation. Over the past two years, inflation has been as high as 9% annually. Compounding this is the state mandated conservation, whereby the Governor's executive order mandated implementation of the District's Water Shortfall Contingency Plan targeting 20% conservation. The Board of Directors declined to implement emergency drought rates, which compounded the impacts of record inflation.

The State Waterboard published its Notice of Proposed Rulemaking for hexavalent chromium (Cr+6) Maximum Contaminant Level (MCL) on June 16, 2023. This and other mandates continue to influence our operating and capital budgets. The District's current rate structure, adopted August 2021, partially provides funding for operating costs to comply with the now published re-adoption of the Hexavalent Chromium Maximum Contaminant Level or MCL whereas the 2016 rate structure did not provide any additional funding for operating costs associated with treating drinking water to remove Hexavalent Chromium. Additionally, the rates analysis for the 2016 rates presumed the District would receive Cr+6 mitigation funding through grants and low interest loans, which assumed that the District would qualify as a Disadvantaged Community (DAC). The District is not currently eligible by the definitions and requisites established by the California legislature for DAC funding because the median household income for the service area is above the income defined to be disadvantaged. Consequently, the District

narrowed its Cr+6 mitigation efforts to two projects, Well #16 Pumping Station, recently completed, and a future wellhead treatment project using ion exchange treatment of existing groundwater facilities.

The District secured a municipal financing loan from Pacific Premier Bank (previously OPUS Bank) using Surcharge #2 as debt service. The construction of the Well #16 Pumping Station was completed in the summer of 2021. Construction of the Well #16 facility, which produces drinking water with hexavalent chromium substantially below the published Hexavalent Chromium MCL. To supplement the current rate structure for Cr+6 mitigation infrastructure, staff continues to stay abreast of additional funding opportunities that may materialize by legislative or other action.

Some of the anticipated increased operational costs for complying with the Hexavalent Chromium MCL have already materialized. The Well 16 Groundwater Pumping Station completion, which is a Cr+6 mitigation project, was added to the list of District facilities (assets). Consequently, the District's property and loss annual insurance premium increased more than 65%.

In April 2020, the District adopted the Capital Improvements Projects List. Such action by the District enables a capital budget adoption based on actual projected capital improvement needs instead of the former basis, which was essentially an arbitrary basis formerly associated with an enforcement provision (compliance order). The improved basis for capital budget presents focus, clarity, and transparency. Since the ultimate source of funding for the capital budget is the operating budget, the two are inextricably linked; benefits to one transcend to the other. Lastly, the cumulative capital budget funding from prior years has been applied to the current capital budget. This provides a realistic gauge of the timing (e.g., when each project will achieve full funding) and the annual contribution needed to bring each capital improvement project to fruition. Looking ahead, the District needs to extend this project specific capital budgeting process to include replacing essential, assets, e.g., network servers, vehicles, and mandated planning document (UWMP and Master Plan) updates/renewals.

The District amended its finance policies to reflect statutory requirements and staffing realities. The previous finance policies were adopted after significant findings in annual independent audits performed in 2011 and 2012. The previously adopted finance policies assumed the District staff and/or consultants included the services of a properly credentialed finance officer. The new policies simplify the District's investment options, which are now the right tool for the job. The previous funding for retiree medical was transitioned to the California Employers Retiree Benefit Trust (CERBT), which is generating higher dividends than the prior investment tool. The District's capacity fees were transferred to our Local Agency Investment Fund (LAIF). Capacity fees are by statute "restricted" and should not have been co-mingled with District capital improvement funds, enabling the required statutory reporting of capacity fee account status. Only the Board, at properly noticed public meetings, can make changes to the District's investments.

Several laws adopted between 2015 and 2018 have current and future increases in operating costs to the District. New laws have direct financial burdens and others have burdens via increased demands for staff time by requiring additional reporting and more complex compliance elements. Among these new laws are SB-998, SB-555, SB-606 and AB-1668. For example, the District is mandated to prepare and submit its Water Use Efficiency Objectives and a plan for complying with the same by the end of the

current calendar year. In another example, the District has partially mitigated the costs and personnel burdens from SB-998, the new requirements for discontinuation of residential water service for non-payment. The District hopes to similarly offset the cost burdens associated with new mandates by collaborating with neighboring water agencies to share the costs for compliance. The concepts and scope of collaboration have been detailed in a report published via an organization, the Sacramento Regional Water Utilities. The District formally participated in this regional collaboration study.

The rate structure adopted by the Board in August 2021 is designed for compatibility with new mandates, limits, and requirements including the mandates for water loss (SB-555), water efficiency (SB-606, AB-1668), and mandatory conservation (SB X 7,7). The adopted rate structure on August 2021 shifts revenue basis from fixed charges to volumetric charges, which is designed to encourage indoor and outdoor water use efficiency. As such, the District's revenues will be less linear due to seasonal variations in water consumption. Historically, the District's water users have used over three times as much water in warmer months than they use in cooler winter months. More recently, in June of 2023 ratepayers used less water than any June since 2015, which was the last time RLECWD had tiered rates (so-called conservation rates).

The District is required to contribute approximately \$31,000 in annual administrative membership dues this fiscal year to the Sacramento Ground Water Authority (SGA) to remain in good standing. The SGA is a Joint Powers Authority (JPA) created to manage and maintain the long-term sustainable yield of the American River North Basin and facilitate the implementation of an appropriate conjunctive use program by water purveyors. SGA has been granted extensive powers and functions to accomplish its sustainable groundwater management mission.

Along with SGA, other water association memberships for the District include Association of California Water Agencies (ACWA) and California Rural Water Association (CRWA). We can expect an increase in annual membership dues from these associations. We can also expect increases in property and workers compensation insurance due to the impact of cybercrimes, COVID-19, and wildfires on the insurance industry.

The District also took actions in the spring of 2021 to decrease its pension unfunded accrued liability via an internal loan, which provides savings in the form of much more favorable funding terms compared to CalPERS. Although this finance strategy significantly lowered the annual CalPERS pension obligation, it will not prevent increased charges associated with CalPERS investments underperforming the presumed investment return (7%). In July 2022, CalPERS announced that its investment return is negative 6% or 13% below the assumed rate of return. This under-performance impacts all public agencies in the CalPERS system and will result in future increases in the annual payments to CalPERS.

In summary, the budget reflects the Board of Directors' priorities and goals conveyed to staff and through the Board's adoption of the Strategic Plan. The budgeting process continues to improve, and the staff has embraced cost avoidance strategies to improve the District's fiscal status wherever feasible. These include taking advantage of joint powers purchasing agreements available only to government agencies, purchasing fuel less excise taxes, purchasing equipment to reduce long-term costs, and outsourcing where the total cost supports such. We have implemented contract

improvements to exercise greater control and focus on our engineering needs. The District has embraced an approach to assure elements are not overlooked, and future obligations have a greater amount of lead time for planning and funding.

The District engaged a new independent auditing firm whereas fiscal year 2022/2023 will be the second audit performed for the District by this services provider. The previous auditing firm is no longer able to perform auditing services for the District due to the unexpected passing of the firm's principal accountant.

The momentum of improvements in the budget and financial policies is continuing at the District. Sustaining such improvements would not be possible without the cohesiveness of the District Board, District staff, and consultants working toward common goals.

Sincerely,

Timothy R. Shaw, General Manager

UNDERSTANDING THE BUDGET DOCUMENT

On an annual basis, the District's Board of Directors adopts a budget for the subsequent fiscal year. The budget is an instrument used by management to present the proposed plan of financial operations of the District to the Board of Directors. The budget incorporates Operating, Capital, and includes all supporting statements, details, summaries, and other information deemed appropriate by the General Manager.

The budget is divided into several sections as follows:

INTRODUCTION This section contains a description of the District and its organizational structure and budget process.

OPERATING BUDGET This section describes the philosophy and process used to develop the operating budget.

CAPITAL BUDGET This section describes the philosophy and process used to develop the capital budget.

GLOSSARY This section contains a description of the District and its organizational structure and budget process.

Budgetary Control and Process

Budgetary Control

The District prepares budgets as a matter of policy and financial control. The budget is a financial plan detailing operating expenses, capital infrastructure investments, debt obligations, and designation of reserves. The following items are reviewed as part of preparing the budget:

- Assess current conditions and needs, including system quality and safety.
- Develop goals, objectives, policies, and plans based upon the assessment.
- Prioritize projects and develop work programs, based upon short-term and long-term cost effectiveness.
- Implement plans, policies, and assess shortcomings.

Budget Process

The District follows an incremental budgetary process (see glossary), which is prepared on a cash basis and is used as a management tool for projecting and measuring revenues and expenses. To commence the process, the Finance committee provides an extensive review of the proposed budget. After review, the District invites customers to a public hearing so that the District can provide budget information and receive feedback. Public hearings are designed to educate and inform customers about the District's financial operations and requirements. It is during this forum that the budget is adopted by the Board of Directors.

To summarize, the District's guideline for its policy, procedures, and timeline involved in creating and approving the annual budget is outlined below.

PRESENTATION AND REVIEW

In June of each year, the General Manager shall present the draft budget documents to the Board of Directors, including the "Preliminary Budget, for the following fiscal year. The Board may adopt the Preliminary Budget and schedule a Public Hearing for consideration of the Final Budget (typically August regular Board of Directors meeting).

PUBLIC HEARING

On or before the regular Board meeting in August, the Board of Directors shall hold a public hearing to adopt the Final Budget. Copies of the Budget document shall be available to the public.

ADOPTION

During or before the regular Board meeting in August, the Board of Directors shall make any changes it deems desirable to the Preliminary Budget and shall adopt by resolution the Budget as finally determined. The resolution shall include all adopted revenue and expenditure figures.

REVISIONS

Occasionally, it is necessary and appropriate for the Board of Directors to revise the budget. Examples of necessary budget revisions include but are not limited to unforeseen regulatory requirements and expenses, operational costs beyond those originally budgeted, and catastrophic equipment/facilities failures. As required, the General Manager will present budget revisions to the Board and the Board will consider these revisions at regular meetings of the Board of Directors.

MINOR ALLOCATIONS AND REVISIONS BETWEEN LINE ITEMS

When the budget revisions are minor in scope and/or consist merely of reallocating a surplus from one line item to cover reasonably anticipated shortfalls in another line item, the General Manager is authorized to make such minor budget revisions and report the revision, including submitting the revised budget to the Board review at the subsequent Board of Directors meeting. General Manager authorized minor budget revisions are limited in that the total budgeted expenses must remain unchanged.

DISTRICT PROFILE

District History and Service Description

The Rio Linda/Elverta Community Water District (RLECWD) was formed in 1948 after a public vote under County Water District Law (Water Code section 30000 et seq.). The District is governed by a Board of Directors that consists of five (5) members elected at large. The District includes the communities of Rio Linda and Elverta and encompasses approximately 17.8 square miles. The District has 10 full-time employees, a contracted engineer, and an attorney.

The District water system consists of 12 wells and 61.72 miles of distribution mains. The overall system capacity is currently 14.4 MGD. The District pumps approximately 2,600 acre-feet of water annually to its 4,670 customers with a daily average of approximately 2.6 million gallons.

To improve the water system and ensure the delivery of high-quality drinking water to customers, the District constructed Well # 15 in 2012 and a 1.2-million-gallon reservoir tank in 2014. To deemphasize the District's reliance on wells with elevated hexavalent chromium concentrations, the District constructed the Well 16 pumping station in 2021.

District Mission Statement

The mission of the Rio Linda/Elverta Community Water District is to provide, in a manner responsive to District customers, a water supply that is adequate, safe, and potable (according to state and federal standards) and that meets both current and future needs.

District Officials

Board of Directors

Anthony Cline, Director

Jason A. Green Director

Chris Gifford, Director

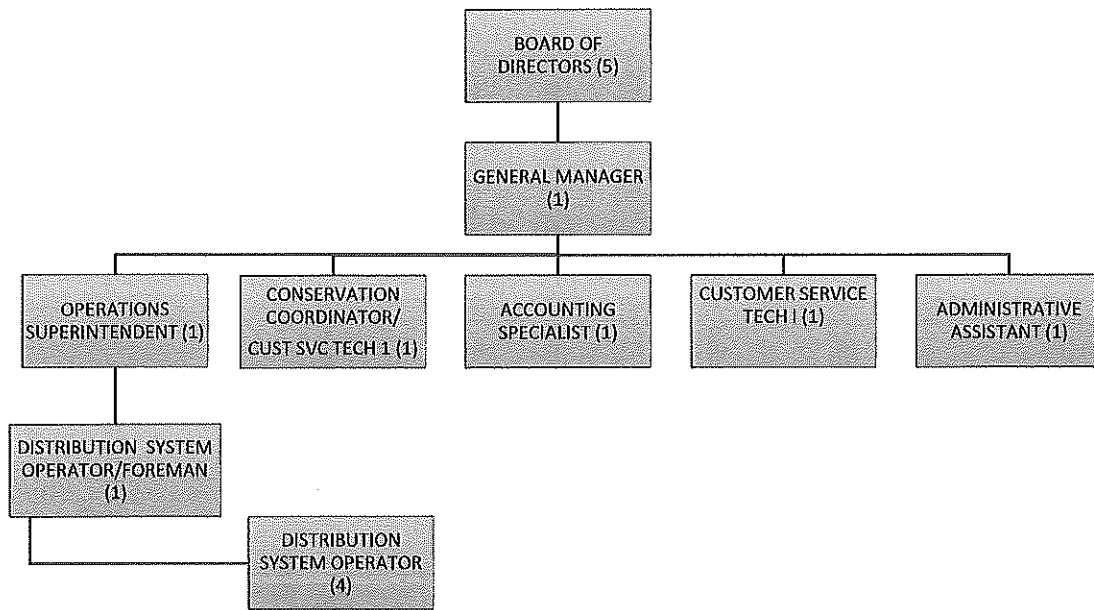
Mary Harris, Director

Vicky Young, Director

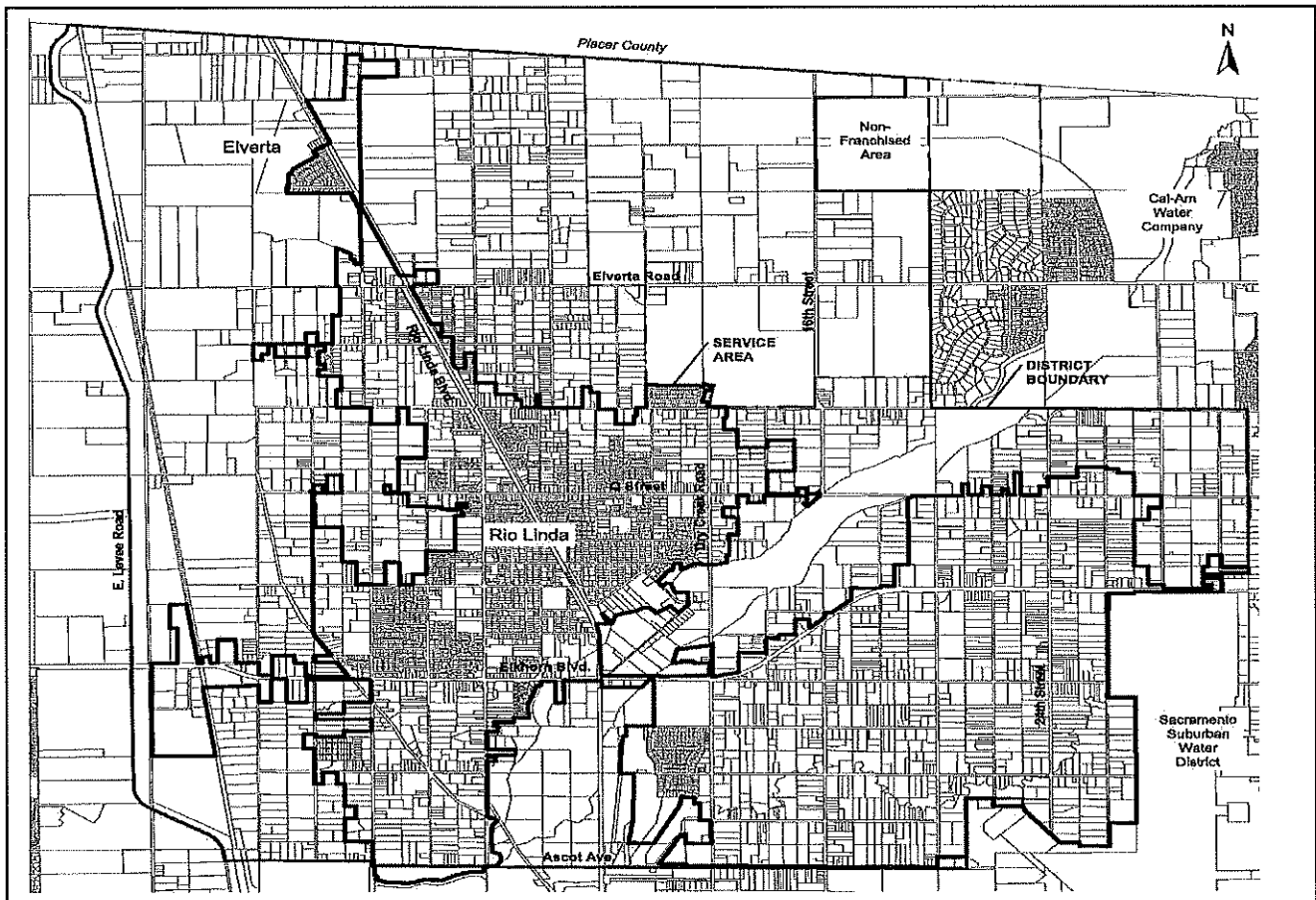
Appointed Official

Timothy Shaw, Secretary/General Manager

Organizational Structure



Service Area



OPERATING BUDGET

The Incremental Budgeting Method is used to prepare the Operating Budget. See Glossary for definitions. The District uses the same structure and format for the chart of accounts as the Annual Financial Audit Report to establish symmetry. The Operating Budget is described below outlining the categories, and columns.

The budget is divided into the following categories:

REVENUE – Includes both operating and non-operating revenue.

OPERATING EXPENSE – Includes all expenses considered operating and includes the following categories: Professional Fees, Personnel Services, Administration, Conservation, and Field Operations.

- **PROFESSIONAL FEES** – A category of expenditures are fees charged by service providers in occupations requiring special training in the arts or sciences including legal services, auditors, engineers, and other specialized consultants.
- **PERSONNEL SERVICES** – A category of expenditures, which primarily covers salaries and wages, benefits, and other costs related to District personnel.
- **ADMINISTRATION** – A category of expenditures directly related to the cost of providing services including building maintenance, computer systems, office, insurance, and water memberships.
- **CONSERVATION** – A category of expenditures directly relating to providing services related to water conservation including community outreach and rebate programs.
- **FIELD OPERATIONS** – A category of expenditures directly relating to providing services related to field operations including pumping, transmission and distribution, and transportation.

NON-OPERATING EXPENSES – Includes all expenses considered non-operating such as Debt Service expenses. The total Net Revenue follows.

OPERATING AND SURCHARGE FUND BALANCES – Reflects total estimated beginning and ending fund balances.

The budget is divided into the following columns:

COLUMN 1 - ACTUAL YTD – Actual revenue and expenses beginning July 1st and ending June 30th. An incremental budget is prepared using a previous period's budget or actual performance as a basis with incremental amounts added for the new budget period.

COLUMN 2 - 2022-2023 BUDGET – The prior fiscal year budget.

COLUMN 3 - 2023-2024 BUDGET – The new fiscal year budget.

COLUMN 4 - DIFFERENCE – The calculated total taking Column 3 less Column 2.

COLUMN 5 - EXPLANATION – An explanation or description of the differences between the two fiscal year budgets Column 2 and Column 3.

Operating and Non-Operating Revenue

		2022-2023 ACTUAL UNAUDITED	2022-2023 BUDGET	2023-2024 BUDGET	DIFFERENCE	EXPLANATION
OPERATING REVENUE						
40100 Water Service Rates						
40101	Basic Service Charge	1,172,604.00	1,110,746.00	1,160,731.00	49,985.00	Per Water Rate Study
40102	Usage Charge	1,702,770.00	1,753,654.00	1,832,569.00	78,915.00	Per Water Rate Study
40105	Backflow Charge	29,770.00	29,600.00	30,500.00	900.00	Per Water Rate Study
40106	Fire Prevention	26,296.00	23,300.00	24,300.00	1,000.00	Per Water Rate Study
Total Water Service Rates		2,931,440.00	2,917,300.00	3,048,100.00	130,800.00	
40200 Water Services						
40201	Application Fee	5,850.00	6,500.00	6,500.00	0.00	
40202	Delinquency	65,600.00	90,000.00	65,000.00	-25,000.00	Decreased to adjust for adopted Resolution 2022-08 on 11-2022
40209	Misc. Charges	7,846.00	7,000.00	7,000.00	0.00	
Total Water Services		79,296.00	103,500.00	78,500.00	-25,000.00	
40300 Other Water Service Fees						
40301	New Construction QC	3,000.00	4,000.00	4,000.00	0.00	
40302	Service Connection Fees	17,756.00	10,000.00	10,000.00	0.00	
40304	Other Operating Revenue	6,311.00	6,000.00	6,000.00	0.00	
40305	Grant Revenue-Operating	0.00	0.00	0.00	0.00	
Total Other Water Service Fees		27,067.00	20,000.00	20,000.00	0.00	
TOTAL OPERATING REVENUE		\$3,037,803.00	\$3,040,800.00	\$3,146,600.00	\$105,800.00	



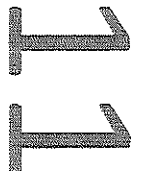
		2022-2023 ACTUAL UNAUDITED	2022-2023 BUDGET	2023-2024 BUDGET	DIFFERENCE	EXPLANATION
NON-OPERATING REVENUE						
41110	Interest Revenue	40.00	35.00	35.00	0.00	
41120	Property Taxes & Assessments	118,217.00	109,100.00	118,000.00	8,900.00	Increased to adjust for prior FY revenues
TOTAL NON-OPERATING REVENUE		\$118,257.00	\$109,135.00	\$118,035.00	\$8,900.00	
TOTAL OPERATING & NON-OPERATING REVENUE		\$3,156,060.00	\$3,149,935.00	\$3,264,635.00	\$114,700.00	

Operating Expense

		2022-2023 ACTUAL UNAUDITED	2022-2023 BUDGET	2023-2024 BUDGET	DIFFERENCE	EXPLANATION
60010 PROFESSIONAL FEES						
60011	General Counsel-Legal	26,885.00	26,885.00	30,000.00	3,115.00	Increased to adjust per prior FY
60012	Auditor Fees	23,700.00	23,700.00	21,300.00	-2,400.00	Decreased to adjust for projected costs
60013	Engineering Services	60,000.00	67,915.00	115,000.00	47,085.00	Increased to include Water Use Efficiency Objectives and Water Loss Standards
60015	Other Professional Fees	0.00	0.00	0.00	0.00	
TOTAL PROFESSIONAL FEES		110,585.00	118,500.00	166,300.00	47,800.00	
60100 PERSONNEL SERVICES						
60110 Salaries & Wages						
60111	Salary - General Manager	124,284.00	124,285.00	125,278.00	993.00	Increased to adjust for projected costs per contract
60112	Staff Regular Wages	622,757.00	656,708.00	676,585.00	19,877.00	Increased to adjust per MOU 11-12-21; COLA 3.0%; New Treatment Operators
60113	Contract Extra Help	0.00	0.00	0.00	0.00	
60114	Staff Standby Pay	18,200.00	18,250.00	18,250.00	0.00	
60115	Staff Overtime Pay	10,073.00	11,000.00	11,000.00	0.00	
Total Salaries & Wages		775,314.00	810,243.00	831,113.00	20,870.00	
60150 Employee Benefits & Expense						
60151	PERS Retirement	123,604.00	127,292.00	126,177.00	-1,115.00	Decreased to adjust for projected costs
60152	Workers Compensation	15,838.00	15,839.00	10,864.00	-4,975.00	Decreased to adjust to change carrier to ACWA
60153	Medical & Benefit Insurance	177,568.00	216,750.00	227,568.00	10,818.00	Increased per MOU Settlement Agreement 3-2023
60154	Retirees Insurance	35,524.00	36,200.00	36,200.00	0.00	
60155	Staff Training	0.00	5,000.00	5,000.00	0.00	
60157	Uniforms	5,110.00	6,750.00	6,750.00	0.00	
60158	Payroll Taxes	61,385.00	63,854.00	66,230.00	2,376.00	Increased to adjust for projected costs

		2022-2023 ACTUAL UNAUDITED	2022-2023 BUDGET	2023-2024 BUDGET	DIFFERENCE	EXPLANATION
60159	Payroll Services	1,260.00	1,400.00	1,400.00	0.00	
60160	457 Employer Contribution	17,702.00	18,055.00	19,100.00	1,045.00	Increased to adjust for MOU 11-12-21 & GM Contract
	Total Employee Benefits & Expense	437,991.00	491,140.00	499,289.00	8,149.00	
	TOTAL PERSONNEL SERVICES	\$1,213,305.00	\$1,301,383.00	\$1,330,402.00	\$29,019.00	

		2022-2023 ACTUAL UNAUDITED	2022-2023 BUDGET	2023-2024 BUDGET	DIFFERENCE	EXPLANATION
60200 ADMINISTRATION						
60205	Bank and Merchant Fees	1,382.00	1,850.00	1,850.00	0.00	
60207	Board Meeting Expense	10,075.00	13,700.00	13,900.00	200.00	Increased to adjust for projected costs
60210 Building Expenses						
60211	Office Utilities	7,260.00	7,261.00	7,261.00	0.00	
60212	Janitorial	2,340.00	2,340.00	2,340.00	0.00	
60213	Maintenance	2,154.00	3,089.00	2,500.00	-589.00	Decreased to adjust for projected costs
60214	Security	252.00	775.00	336.00	-439.00	Decreased to adjust for projected costs
	Total Building Expenses	12,006.00	13,465.00	12,437.00	-1,028.00	
60220 Computer & Equipment Maint.						
60221	Computer Systems	31,348.00	31,350.00	32,000.00	650.00	Increased to adjust for projected costs
60222	Office Equipment	668.00	875.00	875.00	0.00	
	Total Computer & Equipment Maint.	32,016.00	32,225.00	32,875.00	650.00	
60230	Office Expense	4,520.00	4,725.00	4,725.00	0.00	
60240	Postage and Delivery	20,492.00	20,500.00	21,000.00	500.00	Increased to adjust for projected costs
60250	Printing	7,959.00	8,000.00	8,500.00	500.00	Increased to adjust for projected costs
60255	Meetings & Conferences	40.00	100.00	100.00	0.00	
60260	Publishing	1,206.00	1,206.00	1,500.00	294.00	Increased to adjust for projected costs
60270	Telephone & Internet	4,202.00	4,250.00	4,250.00	0.00	
60430 Insurance						
60431	General Liability	33,290.00	33,290.00	28,832.00	-4,458.00	Decreased to reflect estimated premium
60432	Property	11,922.00	11,923.00	14,391.00	2,468.00	Increased to reflect estimated premium
	Total Insurance	45,212.00	45,213.00	43,223.00	-1,990.00	



		2022-2023 ACTUAL UNAUDITED	2022-2023 BUDGET	2023-2024 BUDGET	DIFFERENCE	EXPLANATION
60500 Water Memberships						
60503	SGA	30,777.00	30,777.00	30,926.00	149.00	Increase per published membership rate
60504	ACWA	11,140.00	11,140.00	11,697.00	557.00	Increase includes 5% annual increase
60505	CSDA	8,186.00	8,186.00	0.00	-8,186.00	Decreased – cancelled membership
60507	CRWA	1,435.00	1,435.00	1,507.00	72.00	Increase includes 5% annual increase
	Total Water Memberships	51,538.00	51,538.00	44,130.00	-7,408.00	
60550	Permits & Fees	47,632.00	49,000.00	55,000.00	6,000.00	Increased to adjust for projected costs
60555	Subscriptions & Licensing	1,100.00	1,100.00	2,120.00	1,020.00	Increased to adjust for projected costs
60560	Elections	1,887.00	1,887.00	0.00	-1,887.00	Decreased for Non-Election Year
60565	Uncollectable Accounts	2,660.00	2,936.00	3,000.00	64.00	Increased to adjust for projected costs
60570	Other Operating Expenditures	0.00	0.00	500.00	500.00	Increased to adjust for projected costs
	TOTAL ADMINISTRATION	\$243,927.00	\$251,695.00	\$249,110.00	\$-2,585.00	

		2022-2023 ACTUAL UNAUDITED	2022-2023 BUDGET	2023-2024 BUDGET	DIFFERENCE	EXPLANATION
64000 CONSERVATION						
64001	Community Outreach	0.00	0.00	500.00	500.00	Increased to adjust for projected costs
64005	Other Conservation Programs	0.00	0.00	0.00	0.00	
TOTAL CONSERVATION		0.00	0.00	500.00	500.00	
65000 FIELD OPERATIONS						
65100 Other Field Operations						
65110	Backflow Testing	2,517.00	3,000.00	3,000.00	0.00	
65120	Construction Equipment Maint.	3,604.00	9,000.00	9,000.00	0.00	
65130	Field Communication	3,123.00	3,400.00	3,400.00	0.00	
65140	Field IT	26,307.00	35,000.00	35,000.00	0.00	
65150	Laboratory Services	11,934.00	24,000.00	24,000.00	0.00	
65160	Safety Equipment	1,933.00	6,000.00	6,000.00	0.00	
65170	Shop Supplies	3,065.00	7,000.00	7,000.00	0.00	
Total Other Field Operations		52,483.00	87,400.00	87,400.00	0.00	
65200	Treatment	31,244.00	31,300.00	35,000.00	3,700.00	Increased to adjust for projected costs
65300 Pumping						
65310	Maintenance	22,962.00	25,000.00	25,000.00	0.00	
65320	Electricity and Fuel	205,047.00	260,000.00	260,000.00	0.00	
Total Pumping		228,009.00	285,000.00	285,000.00	0.00	
65400 Transmission & Distribution						
65410	Distribution Supplies	43,417.00	59,950.00	50,000.00	-9,950.00	Decreased to adjust for projected costs
65430	Tank Maintenance	4,949.00	6,280.00	6,500.00	220.00	Increased to adjust for projected costs: Cathodic Protection Maintenance
65440	Contract Repairs	80,235.00	84,000.00	70,000.00	-14,000.00	Decreased to adjust for projected costs
65450	Valve Replacements	0.00	10,000.00	15,000.00	5,000.00	Increased to adjust for projected costs
65460	Paving Repairs	0.00	18,700.00	30,000.00	11,300.00	Increased to adjust for projected costs
Total Transmission & Distribution		128,601.00	178,930.00	171,500.00	-7,430.00	
67000 Transportation						
67001	Fuel	16,731.00	16,735.00	18,000.00	1,265.00	Increased to adjust for projected costs
67002	Maintenance	3,562.00	4,265.00	5,000.00	735.00	Increased to adjust for projected costs
Total Transportation		20,293.00	21,000.00	23,000.00	2,000.00	
TOTAL FIELD OPERATIONS		\$460,630.00	\$603,630.00	\$601,900.00	\$-1,730.00	
TOTAL OPERATING EXPENSE		\$2,028,447.00	\$2,275,208.00	\$2,348,212.00	\$ 73,004.00	

Non-Operating Expense

		2022-2023 ACTUAL UNAUDITED	2022-2023 BUDGET	2023-2024 BUDGET	DIFFERENCE	EXPLANATION
	69010 Debt Service					
	69100 Revenue Bond 2015: Term 11/1/2031					
	69105 Revenue Bond 2015-Principle	152,273.00	152,273.00	156,908.00	4,635.00	Per Loan Payment Schedule
	69120 Interest	47,891.00	48,650.00	44,087.00	-4,563.00	Per Loan Payment Schedule
	Total Revenue Bond 2015	200,164.00	200,923.00	200,995.00	72.00	
	69125 AMI Meter Loan: Term 7/23/2025					
	69130 Principle	53,307.00	53,307.00	54,602.00	1,295.00	Per Loan Payment Schedule
	69135 Interest	5,184.00	5,207.00	3,912.00	-1,295.00	Per Loan Payment Schedule
	Total AMI Meter Loan	58,491.00	58,514.00	58,514.00	0.00	
	69200 PERS ADP Loan: Term 6/1/2036					
	69205 Principle	30,000.00	30,000.00	30,000.00	00.00	Per Loan Payment Schedule
	69210 Interest	1,739.00	1,739.00	1,628.00	-111.00	Per Loan Payment Schedule
	Total PERS ADP Loan	31,739.00	31,739.00	31,628.00	- 111.00	
	69400 Other Non-Operating Expense	0.00	43.00	2,300.00	2,257.00	Increased per Rate Study Table 7
	TOTAL NON-OPERATING EXPENSE	\$290,394.00	\$291,219.00	\$293,437.00	\$2,218.00	
	TOTAL OPERATING & NON-OPERATING EXPENSE	\$2,318,841.00	\$2,566,427.00	\$2,641,649.00	\$75,222.00	
	NET REVENUE (Revenue-Expense)	\$837,219.00	\$583,508.00	\$622,986.00	\$39,478.000	

Summary Net Revenue

TOTAL OPERATING & NON-OPERATING REVENUE	\$3,156,060.00	\$3,149,935.00	\$3,264,635.00	\$114,700.00
TOTAL OPERATING & NON-OPERATING EXPENSE	\$2,318,841.00	\$2,566,427.00	\$2,641,649.00	\$75,222.00
NET REVENUE (Revenue-Expense)	\$837,219.00	\$583,508.00	\$622,986.00	\$39,478.00

Fund Balances

	2022-2023 BUDGET	2023-2024 BUDGET
OPERATING FUND BALANCE		
Operating Account Balance June 30	\$1,452,402.00	\$1,472,637.00
Net Revenue	583,508.00	622,986.00
Transfer to GL 10010 Operating Reserve	-28,273.00	0.00
Transfer to Capital Improvement Funds	-594,000.00	-611,800.00
Transfer from Capital Improvement Funds	59,000.00	0.00
Estimated Operating Fund Balance June 30	\$1,472,637.00	\$1,483,823.00
SURCHARGE 1 FUND BALANCE/Term: 06/30/2030		
Surcharge 1 Fund Balance June 30	\$705,307.00	\$766,026.00
43010 Surcharge Revenue	523,374.00	532,380.00
41110 Investment Revenue	1,000.00	1,000.00
69155 SRF Principle	-379,389.00	-389,231.00
69160 SRF Interest	-81,966.00	-72,124.00
69220 SRF Administration	-2,300.00	-2,300.00
Estimated Surcharge 1 Fund Balance June 30	\$766,026.00	\$835,751.00
SURCHARGE 2 FUND BALANCE/Term: 04/01/2033		
Surcharge 2 Fund Balance June 30	\$209,015.00	\$336,614.00
43050 Surcharge 2 Revenue	439,019.00	442,716.00
41110 Investment Revenue	500.00	100.00
69180 Principle	-230,000.00	-240,000.00
69185 Interest	-81,920.00	-74,293.00
Estimated Surcharge 2 Fund Balance June 30	\$336,614.00	\$465,137.00
LAIF FUND (CAPACITY FEES) BALANCE		
CERBT Fund Balance June 30	\$410,813.00	\$813,182.00
44100 Capacity Fee Revenue	391,000.00	200,000.00
41110 Investment Revenue	11,369.00	10,000.00
Estimated CERBT Fund Balance June 30	\$813,182.00	\$1,023,182.00

CAPITAL BUDGET

The Capital Budget is formatted to reflect the beginning and ending balance of each Capital Improvement Fund. Each fund will include the funding source and project expenditures. The funds are divided into the following groups:

GENERAL – Capital expenditures include those that are not grouped in the remaining following categories. All General Plant Assets expenditures will be included in this category except for Vehicle and Large Equipment Replacements. Funding sources may include Operating Fund Transfers and Investment Revenue.

VEHICLE & LARGE EQUIPMENT REPLACEMENT – Capital expenditures identified as General Plant Assets: Transportation and Large Equipment. Funding sources may include Operating Fund Transfers and sale proceeds on disposals of transportation equipment.

FUTURE CAPITAL IMPROVEMENT PROJECTS – Capital expenditures defined as future projects on the Capital Improvement project list approved by the board. Each budget year, each project is allocated a defined amount to be used for future use.

HEXAVALENT CHROMIUM MITIGATION – Capital expenditures identified as design and construction for Hexavalent Chromium mitigation/treatment projects as required by the State of California.

TOTAL – The last column is the sum of all funding sources.

Capital Budget by Funds

	GENERAL	VEHICLE & LARGE EQUIPMENT REPLACEMENT	FUTURE CAPITAL IMPROVEMENT PROJECTS	HEXAVALENT CHROMIUM MITIGATION	TOTAL
FUNDING SOURCES					
Fund Transfers					
Operating Fund Transfers In	611,800.00	0.00	0.00	0.00	611,800.00
CIP Fund Intrafund Transfers	(362,645.00)	10,000.00	352,645.00	0.00	0.00
PERS ADP Loan Payment					
Principle	0.00	0.00	30,000.00	0.00	30,000.00
Interest	0.00	0.00	1,628.00	0.00	1,628.00
Investment Revenue	85.00	0.00	175.00	0.00	260.00
PROJECTS					
A · WATER SUPPLY					
A-1 · Miscellaneous Pump Replacements	40,000.00	0.00	0.00	0.00	40,000.00
Total A · WATER SUPPLY	40,000.00	0.00	0.00	0.00	40,000.00
B · WATER DISTRIBUTION					
B-1 · Service Replacements	30,000.00	0.00	0.00	0.00	30,000.00
B-2 · Small Meter Replacements	120,000.00	0.00	0.00	0.00	120,000.00
B-3 · Large Meter Replacements	5,000.00	0.00	0.00	0.00	5,000.00
B-4 · Pipeline Replacement	0.00	0.00	211,200.00	0.00	211,200.00
B-5 · Cathodic Protection Replacement - L Street Tower	45,000.00	0.00	0.00	0.00	45,000.00
B-6 · Raising/Lowering Valve Covers	40,000.00	0.00	0.00	0.00	40,000.00
B-7 · Well 15 Cr6 Treatment-Design	0.00	0.00	0.00	75,000.00	75,000.00
Total B · WATER DISTRIBUTION	240,000.00	0.00	211,200.00	75,000.00	526,200.00
TOTAL BUDGETED PROJECT EXPENDITURES	280,000.00	0.00	211,200.00	75,000.00	566,200.00

Capital Budget Technical Memorandum

The Technical Memorandum (TM) provides the revised budget descriptions for the proposed 2023/2024 Rio Linda/Elverta Water District's (District) Capital Budget. The following are a list of the budget items along with their descriptions:

A · Water Supply

A-1 · Miscellaneous Pump Replacements – 40,000

For the replacement or repair of any well pump and/or motor that fails in the budgeted year.

B · Water Distribution

B-1 · Service Replacements – 30,000

To replace leaking services that require replacement throughout the budgetary year.

B-2 · Small Meter Replacements – 120,000

To replace small water meters that are underreporting their water usage due to age.

B-3 · Large Meter Replacements – 5,000

To replace large water meters that are underreporting their water usage due to age.

B-4 · Pipeline Replacement – 211,200

For the annual pipeline replacement project for the current fiscal year.

B-5 · Cathodic Protection Replacement – L Street Tower – 45,000

The cathodic protection system, which is designed to prevent corrosion of the tower, has reached the end of its service life.

B-6 · Raising/Lowering Valve Covers – 40,000

Required following Sacramento County's road re-pavement projects inside the District's service area.

B-7 · Well 15 Cr6 Treatment-Design – 75,000

As described in the March 2018 municipal financing documents, wellhead treatment of an existing well is a specified hexavalent chromium mitigation project. Funding for this project is from the 2018 Opus Bank Municipal loan proceeds.

GLOSSARY

ACCRUAL BASIS The method of accounting whereby income and expense items are recognized as they are earned or incurred, even though they may not have been received or actually paid in cash.

ACWA Association of California Water Agencies

AMI Advanced Metering Infrastructure (AMI) is the new term coined to represent the networking technology of fixed network meter systems that go beyond Automated Meter Readers (AMR) into remote utility management. The meters in an AMI system are often referred to as smart meters, since they often can use collected data based on programmed logic.

ASSET A probable future economic benefit obtained or controlled by a particular entity because of past transactions or events (i.e., cash receivables, equipment, etc.)

AWWA American Water Works Association

BEGINNING BALANCE The beginning balance is comprised of residual funds brought forward from the previous fiscal year.

BUDGET A financial plan showing authorized planned expenditures and their funding sources.

BUDGET PROCESS The schedule of key dates or milestones, which the District follows in the development, preparation, adoption, and administration of the budget.

CAPITAL ASSETS Long-lived tangible and intangible assets obtained or controlled because of past transactions, events or circumstances. Current District policy is to capitalize any asset cost of \$1,500 with a useful life or 2 years or more.

CAPITAL IMPROVEMENT PROGRAM (CIP) Authorized expenditures for tangible and long-term physical improvements or additions of a fixed or permanent nature.

CRWA California Rural Water Association

CSDA California Special Districts Association

FISCAL YEAR (FY) A 12 month period to which the annual budget applies and at the end of which a government determines its financial position and the results of its operations. For RLECWD the fiscal year is July through June 30.

FUND Fiscal and accounting entity with a self-balancing set of accounts recording cash and other financial resources, together with all related liabilities and residual equities or balances and changes therein, that are segregated for the purpose of carrying on specific activities or attaining certain objectives in accordance with special regulations, restrictions, or limitations.

HEXAVALENT CHROMIUM (Cr6) Refers to chemical compounds that contain the element chromium in the +6-oxidation state.

INCREMENTAL BUDGETING METHOD An incremental budget is a budget prepared using a previous period's budget or actual performance as a basis with incremental amounts added for the new budget period. The allocation of resources is based upon allocations from the previous period. Moreover, it encourages "spending up to the budget" to ensure a reasonable allocation in the next period.

MOU Memorandum of Understanding agreement

OPERATING BUDGET An operating budget is a combination of known expenses, expected future costs, and forecasted income over the course of a year. Operating budgets are completed in advance of the accounting period, which is why they require estimated expenses and revenues.

OPERATING REVENUES AND EXPENSES Cost of goods sold and services provided to customers and the revenue thus generated.

PCWA Placer County Water Agency

PERS Public Employees Retirement System

PROPOSITION 218 Prop 218 amended the California Constitution to protect taxpayers by limiting the methods by which local governments can create or increase taxes, fees, and charges without taxpayer consent. Prop 218 requires voter approval prior to imposition or increase of general taxes, assessments, and certain user fees.

RWA Regional Water Authority

SAWWA Sacramento Area Water Works Association

SCADA Supervisory Control and Data Acquisition uses computer technology to monitor and control remote facilities such as pumps and reservoirs.

SGA Sacramento Ground Water Authority

NOTICE OF PUBLIC HEARING

**RIO LINDA / ELVERTA COMMUNITY WATER DISTRICT
BOARD OF DIRECTORS
CONSIDERATION OF RESOLUTION NO. 2023-07 APPROVING THE FY 2023-24
OPERATING AND CAPITAL IMPROVEMENT BUDGETS FOR
THE RIO LINDA / ELVERTA COMMUNITY WATER DISTRICT**

This meeting will be physically open to the public.

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Board of Directors of the Rio Linda/Elverta Community Water District (the "District") at its regularly scheduled meeting on **Monday, September 25, 2023 at 6:30 PM**, at Depot / Visitors Center located at 6730 Front Street, Rio Linda, California to consider the adoption of proposed Resolution No. 2023-07 Establishing Fiscal Year 2023-24 Operating and Capital Improvement Budgets ("Budgets"). The budgets will become effective immediately upon adoption of the District Board of Directors.

ALL INTERESTED PARTIES are invited to attend the September 25, 2023, public hearing to express opinions or submit evidence for or against the approval of the Budgets. At the above noted time and place, testimony from interested persons will be heard and considered by the District Board of Directors prior to taking action or making any recommendation on the Budgets. Upon request, the agenda and the documents in the hearing agenda packet can be made available to persons with a disability. In compliance with the Americans with Disabilities Act, the District encourages those with disabilities to participate fully in the public hearing process. Any person requiring special assistance to participate in the meeting should call (916) 991-1000 or email questions@rlecwd.com at least forty- eight (48) hours prior to the meeting.

Written comments are also accepted, prior to the hearing by the District, at: 730 L Street, Rio Linda, CA, 95673. Information regarding the hearing is on file and may be viewed by interested individuals by contacting the District by phone at (916) 991-1000. If a challenge to the above proposed actions is made in court, persons may be limited to raising only those issues they or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the District Board of Directors.

Copies of the proposed Budgets are available for the public by calling the District Office at (916) 991- 1000 or via the District's website www.rlecwd.com.

RESOLUTION No. 2023-07
A RESOLUTION ESTABLISHING FISCAL YEAR 2023-24 OPERATING AND CAPITAL IMPROVEMENT BUDGET FOR THE RIO LINDA /ELVERTA COMMUNITY WATER DISTRICT

WHEREAS, the Rio Linda / Elverta Community Water District (“District”) has identified the District’s operating costs as well as the costs of capital improvements to the infrastructure of the District, for the Fiscal Year beginning July 1, 2023, and ending June 30, 2024; and

WHEREAS, the District has prepared a budget setting forth the dollar amounts proposed for operating the District: \$2,641,649.00 and for capital improvements: \$566,200.00; and

WHEREAS the Board of Directors reviewed and adopted the Preliminary Budget for the District operations and capital improvements at a regular meeting held on June 26, 2023; and

WHEREAS, a noticed public hearing was held August 28, 2023, for the purpose of receiving public comment on the proposed Fiscal Year 2023-24 Operating and Capital Improvement Budget.

NOW THEREFORE, BE IT RESOLVED by the Rio Linda / Elverta Community Water District Board of Directors that the attached 2023-24 Fiscal Year Operating and Capital Improvement Budget is hereby approved and appropriated for the Fiscal Year beginning July 1, 2023, and ending June 30, 2024.

APPROVED AND ADOPTED by the Board of Directors of the Rio Linda / Elverta Community Water District on this 28th day of August 2023. By the following vote:

- AYES:
- NAYS:
- ABSENT:
- ABSTAIN:

ATTEST:

Mary Harris
President, Board of Directors

Timothy R. Shaw
Secretary of the Board of Directors



**Consent Calendar
Agenda Item: 5.1**

Date: September 25, 2023

Subject: Minutes

Staff Contact: Timothy R. Shaw, General Manager

Recommended Committee Action:

N/A -Minutes of Board meetings are not reviewed by committees.

Current Background and Justification:

These minutes are to be reviewed and approved by the Board of Directors.

Conclusion:

I recommend the Board review and approve (as appropriate) the minutes of meetings provided with your Board packets.

Board Action / Motion

Motioned by: Director _____ Seconded by Director _____

Cline _____ Gifford _____ Green _____ Harris _____ Young _____

(A) Yea (N) Nay (Ab) Abstain (Abs) Absent

MINUTES OF THE AUGUST 28, 2023
BOARD OF DIRECTORS PUBLIC HEARING AND REGULAR MEETING
OF THE RIO LINDA/ELVERTA COMMUNITY WATER DISTRICT

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The Link below provides access the video of this meeting.

<https://vimeo.com/859101730?share=copy>

<https://vimeo.com/859107109?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 August 28, 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 Mary Harris, General Manager Tim Shaw, and Legal Counsel were present. Director Anthony Cline was absent and Director Vicky Young was attending remote. GM Shaw announced that General Counsel advised that the District had not met the requirements for Director Vicky Young to participate remotely. She could continue to listen but could not vote on any agenda items. Gm Shaw led the pledge of allegiance.

2. PUBLIC COMMENT_– None.

3.3. PUBLIC HEARING to adopt the Fiscal Year 2023-24 Operating and Capital Improvements Budgets

3.1 Open Public Hearing

3.2 FY 2023-24 Operating and Capital Improvement Budgets

3.3 Public Comment - A member of the public commented on the hearing from the State Water Resources Board concerning chromium 6.

3.4 Close Public Hearing (9:05)

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

(30:21) It was moved by Director Gifford and seconded by Director Green to adopt Resolution No. 2023-07 to approve the FY 2023-24 Operating and Capital Improvement Budgets. Directors Green and Gifford voted yes. Director Harris voted no. Director Anthony Cline was absent. Director Vicky Young was unable to vote remotely. The motion failed with a roll call vote of 2-1-0.

(34:50) It was moved by President Harris to move item 3. Public Hearing to adopt the FY 2023-24 Operating and Capital Improvement Budgets to the next regular Board Meeting.

4. CONSENT CALENDAR (35:10)

4.1. July 24, 2023 Minutes

4.2 June Expenditures

4.3 June Financials

Comments/Questions –No comments.

(36:21) It was moved by Director Harris and seconded by Director Gifford to approve the consent calendar. Directors Green, Gifford, Harris yes. Director Anthony Cline was absent. Director Young was remote but could not vote. The motion carried with a roll call vote of 3-0-0.

5. REGULAR CALENDAR **ITEMS FOR DISCUSSION AND ACTION**

5.1 GM Report (37:00)

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

Comments/Questions – No Comments.

The Board took no action on this item.

5.2 District Engineer's Report (37:41)

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 – No Comments.

The Board took no action on this item.

5.3 Consider Authorizing mailing of the bimonthly Waterways newsletter with bimonthly bills (39:56)

Comments/Questions – Public commented that they were in favor of including the mailer back in the bills.

(44:12) It was moved by Director Gifford and seconded by Director Green to authorize the mailing of the bimonthly Waterways newsletter with the bimonthly bills. Directors Green, Harris, and Gifford voted yes. Director Anthony Cline was absent. Director Vicky Young was remote but unable to vote. The motion carried with a roll call vote of 3-0-0.

5.4 Consider Adopting Revision to District Policy 2.01.150 (44:52)

Comments/Questions – The general discussion from the public was that the GM and the Board President should communicate about the Board Agenda.

(47:06) It was moved by Director Harris to approve the Policy revision submitted by herself.

(50:04) It was moved by Director Harris to approve the Policy revision submitted by herself or keep the original policy.

(50:25) Director Green motioned and Director Harris motioned to keep the original written District Policy 2.01.150.

(50:28) Director Gifford wanted to table the item until the full Board was present to vote.

(50:52) The item was tabled until the next meeting.

5.5 Consider Authorizing Board Member Compensation for Participating in Sacramento Groundwater Authority 25th Anniversary Social Meeting (51:02)

5.5.1 Consider Authorizing District Payment of \$30 Charge for Attendees at SGA 25th Anniversary.

Comments/Questions – Director Harris stated she will not be attending this event and would like to drop the item from the agenda.

(51:55) It was moved by Director Harris and seconded by Director Gifford to remove agenda item 5.5 and 5.5.1.

Directors Green, Harris, Gifford voted yes. Director Anthony Cline was absent. Director Vicky Young was remote but unable to vote. The motion carried with a roll call vote of 3-0-0.

5.6 Authorize any New Board Member Assignments (committees and other) Proposed by the Chair Pursuant to District Policy 2.01.065 (52:15)

It was moved by Director Harris to appoint the Board President and Vice President to the Executive Committee. No second. Motion failed.

6. INFORMATION ITEMS

6.1 District Activities Reports

6.1.1 Water Operations Report – Written report provided.

6.1.2 Completed and Pending Items Report – Written report provided.

- 6.1.3 Conservation Report – Written report provided.
 6.1.4 Leak Repair Report – Report provided.

Comments/Questions – Public member commented on a culvert at West 2nd and U street that has standing water for about 7 months.

6.2 Board Member Report

- 6.2.1 Report any ad hoc committees dissolved by requirements in Policy 2.01.065 – No action.
 6.2.2 Sacramento Groundwater Authority – Harris (primary) – Gave a verbal report.
 6.2.3 Executive Committee – Gifford, Cline – Minutes provided.
 6.2.4 ACWA/JPIA – Cline – Nothing to report.

7 **Public Comment Prior to Closed Session** – Public member asked about the legality of materials provided in an SGA document. Public member stated the U St leak is not listed on the operations leak report.

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

8.2 **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 **RECONVENE IN OPEN SESSION – at 7:55pm.**

9.2 Announce any reportable actions authorized in closed session.

Legal Counsel stated the item would be moved to the next regular Board meeting.

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

11. **ADJOURNMENT** - The meeting was adjourned at 8:00 pm.

Respectfully submitted,

 Timothy R. Shaw, Secretary

 Mary Harris, President of the Board



**Consent Calendar
Agenda Item: 5.2**

Date: September 25, 2023

Subject: Expenditures

Staff Contact: Timothy R. Shaw, General Manager

Recommended Committee Action:

The Executive Committee forwarded the Expenditures report to the September 25th Board agenda.

Current Background and Justification:

These expenditures have been completed since the last regular meeting of the Board of Directors.

Conclusion:

I recommend the Board approve the Expenditures for July 2023.

Board Action / Motion

Motioned by: Director _____ Seconded by Director _____

Cline _____ Gifford _____ Green _____ Harris _____ Young _____

(A) Yea (N) Nay (Ab) Abstain (Abs) Absent

**Rio Linda Elverta Community Water District
Expenditure Report
July 2023**

Type	Date	Num	Name	Memo	Amount
Liability Check	07/12/2023	EFT	QuickBooks Payroll Service	For PP Ending 07/8/23 Pay date 07/13/23	19,198.10
Liability Check	07/13/2023	EFT	CalPERS	For PP Ending 07/8/23 Pay date 07/13/23	3,396.63
Liability Check	07/13/2023	EFT	CalPERS	For PP Ending 07/8/23 Pay date 07/13/23	1,285.99
Bill Pmt -Check	07/13/2023	EFT	CalPERS	Annual CalPERS Unfunded Accrued Liability Contribution	49,712.00
Liability Check	07/13/2023	EFT	Internal Revenue Service	Employment Taxes	7,333.06
Liability Check	07/13/2023	EFT	Employment Development	Employment Taxes	1,377.34
Bill Pmt -Check	07/13/2023	EFT	Adept Solutions	Computer Maintenance	1,333.00
Liability Check	07/13/2023	EFT	Empower	Deferred Compensation Plan: Employer & Employee Share	2,270.05
Bill Pmt -Check	07/13/2023	EFT	Comcast	Phone	103.82
Bill Pmt -Check	07/13/2023	EFT	PGE	Utilities	57.50
Bill Pmt -Check	07/13/2023	EFT	Republic Services	Utilities	126.00
Bill Pmt -Check	07/13/2023	EFT	Umpqua Bank Credit Card	Computer, Office, Postage, Safety	3,204.09
Bill Pmt -Check	07/13/2023	EFT	Verizon	Field Communication, Field IT	446.07
Transfer	07/13/2023	EFT	RLECWD	Umpqua Bank Monthly Debt Service Transfer	17,000.00
Transfer	07/13/2023	EFT	RLECWD - Capital Improvement	Current Monthly Transfer	50,984.00
Check	07/13/2023	EFT	RLECWD	Transfer final RWA Retention from Grant	50,500.00
Check	07/13/2023	2627	Customer	Final Bill Refund	200.18
Check	07/13/2023	2628	Customer	Final Bill Refund	14.62
Check	07/13/2023	2629	Customer	Final Bill Refund	81.19
Check	07/13/2023	2630	Customer	Final Bill Refund	44.76
Bill Pmt -Check	07/13/2023	2631	ABS Direct	Printing & Postage	260.61
Bill Pmt -Check	07/13/2023	2632	ACWA/JPIA Powers Insurance Authority	EAP	84.80
Bill Pmt -Check	07/13/2023	2633	BSK Associates	Lab Fees	2,028.00
Bill Pmt -Check	07/13/2023	2634	California Rural Water Association	Annual Membership Dues	1,507.00
Bill Pmt -Check	07/13/2023	2635	Corelogic Solutions	Subscription	100.00
Bill Pmt -Check	07/13/2023	2636	EKI Environment & Water	Engineering	5,000.00
Bill Pmt -Check	07/13/2023	2637	Elk Grove Security Systems	Security	84.00
Bill Pmt -Check	07/13/2023	2638	Government Finance Officers Association	Office Expense	160.00
Bill Pmt -Check	07/13/2023	2639	Intermedia.net	Telephone	82.09
Bill Pmt -Check	07/13/2023	2640	Oreilly Automotive	Transportation Maintenance	117.70
Bill Pmt -Check	07/13/2023	2641	Ramos Oil Inc.	Transportation Fuel	291.09
Bill Pmt -Check	07/13/2023	2642	Rio Linda Hardware & Building Supply	Shop Supplies	83.14
Bill Pmt -Check	07/13/2023	2643	Sacramento Groundwater Authority	Annual Membership Dues	30,926.00
Bill Pmt -Check	07/13/2023	2644	Sierra Chemical Company	Treatment	1,386.00
Bill Pmt -Check	07/13/2023	2645	SMUD	Utilities	20,208.84
Bill Pmt -Check	07/13/2023	2646	Tesco Controls, Inc.	Field IT	656.50
Bill Pmt -Check	07/13/2023	2647	UniFirst Corporation	Uniforms	428.14
Bill Pmt -Check	07/13/2023	2648	Vanguard Cleaning Systems	Janitorial	195.00
Bill Pmt -Check	07/13/2023	2649	Water Rite Products	Equipment Maintenance	147.53
Bill Pmt -Check	07/13/2023	2650	WellTec, Inc.	Pumping Maintenance	655.25
Bill Pmt -Check	07/13/2023	2651	County of Sacramento	Capital Improvement: Pipeline Replacement	2,127.50
Liability Check	07/13/2023	2652	Rawles Engineering	Capital Improvement: Pipeline Replacement	200,885.00

Rio Linda Elverta Community Water District
Expenditure Report
July 2023

Type	Date	Num	Name	Memo	Amount
Check	07/25/2023	EFT	Wageworks	FSA Administration Fee	76.25
Liability Check	07/27/2023	EFT	QuickBooks Payroll Service	For PP Ending 07/27/23 Pay date 07/22/23	18,671.42
Liability Check	07/27/2023	EFT	CalPERS	For PP Ending 07/27/23 Pay date 07/22/23	3,413.79
Liability Check	07/27/2023	EFT	CalPERS	For PP Ending 07/27/23 Pay date 07/22/23	1,285.99
Liability Check	07/27/2023	EFT	Internal Revenue Service	Employment Taxes	7,090.72
Liability Check	07/27/2023	EFT	Employment Development	Employment Taxes	1,511.15
Liability Check	07/27/2023	EFT	Empower	Deferred Compensation Plan: Employer & Employee Share	2,131.58
Liability Check	07/27/2023	EFT	Kaiser Permanente	Health Insurance	2,186.97
Liability Check	07/27/2023	EFT	Principal	Dental & Vision Insurance	1,765.52
Liability Check	07/27/2023	EFT	Western Health	Health Insurance	12,655.03
Check	07/27/2023	2654	Citizens Business Bank	AMI Meter Loan Payment	29,549.52
Check	07/27/2023	2655	Customer	Final Bill Refund	78.27
Check	07/27/2023	2656	Customer	Hydrant Meter Deposit Refund	960.60
Check	07/27/2023	2657	Customer	Hydrant Meter Deposit Refund	1,000.00
Check	07/27/2023	2658	Customer	Hydrant Meter Deposit Refund	1,000.00
Bill Pmt -Check	07/27/2023	2659	ACWA JPIA	Cyber Liability Insurance	932.00
Bill Pmt -Check	07/27/2023	2660	Buckmaster Office Solutions	Printing	53.68
Bill Pmt -Check	07/27/2023	2661	Pacific Shredding	Office Expense	728.00
Bill Pmt -Check	07/27/2023	2662	Ramos Oil Inc.	Transportation Fuel	888.48
Bill Pmt -Check	07/27/2023	2663	Rio Linda Elverta Recreation & Park	Meeting Expense	100.00
Bill Pmt -Check	07/27/2023	2664	Sacramento County Utilities	Utilities	113.70
Bill Pmt -Check	07/27/2023	2665	Spok Inc.	Field Communication	15.48
Bill Pmt -Check	07/27/2023	2666	Underground Service Alert of No CA & NV	Distribution	2,218.65
Bill Pmt -Check	07/27/2023	2667	White Brenner, LLP	Legal	4,802.80
Total 10020 - Operating Account Budgeted Expenditures					569,262.19
Check	07/13/2023	2626	Teamsters	Union Dues	748.00
Liability Check	07/13/2023	EFT	California State Disbursement Unit	Employee Garnishment	227.53
Liability Check	07/13/2023	EFT	AFLAC	Employee Funded Premiums	745.84
Liability Check	07/27/2023	EFT	California State Disbursement Unit	Employee Garnishment	227.53
EFT	07/31/2023	EFT	WageWorks	FSA Expenditures - Employee Funded	283.32
Total 10020 - Operating Account Non-Budgeted Expenditures: Employee Paid Pass-throughs					2,232.22

Rio Linda Elverta Community Water District
Expenditure Report
July 2023

Type	Date	Num	Payee	Memo	Amount
Transfer	07/13/2023	EFT	RLECWD	Capital Improvement Transfer for Funds paid with Operating: Refer to check 2651 & 2652	202,962.50
10490 - Future Capital Improvement Projects-Umpqua Bank					<u><u>202,962.50</u></u>



**Consent Calendar
Agenda Item: 5.3**

Date: September 25, 2023

Subject: Financial Reports

Staff Contact: Timothy R. Shaw, General Manager

Recommended Committee Action:

The Executive Committee forwarded the Financial Report onto the September 25th Board agenda.

Current Background and Justification:

The financial reports are for the District’s balance sheet, profit and loss, and capital improvements year to date.

These financials are to be presented to the Board of Directors to inform them of the District’s current financial condition.

Conclusion:

I recommend the Board approve the Financial Reports for July 2023.

Board Action / Motion

Motioned by: Director _____ Seconded by Director _____
Cline _____ Gifford _____ Green _____ Harris _____ Young _____
(A) Yea (N) Nay (Ab) Abstain (Abs) Absent

Rio Linda Elverta Community Water District

Balance Sheet
As of July 31, 2023

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ASSETS

Current Assets

100 · Cash & Cash Equivalents	
10000 · Operating Account	
10020 · Operating Fund-Umpqua	1,192,724.40
Total 10000 · Operating Account	<u>1,192,724.40</u>
10475 · Capital Improvement	
10480 · General	430,354.64
10485 · Vehicle Replacement Reserve	27,948.49
Total 10450 · Capital Improvement	<u>458,303.13</u>

Total 100 · Non-Restricted Cash & Cash Equivalents 1,651,027.53

102 · Restricted Assets	
102.2 · Restricted for Debt Service	
10700 · ZIONS Inv/Surcharge 1 Reserve	504,556.26
10300 · Surcharge 1 Account	865,633.15
10350 · Umpqua Bank - Revenue Bond	54,414.04
10380 · Surcharge 2 Account	409,741.14
Total 102.2 · Restricted for Debt Service	<u>1,834,344.59</u>
102.4 · Restricted Other Purposes	
10385 · Available Funding Cr6 Projects #1	557,912.19
10481 · Available Funding Cr6 Projects #2	505,000.00
10490 · Future Capital Imp Projects	1,596,282.78
10600 · LAIF Account - Capacity Fees	819,566.66
10650 · Operating Reserve Fund	337,459.44
Total 102.4 · Restricted Other Purposes	<u>3,816,221.07</u>
Total 102 · Restricted Assets	<u>5,650,565.66</u>

Accounts Receivable 222.40

Other Current Assets	
12000 · Water Utility Receivable	801,610.65
12200 · Accrued Revenue	0.00
12250 · Accrued Interest Receivable	2,071.45
15000 · Inventory Asset	49,574.32
16000 · Prepaid Expense	77,880.41
Total Other Current Assets	<u>931,136.83</u>

Total Current Assets 8,232,952.42

Fixed Assets	
17000 · General Plant Assets	685,384.68
17100 · Water System Facilites	25,140,029.47
17300 · Intangible Assets	383,083.42
17500 · Accum Depreciation & Amort	-11,848,271.81
18000 · Construction in Progress	873,029.55
18100 · Land	576,672.45
Total Fixed Assets	<u>15,809,927.76</u>

Other Assets	
18500 · ADP CalPERS Receivable	440,000.00
19000 · Deferred Outflows	478,923.00
19900 · Suspense Account	15.16
Total Other Assets	<u>918,938.16</u>

TOTAL ASSETS 24,961,818.34

Rio Linda Elverta Community Water District

Balance Sheet

As of July 31, 2023

LIABILITIES & NET POSTION	
Liabilities	
Current Liabilities	
Accounts Payable	57,372.30
Credit Cards	66.00
Other Current Liabilities	956,197.65
Total Current Liabilities	<u>1,013,635.95</u>
Long Term Liabilities	
23000 · OPEB Liability	66,836.00
23500 · Lease Buy-Back	508,777.27
25000 · Surcharge 1 Loan	2,708,943.73
25050 · Surcharge 2 Loan	2,085,040.16
26000 · Water Rev Refunding	1,349,516.00
26500 · ADP CalPERS Loan	410,000.00
27000 · AMI Meter Loan	85,138.71
29000 · Net Pension Liability	4,903.00
29500 · Deferred Inflows-Pension	4,280.00
29600 · Deferred Inflows-OPEB	56,611.00
Total Long Term Liabilities	<u>7,280,045.87</u>
Total Liabilities	<u>8,293,681.82</u>
Net Position	
31500 · Invested in Capital Assets, Net	9,494,326.46
32000 · Restricted for Debt Service	705,225.24
38000 · Unrestricted Equity	6,384,144.30
Net Income	84,440.52
Total Net Position	<u>16,668,136.52</u>
TOTAL LIABILITIES & NET POSTION	<u><u>24,961,818.34</u></u>

Rio Linda Elverta Community Water District
 Operating Profit & Loss Budget Performance
 As of July 31, 2023

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	<u>Annual Budget</u>	<u>Jul 23</u>	<u>YTD Jul 23</u>	<u>% of Annual Budget</u>	<u>YTD Annual Budget Balance</u>
Ordinary Income/Expense					
Income					
Total 40000 · Operating Revenue	3,146,600.00	214,436.05	214,436.05	6.82%	2,932,163.95
41000 · Nonoperating Revenue					
41110 · Investment Revenue					
41112 · Interest Revenue	35.00	3.28	3.28	9.37%	31.72
Surcharg Total 41110 · Investment Revenue	35.00	3.28	3.28	9.37%	31.72
41120 · Property Tax	138,263.00	0.00	0.00	0.00%	138,263.00
Total 41000 · Nonoperating Revenue	138,298.00	3.28	3.28	0.00%	138,294.72
Total Income	3,284,898.00	214,439.33	214,439.33	6.53%	3,070,458.67
Gross Income	3,284,898.00	214,439.33	214,439.33	6.53%	3,070,458.67
Expense					
60000 · Operating Expenses					
60010 · Professional Fees	160,300.00	0.00	0.00	0.00%	160,300.00
60100 · Personnel Services					
60110 · Salaries & Wages	823,268.00	47,468.71	47,468.71	5.77%	775,799.29
60150 · Employee Benefits & Expense	506,547.00	27,606.02	27,606.02	5.45%	478,940.98
Total 60100 · Personnel Services	1,329,815.00	75,074.73	75,074.73	5.65%	1,254,740.27
60200 · Administration	240,360.00	46,700.05	46,700.05	19.43%	193,659.95
64000 · Conservation	335.00	0.00	0.00	0.00%	335.00
65000 · Field Operations	539,900.00	38,249.95	38,249.95	7.09%	501,650.05
Total 60000 · Operating Expenses	2,270,710.00	160,024.73	160,024.73	7.05%	2,110,685.27
69000 · Non-Operating Expenses					
69010 · Debt Service					
69100 · Revenue Bond					
69105 · Principle	156,908.00	0.00	0.00	0.00%	156,908.00
69110 · Interest	44,087.00	0.00	0.00	0.00%	44,087.00
Total 69100 · Revenue Bond	200,995.00	0.00	0.00	0.00%	200,995.00
69125 · AMI Meter Loan					
69130 · Principle	54,602.00	27,076.91	27,076.91	49.59%	27,525.09
69135 · Interest	3,912.00	2,180.05	2,180.05	55.73%	1,731.95
Total 69125 · AMI Meter Loan	58,514.00	29,256.96	29,256.96	50.00%	29,257.04
69200 · PERS ADP Loan					
69205 · Principle	30,000.00	0.00	0.00	0.00%	30,000.00
69210 · Interest	1,628.00	0.00	0.00	0.00%	1,628.00
Total 69100 · PERS ADP Loan	31,628.00	0.00	0.00	0.00%	31,628.00
Total 69010 · Debt Service	291,137.00	29,256.96	29,256.96	10.05%	261,880.04
69400 · Other Non-Operating Expense	2,300.00	0.00	0.00	0.00%	2,300.00
Total 69000 · Non-Operating Expenses	293,437.00	29,256.96	29,256.96	9.97%	264,180.04
Total Expense	2,564,147.00	189,281.69	189,281.69	7.38%	2,374,865.31
Net Ordinary Income	720,751.00	25,157.64	25,157.64		
Net Income	720,751.00	25,157.64	25,157.64		

Rio Linda Elverta Community Water District
CAPITAL BUDGET VS ACTUAL FISCAL YEAR 2023-24
 As of July 31, 2023

	GENERAL		VEHICLE & LARGE EQUIPMENT REPLACEMENT		FUTURE CAPITAL IMPROVEMENT PROJECTS		HEXAVALENT CHROMIUM MITIGATION	
	Annual Budget	YTD Actual	Annual Budget	YTD Actual	Annual Budget	YTD Actual	Annual Budget	YTD Actual
FUNDING SOURCES								
Fund Transfers								
Operating Fund Transfers In	611,800.00	50,984.00	-	-	-	-	-	-
CIP Fund Intrafund Transfers	(362,645.00)	-	10,000.00	-	352,645.00	-	-	-
PERS ADP Loan Payment								
Principle					30,000.00	-	-	-
Interest					1,628.00	-	-	-
Investment Revenue	85.00	7.85	-	-	175.00	14.23	-	-
PROJECTS								
A · WATER SUPPLY								
A-1 · Miscellaneous Pump Replacements	40,000.00	-						
Total A · WATER SUPPLY	40,000.00	-	-	-	-	-	-	-
B · WATER DISTRIBUTION								
B-1 · Service Replacements	30,000.00	-	-	-	-	-	-	-
B-2 · Small Meter Replacements	120,000.00	-	-	-	-	-	-	-
B-3 · Large Meter Replacements	5,000.00	-	-	-	-	-	-	-
B-4 · Pipeline Replacement	-	-	-	-	211,200.00	-	75,000.00	-
B-5 · Cathodic Protection Replacement - L Street Tower	45,000.00	-	-	-	-	-	-	-
B-6 · Raising/Lowering Valve Covers	40,000.00	-	-	-	-	-	-	-
B-7 · Well 15 Cr6 Treatment-Design	-	-	-	-	-	-	-	-
Total B · WATER DISTRIBUTION	240,000.00	-	-	-	211,200.00	-	75,000.00	-
TOTAL BUDGETED PROJECT EXPENDITURES	280,000.00	-	-	-	211,200.00	-	75,000.00	-



**Items for Discussion and Action
Agenda Item: 6.1**

Date: September 25, 2023
Subject: General Manager's Report
Staff Contact: Timothy R. Shaw

Recommended Committee Action:

N/A this item is not reviewed by committee.

Current Background and Justification:

The General Manager will provide a written report of District activities over the period since the last regular Board meeting. The Board may ask for clarifications and may also provide direction in consideration of the reported activities.

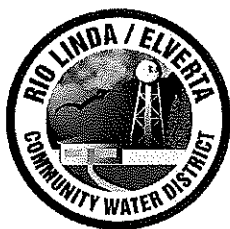
Conclusion:

No Board action is anticipated for this item.

Board Action / Motion

Motioned by: Director _____ Seconded by Director _____

Cline _____ Gifford _____ Green _____ Harris _____ Young _____
(A) Yea (N) Nay (Ab) Abstain (Abs) Absent



Date: September 25, 2023

Subject: General Manager Report

Staff Contact: Timothy R. Shaw, General Manager

For the given month, I participated in the following reoccurring meetings and special events. The requirements associated with small claims litigation and responding to a letter from Teamsters Local 150 demanded District resources this reporting period.

1. August 31st , Received a letter from Teamsters Local 150. The letter followed correspondence from Teamsters regarding a post by a social media post by a Board Member.
2. On September 6th I participated in 2-hour meeting of the Water Forum.
3. On September 7th , I met with the Contract District Engineer.
4. On September 12th I met at the District office with ACWA JPIA risk management. This is an annual requirement.
5. On September 13th (morning), I met with UBEO, a professional services provider interested in providing IT, printing, and phone services. The District is exploring options for bundling these services. Currently, the office phone system is critically under supported.
6. On September 13th (evening) , I participated in the Executive Committee meeting.
7. On September 14th , the Operations Superintendent and I met with the new regional representative for Metron Farnier regarding weak transmittance signal at one of the Commercial Industrial Institutional (CII) Innov8 devices.
8. On September 18th , I met remotely with Umpqua online banking technical support for technical issues associated with remote deposits, where checks received by mail are scanned and remotely deposited into the Districts accounts.

Throughout the reporting period, additional demands for resources were incurred from:

- Review of District Responses to United States discovery requested documents.
- Consequences of the Board's inaction for adopting the final budget at the 8-28-2023 public hearing.
- Consequences from the Teamsters Local 150 letter.

- Consequences from the Small Claims case.

The District continues to be impacted by supply chain delays. Inflation has started trending upward this month with fuel prices substantively rising.



**Items for Discussion and Action
Agenda Item: 6.2**

Date: September 25, 2023
Subject: Contract District Engineer's Report
Staff Contact: Mike Vasquez, Contract District Engineer

Recommended Committee Action:

N/A this item is not reviewed by committee.

Current Background and Justification:

The Contract District Engineer will provide a written report of District activities over the period since the last regular Board meeting. The Board may ask for clarifications and may also provide direction in consideration of the reported activities.

Conclusion:

No Board action is anticipated for this item.

Board Action / Motion

Motioned by: Director _____ Seconded by Director _____

Cline _____ Gifford _____ Green _____ Harris _____ Young _____
(A) Yea (N) Nay (Ab) Abstain (Abs) Absent

19 September 2023

DISTRICT ENGINEER'S REPORT

To: Tim Shaw, General Manager, Rio Linda / Elverta Community Water District

From: Mike Vasquez, PE, PLS, Principal Engineer (EKI), Contract District Engineer (RL/ECWD)

Subject: **District Engineer's Report for the 25 September 2023 Board of Directors Meeting**

The District Engineer is pleased to submit this brief update of duties and tasks performed for the period of 24 August 2023 to 19 September 2023:

1. General District Engineering:

- a. Well 15 Hexavalent Chromium Project – Staff continues to monitor emerging treatment alternatives currently being developed by manufacturers that may be recommended at the Well 15 Site to meet the District's treatment objective. Staff will report to the Board of Directors a recommendation on how to proceed once these new treatment alternatives are developed and evaluated.

2. Active Development Reviews (only projects with updates from the last Board Meeting):

- a. Sacramento County Project PLNP2018-00371 Century Palm Business Park (Southwest corner of M Street and Rio Linda Boulevard) – Staff reviewed a conceptual site plan at the request of Sacramento County and provided Conditions of Approval with requirements that would need to be implemented by the developer for the project to be connected to the District's water system. The project description is for the development of a retail center consisting of eight, one-story buildings on a 7.9 gross acre site. The proposed development includes five retail commercial buildings along the frontages of both M Street and Rio Linda Boulevard. Three other buildings are located on the western portion of the site and are planned to be flexible industrial-retail spaces allowing light manufacturing, assembly, and processing uses. Parking is centrally located between the proposed retail and flexible, industrial-retail spaces and will be screened from view from the public right-of-way.

3. CIP Dry Creek Road Pipe Replacement Project Phase 1 & 2:

- a. Construction contractor Rawles Engineering, Inc. performed final pavement and speed bump installation on 9/18/2023.
- b. Remaining work items are asphalt slurry seal installation on the eastern one half of Dry Creek Road and final clean up. This time of year, slurry seal installers are extremely busy with completing work prior to the rainy season. The current schedule to complete the slurry seal installation for this project is anticipated to be in 2-3 weeks.
- c. Staff performed a site inspection on 9/18/2023 to review final paving installation.
- d. The pipeline is in operation and has not experienced any problems.

Tim Shaw, General Manager, RL/ECWD
District Engineer's Report
19 September 2023
Page 2 of 2



- e. The remaining 500 linear feet from the south end of this current project to the Dry Creek Road and Q Street intersection is planned to be installed using 2024/2025 fiscal year Capital Improvement Program budget for the District's Annual Pipe Replacement Program, beginning in July 2024 upon authorization to proceed from the Board of Directors at that time.

Please contact me directly at the office (650) 292-9112, cell phone (530) 682-9597, or email at mvasquez@ekiconsult.com with any questions or require additional information.

Very truly yours,

Mike Vasquez, PE, PLS
Principal Engineer (EKI), District Engineer (RL/ECWD)



**Items for Discussion and Action
Agenda Item: 6.3**

Date: September 25, 2023

Subject: Late Invoices from EKI for Well 16 Construction Management

Staff Contact: Mike Vasquez, Contract District Engineer

Recommended Committee Action:

This item was discussed at the September 13th Executive Committee. Subject to consultation with the Independent Auditor, the Committee forwarded this item onto the September 25th Board agenda with the Committee’s recommendation for Board approval.

Current Background and Justification:

The Contract District Engineer presented this item at the Executive Committee as part of his monthly report.

The Executive Committee engaged in robust discussion regarding various aspects of this heretofore unidentified billing issue from EKI. Although the Construction Management services from EKI on the Well 16 Pumping Station were contractually authorized, and the construction management services were rendered, the invoices in question were not submitted for payment.

A more detailed report regarding these late-submittal invoices is included as a document associated with this item. The Independent Auditor has provided direction on the methodology for accounting the asset (Well 16 Pumping Station) valuation after the asset is placed into service and capitalized.

Conclusion:

Sample motion: Move to authorize payment of late-submittal invoices from EKI for Construction Management on the Well 16 Pumping Station.

Board Action / Motion

Motioned by: Director _____ Seconded by Director _____

Cline _____ Gifford _____ Green _____ Harris _____ Young _____
(A) Yea (N) Nay (Ab) Abstain (Abs) Absent

25 September 2023

Timothy R. Shaw
General Manager
Rio Linda Elverta Community Water District
730 L Street
Rio Linda, CA 95673

Subject: Attachment to Agenda item 6.3 - Late Invoices from EKI for Well 16 Construction Management

Dear Mr. Shaw:

Please accept this letter as an attachment to *Agenda item 6.3 - Late Invoices from EKI for Well 16 Construction Management* providing additional detail for the 25 September Board of Directors Meeting. EKI is requesting final payment for construction management services completed, but unbilled to the District due to an accounting human error. EKI respectfully requests payment in the amount of \$81,521.50 based on 10 separate and previously unsent invoices to the District.

In addition to its role as Contract District Engineer, EKI was engaged to perform construction management services for the Well 16 Pumping Station Equipping Project. The task order process was the method of contractual engagement between the District and EKI. EKI provided the following construction management services for the Well 16 Project:

1. Conducting Bidding Services to Procure a Construction Contractor
2. Notice of Award
3. Notice to Proceed
4. Pre-Construction Meeting
5. RFI (Request for Information) Review and Responses
6. Material and Operations Submittal Review and Responses
7. Weekly On-Site Construction Meetings
8. Schedule Maintenance
9. Pay Estimate Review and Processing
10. Change Order Review and Processing
11. Construction Observation
12. Daily Construction Observation Reports
13. Weekly Statement of Working Days
14. Document Management
15. Reimbursement Requests and Draws for the DWR Grant
16. RWA/DWR Coordination and Final Report
17. Permitting (Generator, State Water Resources Control Board, etc.)
18. Substantial Completion Inspection

- 19. Punchlist Preparation
- 20. Facility Start-Up
- 21. As-Built Review
- 22. Project Closeout
- 23. General Construction Management

EKI performed and completed these services during the period of January 2019 through December 2021. The amount of \$100,850.00 was invoiced to and has been paid by the District for construction management services. The following invoices, inclusive of continued construction management services performed for the Well 16 Project were not submitted to the District due to the beforementioned accounting human error. These invoices are now respectfully requested to be paid.

Date	Invoice #	Amount
2/17/2021	B80130.00-21	\$ 21,335.00
2/17/2021	B80130.03-04	\$ 19,485.00
2/17/2021	B80130.04-03	\$ 4,340.00
2/17/2021	B80130.10-02	\$ 7,575.50
4/14/2021	B80130.03-05	\$ 9,380.00
4/14/2021	B80130.04-04	\$ 840.00
4/14/2021	B80130.06-03	\$ 1,226.25
4/14/2021	B80130.10-03	\$ 408.75
12/9/2021	C00085.00-16	\$ 9,651.00
12/9/2021	C00085.00-17	\$ 7,280.00
	Total	\$ 81,521.50
	Previously Paid	\$ 100,850.00
	Total	\$ 182,371.50

As discussed with the Executive Committee and the General Manager on 13 September 2023, the work included in these invoices was verified to have been performed and completed. Payment for these invoices would be from the available Well 16 budget and not from the District’s operations budget. It has also been confirmed by the District’s Accounting Specialist that there are no concerns from the District’s Auditor on how to book these invoices as a Well 16 asset. A new asset will be added to Well 16 for the 2023/2024 Fiscal Year.

The final construction cost for the Well 16 project was \$2,897,824.95. A typical construction management budget for a construction project such as this would be 10% of the construction cost, or \$289,782.50. EKI performed all the construction management services described above and coordinated the construction management tasks performed by District operations staff. The total amount of \$182,371.50 spent on construction management services is approximately 6.3% of the construction cost, and \$107,411 less than a typical construction management budget for the Well 16 Project.

Timothy R. Shaw
Rio Linda Elverta Community Water District
25 September 2023
Page 3 of 3



Thank you for your consideration in getting this accounting issue resolved. We apologize for any inconvenience this issue has caused the District.

Please feel free to contact me with any questions.

Very truly yours,

EKI ENVIRONMENT & WATER, INC.

A handwritten signature in black ink, appearing to read 'Mike Vasquez', is written over the printed name.

Mike Vasquez, PE, PLS

Principal Engineer, EKI

Contract District Engineer, Rio Linda Elverta Community Water District

Email: mvasquez@ekiconsult.com

Phone: 530-682-9597



**Items for Discussion and Action
Agenda Item: 6.4**

Date: September 25, 2023

Subject: Change from Robert’s Rules of Order to Rosenberg’s Rules of Order

Staff Contact: Timothy R. Shaw, General Manager

Recommended Committee Action:

This item was discussed at the September 13th Executive Committee meeting. The Executive Committee forwarded this item onto the September 25th Board agenda with the Committee’s recommendation for Board approval.

Current Background and Justification:

Current District policy stipulates compliance with Robert’s Rules of Order. However, such conformance is virtually imperceivable. One reason for non-conformance could be that Roberts Rules are voluminous, outdated, and complex. The original Roberts Rules of Order is over 700-Pages. Rosenberg’s Rules of Order is only 10-Pages.

Adopting a standardized set of rules to maintain orderly meetings, a set of rules that can more readily be adhered to, is worth consideration given the trend of chaotic, non-productive District meetings over the past several months.

Conclusion:

Sample Motion: move to authorize revising District Policy 2.01.130 to change “Robert’s” to “Rosenberg’s” rules of order.

Board Action / Motion

Motioned by: Director _____ Seconded by Director _____

Cline _____ Gifford _____ Green _____ Harris _____ Young _____
(A) Yea (N) Nay (Ab) Abstain (Abs) Absent

District Policy 2.01.130 Stipulates Robert's Rules of Order

2.01.130 Meetings to be Informal; Robert's Rules of Order.

It is the intent of the Board that meetings shall remain as informal as reasonably possible consistent with the business needs of the District. Failure to comply with these rules shall not invalidate an otherwise lawful action of the Board. Nevertheless, whenever the President, or a majority of the Board, deems it necessary for the orderly conduct of business, formal proceedings may be initiated. In such case, the meeting shall be conducted pursuant to Robert's Rules of Order except as otherwise provided in this Chapter.



Rosenberg's Rules of Order

REVISED 2011

Simple Rules of Parliamentary Procedure for the 21st Century

By Judge Dave Rosenberg



MISSION AND CORE BELIEFS

To expand and protect local control for cities through education and advocacy to enhance the quality of life for all Californians.

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To be recognized and respected as the leading advocate for the common interests of California's cities.

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Established in 1898, the League of California Cities is a member organization that represents California's incorporated cities. The League strives to protect the local authority and autonomy of city government and help California's cities effectively serve their residents. In addition to advocating on cities' behalf at the state capitol, the League provides its members with professional development programs and information resources, conducts education conferences and research, and publishes *Western City* magazine.

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ABOUT THE AUTHOR

Dave Rosenberg is a Superior Court Judge in Yolo County. He has served as presiding judge of his court, and as presiding judge of the Superior Court Appellate Division. He also has served as chair of the Trial Court Presiding Judges Advisory Committee (the committee composed of all 58 California presiding judges) and as an advisory member of the California Judicial Council. Prior to his appointment to the bench, Rosenberg was member of the Yolo County Board of Supervisors, where he served two terms as chair. Rosenberg also served on the Davis City Council, including two terms as mayor. He has served on the senior staff of two governors, and worked for 19 years in private law practice. Rosenberg has served as a member and chair of numerous state, regional and local boards. Rosenberg chaired the California State Lottery Commission, the California Victim Compensation and Government Claims Board, the Yolo-Solano Air Quality Management District, the Yolo County Economic Development Commission, and the Yolo County Criminal Justice Cabinet. For many years, he has taught classes on parliamentary procedure and has served as parliamentarian for large and small bodies.

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INTRODUCTION

The rules of procedure at meetings should be simple enough for most people to understand. Unfortunately, that has not always been the case. Virtually all clubs, associations, boards, councils and bodies follow a set of rules — *Robert's Rules of Order* — which are embodied in a small, but complex, book. Virtually no one I know has actually read this book cover to cover. Worse yet, the book was written for another time and for another purpose. If one is chairing or running a parliament, then *Robert's Rules of Order* is a dandy and quite useful handbook for procedure in that complex setting. On the other hand, if one is running a meeting of say, a five-member body with a few members of the public in attendance, a simplified version of the rules of parliamentary procedure is in order.

Hence, the birth of *Rosenberg's Rules of Order*.

What follows is my version of the rules of parliamentary procedure, based on my decades of experience chairing meetings in state and local government. These rules have been simplified for the smaller bodies we chair or in which we participate, slimmed down for the 21st Century, yet retaining the basic tenets of order to which we have grown accustomed. Interestingly enough, *Rosenberg's Rules* has found a welcoming audience. Hundreds of cities, counties, special districts, committees, boards, commissions, neighborhood associations and private corporations and companies have adopted *Rosenberg's Rules* in lieu of *Robert's Rules* because they have found them practical, logical, simple, easy to learn and user friendly.

This treatise on modern parliamentary procedure is built on a foundation supported by the following four pillars:

1. **Rules should establish order.** The first purpose of rules of parliamentary procedure is to establish a framework for the orderly conduct of meetings.
2. **Rules should be clear.** Simple rules lead to wider understanding and participation. Complex rules create two classes: those who understand and participate; and those who do not fully understand and do not fully participate.
3. **Rules should be user friendly.** That is, the rules must be simple enough that the public is invited into the body and feels that it has participated in the process.
4. **Rules should enforce the will of the majority while protecting the rights of the minority.** The ultimate purpose of rules of procedure is to encourage discussion and to facilitate decision making by the body. In a democracy, majority rules. The rules must enable the majority to express itself and fashion a result, while permitting the minority to also express itself, but not dominate, while fully participating in the process.

Establishing a Quorum

The starting point for a meeting is the establishment of a quorum. A quorum is defined as the minimum number of members of the body who must be present at a meeting for business to be legally transacted. The default rule is that a quorum is one more than half the body. For example, in a five-member body a quorum is three. When the body has three members present, it can legally transact business. If the body has less than a quorum of members present, it cannot legally transact business. And even if the body has a quorum to begin the meeting, the body can lose the quorum during the meeting when a member departs (or even when a member leaves the dais). When that occurs the body loses its ability to transact business until and unless a quorum is reestablished.

The default rule, identified above, however, gives way to a specific rule of the body that establishes a quorum. For example, the rules of a particular five-member body may indicate that a quorum is four members for that particular body. The body must follow the rules it has established for its quorum. In the absence of such a specific rule, the quorum is one more than half the members of the body.

The Role of the Chair

While all members of the body should know and understand the rules of parliamentary procedure, it is the chair of the body who is charged with applying the rules of conduct of the meeting. The chair should be well versed in those rules. For all intents and purposes, the chair makes the final ruling on the rules every time the chair states an action. In fact, all decisions by the chair are final unless overruled by the body itself.

Since the chair runs the conduct of the meeting, it is usual courtesy for the chair to play a less active role in the debate and discussion than other members of the body. This does not mean that the chair should not participate in the debate or discussion. To the contrary, as a member of the body, the chair has the full right to participate in the debate, discussion and decision-making of the body. What the chair should do, however, is strive to be the last to speak at the discussion and debate stage. The chair should not make or second a motion unless the chair is convinced that no other member of the body will do so at that point in time.

The Basic Format for an Agenda Item Discussion

Formal meetings normally have a written, often published agenda. Informal meetings may have only an oral or understood agenda. In either case, the meeting is governed by the agenda and the agenda constitutes the body's agreed-upon roadmap for the meeting. Each agenda item can be handled by the chair in the following basic format:

First, the chair should clearly announce the agenda item number and should clearly state what the agenda item subject is. The chair should then announce the format (which follows) that will be followed in considering the agenda item.

Second, following that agenda format, the chair should invite the appropriate person or persons to report on the item, including any recommendation that they might have. The appropriate person or persons may be the chair, a member of the body, a staff person, or a committee chair charged with providing input on the agenda item.

Third, the chair should ask members of the body if they have any technical questions of clarification. At this point, members of the body may ask clarifying questions to the person or persons who reported on the item, and that person or persons should be given time to respond.

Fourth, the chair should invite public comments, or if appropriate at a formal meeting, should open the public meeting for public input. If numerous members of the public indicate a desire to speak to the subject, the chair may limit the time of public speakers. At the conclusion of the public comments, the chair should announce that public input has concluded (or the public hearing, as the case may be, is closed).

Fifth, the chair should invite a motion. The chair should announce the name of the member of the body who makes the motion.

Sixth, the chair should determine if any member of the body wishes to second the motion. The chair should announce the name of the member of the body who seconds the motion. It is normally good practice for a motion to require a second before proceeding to ensure that it is not just one member of the body who is interested in a particular approach. However, a second is not an absolute requirement, and the chair can proceed with consideration and vote on a motion even when there is no second. This is a matter left to the discretion of the chair.

Seventh, if the motion is made and seconded, the chair should make sure everyone understands the motion.

This is done in one of three ways:

1. The chair can ask the maker of the motion to repeat it;
2. The chair can repeat the motion; or
3. The chair can ask the secretary or the clerk of the body to repeat the motion.

Eighth, the chair should now invite discussion of the motion by the body. If there is no desired discussion, or after the discussion has ended, the chair should announce that the body will vote on the motion. If there has been no discussion or very brief discussion, then the vote on the motion should proceed immediately and there is no need to repeat the motion. If there has been substantial discussion, then it is normally best to make sure everyone understands the motion by repeating it.

Ninth, the chair takes a vote. Simply asking for the “ayes” and then asking for the “nays” normally does this. If members of the body do not vote, then they “abstain.” Unless the rules of the body provide otherwise (or unless a super majority is required as delineated later in these rules), then a simple majority (as defined in law or the rules of the body as delineated later in these rules) determines whether the motion passes or is defeated.

Tenth, the chair should announce the result of the vote and what action (if any) the body has taken. In announcing the result, the chair should indicate the names of the members of the body, if any, who voted in the minority on the motion. This announcement might take the following form: “The motion passes by a vote of 3-2, with Smith and Jones dissenting. We have passed the motion requiring a 10-day notice for all future meetings of this body.”

Motions in General

Motions are the vehicles for decision making by a body. It is usually best to have a motion before the body prior to commencing discussion of an agenda item. This helps the body focus.

Motions are made in a simple two-step process. First, the chair should recognize the member of the body. Second, the member of the body makes a motion by preceding the member’s desired approach with the words “I move . . .”

A typical motion might be: “I move that we give a 10-day notice in the future for all our meetings.”

The chair usually initiates the motion in one of three ways:

1. **Inviting the members of the body to make a motion**, for example, “A motion at this time would be in order.”
2. **Suggesting a motion to the members of the body**, “A motion would be in order that we give a 10-day notice in the future for all our meetings.”
3. **Making the motion**. As noted, the chair has every right as a member of the body to make a motion, but should normally do so only if the chair wishes to make a motion on an item but is convinced that no other member of the body is willing to step forward to do so at a particular time.

The Three Basic Motions

There are three motions that are the most common and recur often at meetings:

The basic motion. The basic motion is the one that puts forward a decision for the body’s consideration. A basic motion might be: “I move that we create a five-member committee to plan and put on our annual fundraiser.”

The motion to amend. If a member wants to change a basic motion that is before the body, they would move to amend it. A motion to amend might be: "I move that we amend the motion to have a 10-member committee." A motion to amend takes the basic motion that is before the body and seeks to change it in some way.

The substitute motion. If a member wants to completely do away with the basic motion that is before the body, and put a new motion before the body, they would move a substitute motion. A substitute motion might be: "I move a substitute motion that we cancel the annual fundraiser this year."

"Motions to amend" and "substitute motions" are often confused, but they are quite different, and their effect (if passed) is quite different. A motion to amend seeks to retain the basic motion on the floor, but modify it in some way. A substitute motion seeks to throw out the basic motion on the floor, and substitute a new and different motion for it. The decision as to whether a motion is really a "motion to amend" or a "substitute motion" is left to the chair. So if a member makes what that member calls a "motion to amend," but the chair determines that it is really a "substitute motion," then the chair's designation governs.

A "friendly amendment" is a practical parliamentary tool that is simple, informal, saves time and avoids bogging a meeting down with numerous formal motions. It works in the following way: In the discussion on a pending motion, it may appear that a change to the motion is desirable or may win support for the motion from some members. When that happens, a member who has the floor may simply say, "I want to suggest a friendly amendment to the motion." The member suggests the friendly amendment, and if the maker and the person who seconded the motion pending on the floor accepts the friendly amendment, that now becomes the pending motion on the floor. If either the maker or the person who seconded rejects the proposed friendly amendment, then the proposer can formally move to amend.

Multiple Motions Before the Body

There can be up to three motions on the floor at the same time. The chair can reject a fourth motion until the chair has dealt with the three that are on the floor and has resolved them. This rule has practical value. More than three motions on the floor at any given time is confusing and unwieldy for almost everyone, including the chair.

When there are two or three motions on the floor (after motions and seconds) at the same time, the vote should proceed *first* on the *last* motion that is made. For example, assume the first motion is a basic "motion to have a five-member committee to plan and put on our annual fundraiser." During the discussion of this motion, a member might make a second motion to "amend the main motion to have a 10-member committee, not a five-member committee to plan and put on our annual fundraiser." And perhaps, during that discussion, a member makes yet a third motion as a "substitute motion that we not have an annual fundraiser this year." The proper procedure would be as follows:

First, the chair would deal with the *third* (the last) motion on the floor, the substitute motion. After discussion and debate, a vote would be taken first on the third motion. If the substitute motion *passed*, it would be a substitute for the basic motion and would eliminate it. The first motion would be moot, as would the second motion (which sought to amend the first motion), and the action on the agenda item would be completed on the passage by the body of the third motion (the substitute motion). No vote would be taken on the first or second motions.

Second, if the substitute motion *failed*, the chair would then deal with the second (now the last) motion on the floor, the motion to amend. The discussion and debate would focus strictly on the amendment (should the committee be five or 10 members). If the motion to amend *passed*, the chair would then move to consider the main motion (the first motion) as *amended*. If the motion to amend *failed*, the chair would then move to consider the main motion (the first motion) in its original format, not amended.

Third, the chair would now deal with the first motion that was placed on the floor. The original motion would either be in its original format (five-member committee), or if *amended*, would be in its amended format (10-member committee). The question on the floor for discussion and decision would be whether a committee should plan and put on the annual fundraiser.

To Debate or Not to Debate

The basic rule of motions is that they are subject to discussion and debate. Accordingly, basic motions, motions to amend, and substitute motions are all eligible, each in their turn, for full discussion before and by the body. The debate can continue as long as members of the body wish to discuss an item, subject to the decision of the chair that it is time to move on and take action.

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the body to move on. The following motions are not debatable (that is, when the following motions are made and seconded, the chair must immediately call for a vote of the body without debate on the motion):

Motion to adjourn. This motion, if passed, requires the body to immediately adjourn to its next regularly scheduled meeting. It requires a simple majority vote.

Motion to recess. This motion, if passed, requires the body to immediately take a recess. Normally, the chair determines the length of the recess which may be a few minutes or an hour. It requires a simple majority vote.

Motion to fix the time to adjourn. This motion, if passed, requires the body to adjourn the meeting at the specific time set in the motion. For example, the motion might be: "I move we adjourn this meeting at midnight." It requires a simple majority vote.

Motion to table. This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to be placed on “hold.” The motion can contain a specific time in which the item can come back to the body. “I move we table this item until our regular meeting in October.” Or the motion can contain no specific time for the return of the item, in which case a motion to take the item off the table and bring it back to the body will have to be taken at a future meeting. A motion to table an item (or to bring it back to the body) requires a simple majority vote.

Motion to limit debate. The most common form of this motion is to say, “I move the previous question” or “I move the question” or “I call the question” or sometimes someone simply shouts out “question.” As a practical matter, when a member calls out one of these phrases, the chair can expedite matters by treating it as a “request” rather than as a formal motion. The chair can simply inquire of the body, “any further discussion?” If no one wishes to have further discussion, then the chair can go right to the pending motion that is on the floor. However, if even one person wishes to discuss the pending motion further, then at that point, the chair should treat the call for the “question” as a formal motion, and proceed to it.

When a member of the body makes such a motion (“I move the previous question”), the member is really saying: “I’ve had enough debate. Let’s get on with the vote.” When such a motion is made, the chair should ask for a second, stop debate, and vote on the motion to limit debate. The motion to limit debate requires a two-thirds vote of the body.

NOTE: A motion to limit debate could include a time limit. For example: “I move we limit debate on this agenda item to 15 minutes.” Even in this format, the motion to limit debate requires a two-thirds vote of the body. A similar motion is a *motion to object to consideration of an item*. This motion is not debatable, and if passed, precludes the body from even considering an item on the agenda. It also requires a two-thirds vote.

Majority and Super Majority Votes

In a democracy, a simple majority vote determines a question. A tie vote means the motion fails. So in a seven-member body, a vote of 4-3 passes the motion. A vote of 3-3 with one abstention means the motion fails. If one member is absent and the vote is 3-3, the motion still fails.

All motions require a simple majority, but there are a few exceptions. The exceptions come up when the body is taking an action which effectively cuts off the ability of a minority of the body to take an action or discuss an item. These extraordinary motions require a two-thirds majority (a super majority) to pass:

Motion to limit debate. Whether a member says, “I move the previous question,” or “I move the question,” or “I call the question,” or “I move to limit debate,” it all amounts to an attempt to cut off the ability of the minority to discuss an item, and it requires a two-thirds vote to pass.

Motion to close nominations. When choosing officers of the body (such as the chair), nominations are in order either from a nominating committee or from the floor of the body. A motion to close nominations effectively cuts off the right of the minority to nominate officers and it requires a two-thirds vote to pass.

Motion to object to the consideration of a question. Normally, such a motion is unnecessary since the objectionable item can be tabled or defeated straight up. However, when members of a body do not even want an item on the agenda to be considered, then such a motion is in order. It is not debatable, and it requires a two-thirds vote to pass.

Motion to suspend the rules. This motion is debatable, but requires a two-thirds vote to pass. If the body has its own rules of order, conduct or procedure, this motion allows the body to suspend the rules for a particular purpose. For example, the body (a private club) might have a rule prohibiting the attendance at meetings by non-club members. A motion to suspend the rules would be in order to allow a non-club member to attend a meeting of the club on a particular date or on a particular agenda item.

Counting Votes

The matter of counting votes starts simple, but can become complicated.

Usually, it’s pretty easy to determine whether a particular motion passed or whether it was defeated. If a simple majority vote is needed to pass a motion, then one vote more than 50 percent of the body is required. For example, in a five-member body, if the vote is three in favor and two opposed, the motion passes. If it is two in favor and three opposed, the motion is defeated.

If a two-thirds majority vote is needed to pass a motion, then how many affirmative votes are required? The simple rule of thumb is to count the “no” votes and double that count to determine how many “yes” votes are needed to pass a particular motion. For example, in a seven-member body, if two members vote “no” then the “yes” vote of at least four members is required to achieve a two-thirds majority vote to pass the motion.

What about tie votes? In the event of a tie, the motion always fails since an affirmative vote is required to pass any motion. For example, in a five-member body, if the vote is two in favor and two opposed, with one member absent, the motion is defeated.

Vote counting starts to become complicated when members vote “abstain” or in the case of a written ballot, cast a blank (or unreadable) ballot. Do these votes count, and if so, how does one count them? The starting point is always to check the statutes.

In California, for example, for an action of a board of supervisors to be valid and binding, the action must be approved by a majority of the board. (California Government Code Section 25005.) Typically, this means three of the five members of the board must vote affirmatively in favor of the action. A vote of 2-1 would not be sufficient. A vote of 3-0 with two abstentions would be sufficient. In general law cities in

California, as another example, resolutions or orders for the payment of money and all ordinances require a recorded vote of the total members of the city council. (California Government Code Section 36936.) Cities with charters may prescribe their own vote requirements. Local elected officials are always well-advised to consult with their local agency counsel on how state law may affect the vote count.

After consulting state statutes, step number two is to check the rules of the body. If the rules of the body say that you count votes of “those present” then you treat abstentions one way. However, if the rules of the body say that you count the votes of those “present and voting,” then you treat abstentions a different way. And if the rules of the body are silent on the subject, then the general rule of thumb (and default rule) is that you count all votes that are “present and voting.”

Accordingly, under the “present and voting” system, you would **NOT** count abstention votes on the motion. Members who abstain are counted for purposes of determining quorum (they are “present”), but you treat the abstention votes on the motion as if they did not exist (they are not “voting”). On the other hand, if the rules of the body specifically say that you count votes of those “present” then you **DO** count abstention votes both in establishing the quorum and on the motion. In this event, the abstention votes act just like “no” votes.

*How does this work in practice?
Here are a few examples.*

Assume that a five-member city council is voting on a motion that requires a simple majority vote to pass, and assume further that the body has no specific rule on counting votes. Accordingly, the default rule kicks in and we count all votes of members that are “present and voting.” If the vote on the motion is 3-2, the motion passes. If the motion is 2-2 with one abstention, the motion fails.

Assume a five-member city council voting on a motion that requires a two-thirds majority vote to pass, and further assume that the body has no specific rule on counting votes. Again, the default rule applies. If the vote is 3-2, the motion fails for lack of a two-thirds majority. If the vote is 4-1, the motion passes with a clear two-thirds majority. A vote of three “yes,” one “no” and one “abstain” also results in passage of the motion. Once again, the abstention is counted only for the purpose of determining quorum, but on the actual vote on the motion, it is as if the abstention vote never existed — so an effective 3-1 vote is clearly a two-thirds majority vote.

Now, change the scenario slightly. Assume the same five-member city council voting on a motion that requires a two-thirds majority vote to pass, but now assume that the body **DOES** have a specific rule requiring a two-thirds vote of members “present.” Under this specific rule, we must count the members present not only for quorum but also for the motion. In this scenario, any abstention has the same force and effect as if it were a “no” vote. Accordingly, if the votes were three “yes,” one “no” and one “abstain,” then the motion fails. The abstention in this case is treated like a “no” vote and effective vote of 3-2 is not enough to pass two-thirds majority muster.

Now, exactly how does a member cast an “abstention” vote? Any time a member votes “abstain” or says, “I abstain,” that is an abstention. However, if a member votes “present” that is also treated as an abstention (the member is essentially saying, “Count me for purposes of a quorum, but my vote on the issue is abstain.”) In fact, any manifestation of intention not to vote either “yes” or “no” on the pending motion may be treated by the chair as an abstention. If written ballots are cast, a blank or unreadable ballot is counted as an abstention as well.

Can a member vote “absent” or “count me as absent?” Interesting question. The ruling on this is up to the chair. The better approach is for the chair to count this as if the member had left his/her chair and is actually “absent.” That, of course, affects the quorum. However, the chair may also treat this as a vote to abstain, particularly if the person does not actually leave the dais.

The Motion to Reconsider

There is a special and unique motion that requires a bit of explanation all by itself; the motion to reconsider. A tenet of parliamentary procedure is finality. After vigorous discussion, debate and a vote, there must be some closure to the issue. And so, after a vote is taken, the matter is deemed closed, subject only to reopening if a proper motion to consider is made and passed.

A motion to reconsider requires a majority vote to pass like other garden-variety motions, but there are two special rules that apply only to the motion to reconsider.

First, is the matter of timing. A motion to reconsider must be made at the meeting where the item was first voted upon. A motion to reconsider made at a later time is untimely. (The body, however, can always vote to suspend the rules and, by a two-thirds majority, allow a motion to reconsider to be made at another time.)

Second, a motion to reconsider may be made only by certain members of the body. Accordingly, a motion to reconsider may be made only by a member who voted in the majority on the original motion. If such a member has a change of heart, he or she may make the motion to reconsider (any other member of the body — including a member who voted in the minority on the original motion — may second the motion). If a member who voted in the minority seeks to make the motion to reconsider, it must be ruled out of order. The purpose of this rule is finality. If a member of minority could make a motion to reconsider, then the item could be brought back to the body again and again, which would defeat the purpose of finality.

If the motion to reconsider passes, then the original matter is back before the body, and a new original motion is in order. The matter may be discussed and debated as if it were on the floor for the first time.

Courtesy and Decorum

The rules of order are meant to create an atmosphere where the members of the body and the members of the public can attend to business efficiently, fairly and with full participation. At the same time, it is up to the chair and the members of the body to maintain common courtesy and decorum. Unless the setting is very informal, it is always best for only one person at a time to have the floor, and it is always best for every speaker to be first recognized by the chair before proceeding to speak.

The chair should always ensure that debate and discussion of an agenda item focuses on the item and the policy in question, not the personalities of the members of the body. Debate on policy is healthy, debate on personalities is not. The chair has the right to cut off discussion that is too personal, is too loud, or is too crude.

Debate and discussion should be focused, but free and open. In the interest of time, the chair may, however, limit the time allotted to speakers, including members of the body.

Can a member of the body interrupt the speaker? The general rule is "no." There are, however, exceptions. A speaker may be interrupted for the following reasons:

Privilege. The proper interruption would be, "point of privilege." The chair would then ask the interrupter to "state your point." Appropriate points of privilege relate to anything that would interfere with the normal comfort of the meeting. For example, the room may be too hot or too cold, or a blowing fan might interfere with a person's ability to hear.

Order. The proper interruption would be, "point of order." Again, the chair would ask the interrupter to "state your point." Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting. For example, if the chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.

Appeal. If the chair makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the chair. If the motion is seconded, and after debate, if it passes by a simple majority vote, then the ruling of the chair is deemed reversed.

Call for orders of the day. This is simply another way of saying, "return to the agenda." If a member believes that the body has drifted from the agreed-upon agenda, such a call may be made. It does not require a vote, and when the chair discovers that the agenda has not been followed, the chair simply reminds the body to return to the agenda item properly before them. If the chair fails to do so, the chair's determination may be appealed.

Withdraw a motion. During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn, although the chair may ask the person who seconded the motion if he or she wishes to make the motion, and any other member may make the motion if properly recognized.

Special Notes About Public Input

The rules outlined above will help make meetings very public-friendly. But in addition, and particularly for the chair, it is wise to remember three special rules that apply to each agenda item:

Rule One: Tell the public what the body will be doing.

Rule Two: Keep the public informed while the body is doing it.

Rule Three: When the body has acted, tell the public what the body did.



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**Items for Discussion and Action
Agenda Item: 6.5**

Date: September 25, 2023

Subject: AB 2449 Relaxed Requirements for Board Member Remote Participation

Staff Contact: Timothy R. Shaw, General Manager

Recommended Committee Action:

The September 13th Executive Committee discussed this item and forwarded the item onto the September 25th Board agenda to enable discussion by all Board Members.

Current Background and Justification:

The codified statutes implementing AB 2449, California Government Code 54953 became effective on January 1, 2023. A more detailed description of the new code is included as a document associated with this item.

Staff has performed research on the interpretations and implementation of this new section of the Ralph M. Brown Act. It is reasonable to describe some aspects of the new code as awkward. This is particularly the case for the “Emergency Circumstances” aspects. The new Code stipulates that the Board must take action to either allow or decline a Board Member’s request for remote meeting participation under Emergency Circumstances, which can manifest right up until the start of the meeting. As such, in order to accommodate a Board action, a standing item on every public meeting agenda would need to describe that the Board may be asked to allow remote participation of a Board Member and also provide the remote participation details in the agenda, e.g., the Zoom link et al.

Because of the above-described awkwardness, some agencies have or are considering adopting policies to preclude the Emergency Circumstances aspect of remote meeting participation by Board Members. Essentially, the Board is saying no in advance.

Conclusion:

I recommend the Board review all documents associated with this item, engage staff in discussion, then provide direction to staff as deemed appropriate.

Board Action / Motion

Motioned by: Director _____ Seconded by Director _____

Cline _____ Gifford _____ Green _____ Harris _____ Young _____
(A) Yea (N) Nay (Ab) Abstain (Abs) Absent

Below are relevant excerpts of the newly revised (January 2023) sections of the Brown Act, Government Code 54953, which is where AB 2449 is codified.

(2) A member of the legislative body shall only participate in the meeting remotely pursuant to this subdivision, if all of the following requirements are met:

(A) One of the following circumstances applies:

(i) The member notifies the legislative body at the earliest opportunity possible, including at the start of a regular meeting, of their need to participate remotely for just cause, including a general description of the circumstances relating to their need to appear remotely at the given meeting. The provisions of this clause shall not be used by any member of the legislative body for more than two meetings per calendar year.

(ii) The member requests the legislative body to allow them to participate in the meeting remotely due to emergency circumstances and the legislative body takes action to approve the request. The legislative body shall request a general description of the circumstances relating to their need to appear remotely at the given meeting. A general description of an item generally need not exceed 20 words and shall not require the member to disclose any medical diagnosis or disability, or any personal medical information that is already exempt under existing law, such as the Confidentiality of Medical Information Act (Chapter 1 (commencing with Section 56) of Part 2.6 of Division 1 of the Civil Code). For the purposes of this clause, the following requirements apply:

(I) A member shall make a request to participate remotely at a meeting pursuant to this clause as soon as possible. The member shall make a separate request for each meeting in which they seek to participate remotely.

(II) The legislative body may take action on a request to participate remotely at the earliest opportunity. If the request does not allow sufficient time to place proposed action on such a request on the posted agenda for the meeting for which the request is made, the legislative body may take action at the beginning of the meeting in accordance with paragraph (4) of subdivision (b) of Section 54954.2.

(B) The member shall publicly disclose at the meeting before any action is taken whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the general nature of the member's relationship with any such individuals.

(C) The member shall participate through both audio and visual technology.

The summary of the legislation that created this new means for Board Member remote participation, AB 2449 reads:

Existing law, until January 1, 2024, authorizes a local agency to use teleconferencing without complying with those specified teleconferencing requirements in specified circumstances when a declared state of emergency is in effect, or in other situations related to public health.

This bill would revise and recast those teleconferencing provisions and, until January 1, 2026, would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements that each teleconference location be identified in the notice and agenda and that each teleconference location be accessible to the public if at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the local agency's jurisdiction. Under this exception, the bill would authorize a member to participate remotely under specified circumstances, including participating remotely for just cause or due to emergency circumstances. The emergency circumstances basis for remote participation would be contingent on a request to, and action by, the legislative body, as prescribed. The bill, until January 1, 2026, would authorize a legislative body to consider and take action on a request from a member to participate in a meeting remotely due to emergency circumstances if the request does not allow sufficient time to place the proposed action on the posted agenda for the meeting for which the request is made. The bill would define terms for purposes of these teleconferencing provisions.



**Items for Discussion and Action
Agenda Item: 6.6**

Date: September 25, 2023

Subject: Revisions to District Policy 2.01.150, Preparation and Posting of Agendas

Staff Contact: Timothy R. Shaw, General Manager

Recommended Committee Action:

N/A – This item was continued from the August 28, 2023 Board meeting.

Current Background and Justification:

The proposed revisions to policy 2.01.150 have been discussed at the past several public meetings, as well as similar discussions 5-years ago, in 2018. The current policy has been described as “awkward”.

The recent interpretations of the policy as well as the debate 5-years ago reflect that the current policy has been interpreted differently among Board Members.

Conclusion:

Sample Motion : move to authorize proposed revisions to policy 2.01.150.

Board Action / Motion

Motioned by: Director _____ Seconded by Director _____

Cline _____ Gifford _____ Green _____ Harris _____ Young _____
(A) Yea (N) Nay (Ab) Abstain (Abs) Absent

Executive Committee Recommend Revisions to 2.01.150

2.01.150 Preparation and Posting of Agendas

(Amended Resolution 2008-08, 3/30/09 minutes)

Agendas for regular and special Board meetings are prepared by the Board Secretary. Pursuant to the Ralph M. Brown Act, regular meeting agendas must be posted and distributed at least 72-hours prior to the scheduled beginning of each regular meeting of the Board of Directors. Special meeting agendas must be posted at least 24-hours prior to the scheduled beginning of the meeting.

In preparing the agendas, the Board Secretary will implement direction from the District's standing committee(s). Additionally, any individual Board Member may request an item be placed on the agenda provided that the individual Board Member makes such a request at least 24-hours prior to the agenda being finalized.

Individual Board Member's request for agenda items may be referred to the full Board if the individual Board Member's requested agenda item can be reasonably anticipated to result in charges from Legal Counsel. Examples of reasonably anticipated Legal Counsel charges include, but are not limited to, closed session items.

During regular Board meetings, the Board of Directors has the authority to add and remove agenda items. Added agenda items must meet specific criteria. The proposed added item must have arisen after the agenda was finalized **and** the proposed item must be time-sensitive, i.e., negative consequences may occur if the item were to be delayed until the next regular meeting of the Board. - Revised 7-24-2023

Current Policy Adopted in 2008, Revised in 2009 and 2022

2.01.150 Agendas.

(Amended Resolution 2008-08, 3/30/09 minutes)

The Secretary shall prepare the agenda for the meeting containing a brief description of each agenda item and post it at least 72 hours prior to the regular Board meeting after consultation with the President. If a Board member twenty-four (24) hours prior to the posting of the agenda requests a matter be placed on an agenda, the Secretary shall include an item on the agenda to permit discussion of the matter, subject to approval by the President.

Revision Proposed by Mary Harris on 8-23-2023

Proposed - Revised Policy 8-28-2023

2.01.150 Agendas.

Pursuant to the Ralph M. Brown Act, the Secretary shall prepare the agenda for the meeting containing a brief description of each agenda item and post it at least 72 hours prior to the regular Board meeting after consultation with the Board President.

If a Board member twenty-four (24) hours prior to the agenda being finalized requests a matter be placed on an agenda, the request shall be submitted in writing with supporting documents and information, if any. The Secretary shall include an item on the agenda to permit discussion of the matter.

Under Robert's Rules, if individual Board Members request an item be placed on the agenda that can be reasonably anticipated to result in charges from Legal Counsel. Examples of reasonable anticipated Legal Council charges include, but are not limited to, closed session items. The items may be referred to the full Board for approval by the majority of the board at the beginning of the meeting, and only at this point is it binding.

Tim Shaw

From: Tim Shaw
Sent: Friday, September 14, 2018 8:58 AM
To: Mary Harris
Subject: RE: 20180917 DRAFT Agenda

Mary:

Good questions with correspondingly good answers. Item 4.8 is on the agenda because Director Green requested it be placed on the agenda. I cannot attend the ACWA fall conference in San Diego for the last week in November. The District critical path issues of MOU renewal, Elverta Specific Plan development, and others make it infeasible for me to attend. Additionally, the cost with airfare, hotel, registration and rental car are too substantial to be casual and assume somehow things will work out.

Item 4.9, as I've mentioned at previous board meetings, is now a standing item. It will occur at every regular meeting agenda, even though you may not anticipate making an assignment. This is necessary to comply with District policies 2.01.065 and 2.01.50 as well as California Water Code for Director compensation. It is needed to protect the Directors. Please note that the fine for violating the Public Resource Code, compensating a director for activities that were not authorized by the Board at a regular meeting in public are \$1,000 per infractions. It's not worth getting \$100 and paying \$1,000 in fines (plus the hit to the District's image), when it could have easily been precluded with this standing item, Item 4.9.

Tim Shaw
GM at RLECWD

From: Mary Harris
Sent: Friday, September 14, 2018 8:45 AM
To: Tim Shaw <GM@rlecwd.com>
Subject: RE: 20180917 DRAFT Agenda

Good Morning Tim. I'm not sure why these two items have placed Agenda items 4.8 and 4.9. Paul Green has already been pre-approved when he was appointed to attend ACWA meetings...or is this item on the agenda because Mary Henrici is wanting to go as well?

As for Agenda item 4.9 it should be removed because I am not appointing any additional committees unless you have something in mind?

From: Tim Shaw
Sent: Thursday, September 13, 2018 3:47 PM
To: Mary Harris <MHarris@rlecwd.com>
Cc: 9169913100@vzwpix.com
Subject: 20180917 DRAFT Agenda

Mary:
Attached is the Draft agenda for the September 17th meeting.

Tim Shaw
GM at RLECWD

From: Tim Shaw
Sent: Wednesday, May 30, 2018 1:26 PM
To: Mary Harris <MHarris@rlecwd.com>
Subject: Text from 916 991-3100 Regarding Chair's Role in Agenda Preparation
Importance: High

Mary:

Thanks for the look up and policy citation. I sincerely apologize for taking actions which are different than you would have preferred, e.g. cancelling the June 1st Planning Committee. I feel I made the best decision I could make in consideration of all the feedback I had received...when I received it. If I had any knowledge that your ability to "receive important messages when they are sent" (your words after I configured your auto-forward of RLECWD messages to your Softcom account) was compromised, I would have sent you a text or telephoned to indicate a time-sensitive message had been sent.

As I replied when you first walked into my office in December and suggested that you and I collectively create the agendas, I do not believe our interpretations are similar. Consulting with the Board President does not mean the President helps create the agenda. It does not mean the President has the power to veto items from the agenda, or to overrule a committee's recommendation to have an item on the agenda. Further, the current time restrictions for posting agendas at least 72-hours prior to the meetings (Committees and Board meetings) does not support any sort of review and approve process by the President prior to posting.

However, my interpretation is not the last word. I'm endeavoring to be reasonable here, and I am ever mindful that I work for five bosses. If you believe policy 2.01.150 empowers you to control agenda content, we should at least check with the rest of the Board. Ultimately, if the majority of the Board thinks, as you do, that the President is expected to have a larger role in the agenda preparation process, the policy should be clarified because "consulting" is a subjective term. For example, I have consulted with you on items where I wasn't sure whether the item should or should not be placed on the agenda. My interpretation was that it is an as-needed basis. This does not mean that I must consult with you on every item that is on the agenda. It does not mean that your authority as Board President is greater than any other single board member.

Another point of clarification, which your read on the application of policy 2.01.150 creates, is the President's role in preparing committee agendas, including cancelling, postponing or deciding which of the two standing committees should discuss a particular item. The policy does not indicate the application is solely for the Board meeting agendas. However, the context (the entire section 2.01.100 et seq) regards only Board meetings committee meetings are not covered. Additionally, a reasonable (again, just my opinion and need to serve five bosses) interpretation concludes that the District should not engage in a practice where one Director overrules two directors. There is content in the remaining portions of 2.01.150, which you did not include in your text, that prescribe remedies for when a single, non-chair Director wants an item on the agenda and when the majority of directors want items on the agenda.

No matter how you slice it, there is nothing but trouble if we engage/enable practices entailing one Director's ability to veto another Director via the application or interpretation of policies. The Chair should not be able to overrule a Committee's direction unless it is unavoidably necessary. It may be required/necessary, for example, if the Committee (of any single Director) directs something which may have significant legal or other deleterious consequences. In such circumstance, the GM, the Chair and Legal Counsel should huddle up to prescribe needed course corrections. The District should not engage and enable an abuse of such authority to unilaterally foster an individual Director's agenda.

Collectively, I need direction from the entire Board. Among other things, the Board needs to provide clear and consistent direction to its executive officer. A conversation needs to occur to set priorities. The role of the Chair you're asserting, if shared by the majority of the Directors, needs to be implemented with some additional time restrictions. I simply cannot meet the 72-hour posting requirements for agendas and corresponding documents if there is an additional level of review and approval expected. We will also need to have additional contingency plans to accommodate changes to the Chair's availability. Posting deadlines are not extended because the Chair is unable to respond to requests for approval.

Agenda Item 6.6

P.S. My response by e-mail to a text you sent is also a corrective attempt to comply with the current Policy regarding Board Member correspondence. It would be helpful, and more aligned with the e-mail policy if you courtesy copied gm@rlecwd.com on texts you send to me.

Timothy B. Shaw

General Manager

Rio Linda / Elverta Community Water District

(916) 991-8891

From: 5306822385@vzwpx.com <5306822385@vzwpx.com>

Sent: Wednesday, May 30, 2018 11:24 AM

To: Tim Shaw <GM@rlecwd.com>

Subject:

Text from 916 991-3100:

FYI...RLECWD Policy manual: 2.01.150 The Secretary shall prepare the agenda for the meeting containing a brief description of each agenda item and post it 72 hours prior to the regular board meeting after consulting with the President.



**Items for Discussion and Action
Agenda Item: 6.7**

Date: September 25, 2023

Subject: Letter from Teamsters Local 150, Dated 8-31-2023

Staff Contact: Timothy R. Shaw, General Manager

Recommended Committee Action:

This item was discussed at the 9-13-2023 Executive Committee. The Committee forwarded this item onto the September 25th Board agenda to enable discussion of the letter’s request for prompt notification when/if the Board assigns Director Mary Harris to specified roles.

Current Background and Justification:

The subject letter requests the District provide prompt notification to Teamsters Local 150 when/if the Board assigns Director Harris to any role entailing review of represented employee performance or a role associated with negotiations.

The subject letter also requested copies of District policies that compel Board Members to comply with the Ralph M. Brown Act. Staff have already complied with the request for policies associated with the Brown Act policies.

While the copies of policies request is essentially a Public Records Act request, the prompt notification request is relatively less compulsory. As such, it may be appropriate to request a recommendation from Legal Counsel regarding the request for prompt notification.

Conclusion:

The Board should ask for recommendations / options from Legal Counsel at the September 25th Board meeting, then consider providing direction to staff regarding the Teamster Local 150 request for specified prompt notifications.

Board Action / Motion

Motioned by: Director _____ Seconded by Director _____

Cline _____ Gifford _____ Green _____ Harris _____ Young _____
(A) Yea (N) Nay (Ab) Abstain (Abs) Absent



DALE WENTZ
Secretary-Treasurer

Agenda Item 6.7

49

TEAMSTERS LOCAL UNION NO. 150

7120 East Parkway – Sacramento, California 95823
TELEPHONE (916) 392-7070 | FAX 392-7675 | EMAIL teamsters@teamsters150.org

August 31, 2023

Timothy R. Shaw
Rio Linda Elverta Community Water District
730 L Street
Rio Linda, CA 95673

Dear Tim,

Teamsters 150 is aware of a social media posting by Director Mary Harris on a private Facebook group page. The post is derogatory toward most unit employees and conveys the opposite of objective good faith bargaining.

Accordingly, Teamsters hereby requests emailed copies of all District policies regarding board member obligations to comply with the Brown Act including social media practices in violation of the Brown Act.

Additionally, Teamsters hereby requests prompt notification if and/or when the District appoints Director Mary Harris to any role entailing unit employee performance reviews, disciplinary actions, and negotiations.

Please contact me should you have any questions.

Sincerely,

Marty Crandall

Marty Crandall
Business Representative



**Information Items
Agenda Item: 7.1**

Date: September 25, 2023

Subject: District Reports

Staff Contact: Timothy R. Shaw, General Manager

DISTRICT ACTIVITY REPORTS

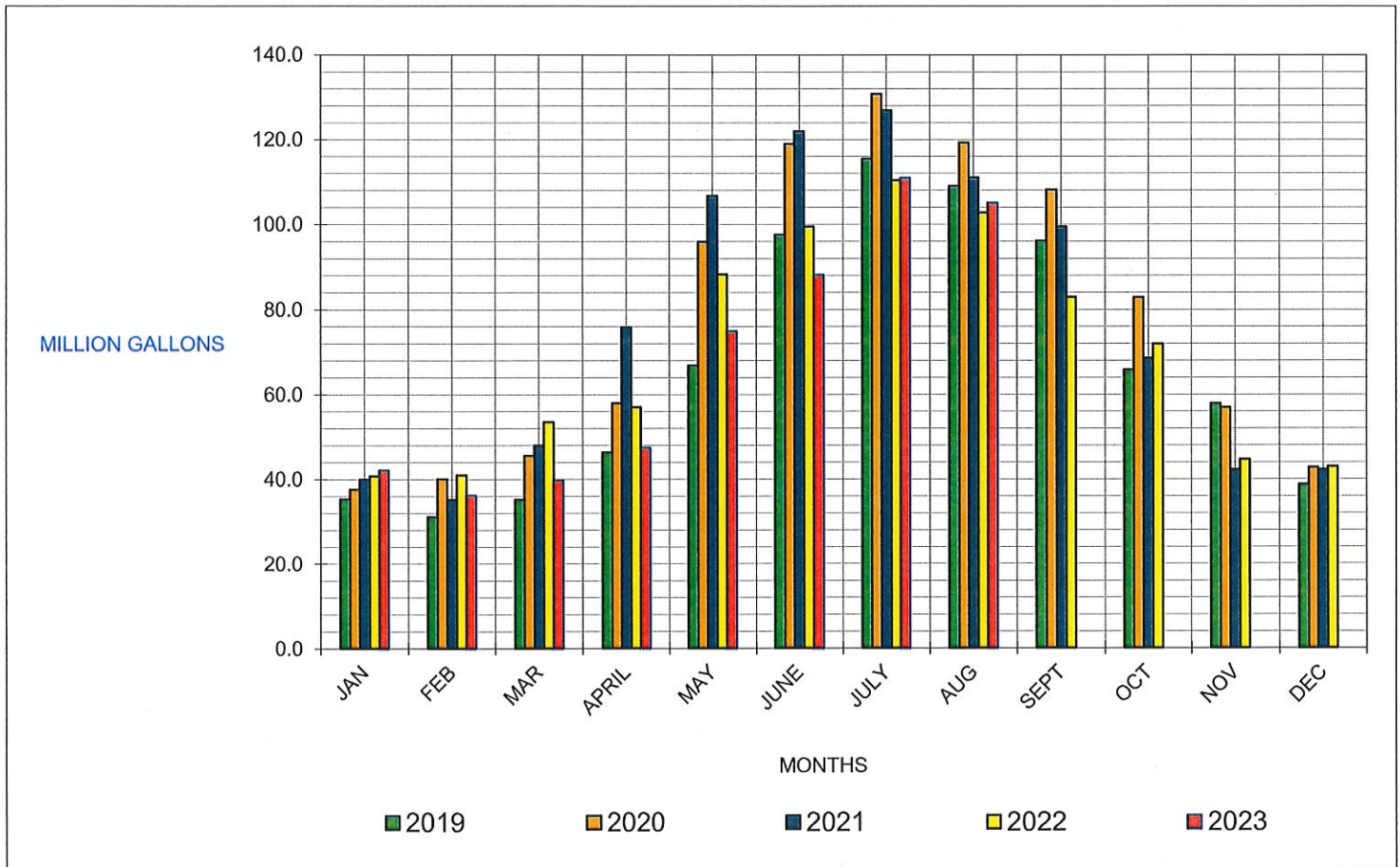
1. Operations Report
2. Completed and Pending Items Report
3. Leak Repair Report

RIO LINDA/ELVERTA C.W.D.

WATER PRODUCTION

2019 \ 2023

Month	Water Production in Million Gallons						SSWD Water Purchases				
	2019	2020	2021	2022	2023	Avg.	2019	2020	2021	2022	2023
JAN	35.3	37.6	39.9	40.7	42.0	39.1	0.0	0.0	0.0	0.0	0.0
FEB	31.1	40.0	35.2	40.9	36.1	36.7	0.0	0.0	0.0	0.0	0.0
MAR	35.1	45.5	47.9	53.5	39.6	44.3	0.0	0.0	0.0	0.0	0.0
APRIL	46.3	57.9	75.8	57.0	47.3	56.9	0.0	0.0	0.0	0.0	0.0
MAY	66.8	95.9	106.6	88.2	74.9	86.5	0.0	0.0	0.0	0.0	0.0
JUNE	97.5	118.9	121.9	99.4	88.1	105.2	0.0	0.0	0.0	0.0	0.0
JULY	115.4	130.7	126.8	110.3	110.9	118.8	0.0	0.0	0.0	0.0	0.0
AUG	108.9	119.2	110.9	102.7	105.1	109.4	0.0	0.0	0.0	0.0	0.0
SEPT	96.1	108.1	99.4	82.9		96.6	0.0	0.0	0.0	0.0	
OCT	65.8	82.8	68.5	71.9		72.3	0.0	0.0	0.0	0.0	
NOV	57.8	56.9	42.2	44.6		50.4	0.0	0.0	0.0	0.0	
DEC	38.7	42.7	42.2	42.9		41.6	0.0	0.0	0.0	0.0	
TOTAL	794.8	936.2	917.3	835.0	544.0	870.8	0.0	0.0	0.0	0.0	0.0



2023 Leak - Repair Tracking

Work Order #	Leak Type	Street	Date Reported	Date Repaired	Days	
1	23759	Service Line	Silver Crest Circle	1/13/2023	1/18/2023	5
2	23757	Service Line	G Street	1/10/2023	1/11/2023	1
3	23807	Service Line	Rio Linda Blvd	2/7/2023	2/13/2023	6
4	23808	Main	2nd Street	2/7/2023	2/7/2023	0.1
5	23821	Service Line	I Street	2/21/2023	2/21/2023	1
6	23823	Service Line	E Street	2/22/2023	2/22/2023	1
7	23830	Service Line	2nd Street	3/2/2023	3/9/2023	7
8	23840	Service Line	I Street	3/16/2023	3/16/2023	1
9	23819	Service Line	Dry Creek Rd	2/21/2023	4/18/2023	60
10	23827	Service Line	10th Street	3/1/2023	3/1/2023	1
11	23875	Service Line	Fallon Place Ct	3/30/2023	4/5/2023	6
12	23876	Service Line	6th Street	4/3/2023	4/6/2023	3
13	23888	Service Line	M Street	4/12/2023	4/12/2023	1
14	23891	Service Line	20th Street	4/14/2023	4/19/2023	5
15	23896	Service Line	24th Street	4/19/2023	4/20/2023	1
16		Main	Dry Creek & G Street	4/23/2023	4/23/2023	1
17	23897	Service Line	Dry Creek Rd	4/19/2023	4/26/2023	7
18	23900	Service Line	W 2nd Street	4/21/2023	4/25/2023	4
19	23909	Service Line	W 2nd Street	5/1/2023	5/1/2023	1
20	23912	Service Line	I Street	5/1/2023	5/1/2023	1
21	23925	Service Line	M Street	5/4/2023	5/4/2023	1
22	23928	Service Line	Castle Creek Way	5/9/2023	5/11/2023	2
23	23933	Service Line	Withington Ave	5/10/2023	5/16/2023	6
24	23938	Service Line	E Street	5/17/2023	5/24/2023	7
25	23941	Service Line	Dry Creek Rd	5/17/2023	5/17/2023	1
26	23942	Service Line	Elkhorn Blvd	5/17/2023	5/17/2023	1
27	23970	Service Line	Fallon Woods Way	5/28/2023	5/31/2023	3
28	23967	Service Line	I Street	5/25/2023	6/1/2023	7
29	23975	Service Line	Elwyn Ave	6/3/2023	6/3/2023	1
30	23984	Service Line	Silver Tree Ct	6/7/2023	6/7/2023	1
31	23985	Service Line	Castle Creek Wy	6/8/2023	6/8/2023	1
32	24000	Service Line	26th Street	6/21/2023	6/28/2023	7
33	24014	Service Line	E Street	7/3/2023	7/6/2023	3
34	24024	Service Line	Elkhorn Blvd	7/17/2023	7/19/2023	2
35	24033	Service Line	2nd Street	7/26/2023	7/26/2023	1
36	24009	Service Line	U St	6/29/2023	8/8/2023	40
37	24025	Service Line	Vickery Ct	7/18/2023	8/1/2023	14
38	24029	Service Line	Quebec Way	7/25/2023	8/1/2023	7
39	24047	Service Line	6th Street	7/27/2023	8/17/2023	21
40	24056	Service Line	Elkhorn Blvd	8/2/2023	8/2/2023	1
41	24061	Service Line	I Street	8/3/2023	8/3/2023	1
42	24075	Service Line	2nd Street	8/9/2023	8/22/2023	13
43	24076	Service Line	2nd Street	8/9/2023	8/17/2023	8
44	24077	Service Line	Rio Linda Blvd	8/9/2023	8/9/2023	1

45	24078	Service Line	Ascot Ave	8/10/2023	8/15/2023	5
46	24082	Service Line	16th Street	8/15/2023	8/16/2023	2
47	24084	Service Line	W Q Street	8/16/2023	8/16/2023	1
48	24086	Service Line	24th Street	8/18/2023	8/23/2023	5
49	24090	Service Line	Fallon Woods Wy	8/21/2023	8/21/2023	1
50	24091	Service Line	Fallon Woods Way	8/22/2023	8/29/2023	7
51	24092	Service Line	I Street	8/23/2023	8/24/2023	1
52	24093	Service Line	26th Street	8/23/2023	8/24/2023	1
53	24099	Service Line	8th Street	8/28/2023	8/28/2023	1
54	24103	Service Line	26th Street	8/29/2023	8/29/2023	1
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Information Items
Agenda Item: 7.2

Date: September 25, 2023

Subject: Board Reports

Staff Contact: Timothy R. Shaw, General Manager

BOARD REPORTS

- 7.2.1. Report any ad hoc committees dissolved by requirements in Policy 2.01.065
- 7.2.2. Sacramento Groundwater Authority – Harris (primary)
- 7.2.3. Executive Committee – Gifford, Cline
- 7.2.4. ACWA/JPIA – Cline

Minutes
Rio Linda / Elverta Community Water District
Executive Committee

September 13, 2023 @ 6:00 P.M. **56**

Visitors / Depot Center
6730 Front St.
Rio Linda, CA 95673

The meeting was called to order at 6:00 P.M. The meeting was attended in-person by, Director Gifford, General Manager Tim Shaw and Contract District Engineer Mike Vasquez. Director Cline attended remotely pursuant to AB 2449, Just Cause.

Call to Order: 6:00 P.M.

Public Comment: *There were no public members present.*

Items for Discussion:

1. Engineer's Update.	<p><i>The Contract District Engineer presented his written report and provided additional details on the pipe replacement project punch list and working with Rawles Engineering . The Contract District Engineer then discussed a recent billing issue wherein construction management for the Well 16 Pumping Station was under-billed. The Executive Committee engaged staff in discussion included what would be required to address this issue given that the project has been complete for more than two years.</i></p> <p><i>The Executive Committee forwarded the underbilling item onto a future Board agenda (September 25th if ready) acknowledging that the unusual circumstances warrant correspondence with the independent auditor prior to bringing this item forward for Board discussion and consideration.</i></p>
2. Discuss Water Use Efficiency Standards.	<p><i>The General Manager presented his written report and explained this item is an update, i.e. there is no anticipated need for Board action at the September 25th meeting. The document associated with this item conveys the technical aspects associated with these reporting mandates, which convey the need for technical support. The Executive Committee discussed the need to receive a proposal / task order from EKI.</i></p>
3. Discuss Letter from Teamsters Local 150, Dated 8-31-2023.	<p><i>The General Manager presented his written report and explained that the first requested action, to email excerpts from the policy manual establishing Board Members' obligation to comply with and stay current with the Ralph M. Brown Act, has been completed. The other requested item, to promptly notify Teamsters when/if the Board assigns Director Harris to serve in a role where employee discipline or performance is being considered and assignments to a collective bargaining negotiating committee.</i></p> <p><i>The Executive Committee forwarded an item onto the September 25th Board agenda to enable Board discussion / action regarding the Teamster's request for prompt notification on Mary Harris assignments.</i></p>
4. Discuss Rosenberg's Rules of Order.	<p><i>The General Manager Presented his written report and reminded the Committee of the inadvertent clerical error which precluded discussion of this item at the August 9th Committee meeting. The Executive Committee expressed interest in considering a change from the current District policy stipulating compliance with Roberts's Rules of Order to Rosenberg's Rules of Order. Director Gifford requested staff send him the link to the Rosenberg's Rules of Order instructional video.</i></p> <p><i>The Executive Committee forwarded this item onto the September 25th Board agenda with the Committee's recommendation for Board approval for improving meeting civility and efficiency.</i></p>

5. Discuss AB 2449 Relaxation of Brown Act Requirements for Board Member Remote Participation.

The General Manager presented his written report and further summarized the research he had performed in preparation for this meeting. The relaxation of requirements has resulted in criticisms from some agencies. Particularly with the Emergency Circumstances aspect, which requires a Board vote. Some agencies have commented that you never know when a Board Member may endure "Emergency Circumstances", which can manifest right up until the start of the meeting. AB 2449 stipulates the Board must vote on whether or not to allow a request for Board Member remote participation. Therefore, to comply the agendas must be formatted to include a standing item at the start of the agenda. It can be reasonably assumed that the standing item for such is there although the occurrence of the need will be rare. Further, the agendas need to provide remote meeting participation details (e.g. Zoom link and meeting passcodes) just in case there is a Board Member enduring Emergency Circumstances. In consideration of the above described awkwardness, some agencies have, or are now considering, adopting a policy stipulating that there agency does not support remote meeting participation of Board Members pursuant to the Emergency Circumstances section of AB 2449.

The Executive Committee forwarded this item onto the September 25th agenda to enable discussion among all Board Members and the public.

6. Discuss Expenditures for July 2023.

The Executive Committee forwarded the July 2023 Expenditures report onto the September 25th Board agenda with the Committee's recommendation for Board approval.

7. Discuss Financial Reports for July 2023.

The Executive Committee forwarded the Financial Reports for July 2023 onto the September 25th Board agenda with the Committee's recommendation for Board approval.

Directors' and General Manager Comments:

Reminder of the Three Agenda Items Continued from the 8-28-2023 RLECWD Board Meeting.

1. Fiscal Year 2023/2024 Final Operating and Capital Budgets (public hearing)
2. Proposed revisions to Policy 2.01.150.
3. Annual Performance review of the General Manager (closed session).

Adjournment: 6:45 P.M.



Agenda Item: 8

Date: September 25, 2023

Subject: Public Comment for Closed Session

Staff Contact: Timothy R. Shaw, General Manager

8. PUBLIC COMMENT FOR CLOSED SESSION

Public comment for closed session items only. The public is invited to comment on any item listed on the closed session agenda. Each speaker is limited to 2 minutes.



**Closed Session
Agenda Item: 9.1**

Date: September 25, 2023

Subject: Closed Session

Staff Contact: Timothy R. Shaw, General Manager

9. **CLOSED SESSION** - The Board of Directors will convene to Closed Session to discuss the following item.

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



**Closed Session
Agenda Item: 9.2**

Date: September 25, 2023

Subject: Closed Session

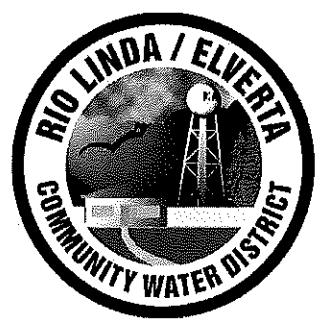
Staff Contact: Timothy R. Shaw, General Manager

9. **CLOSED SESSION** - The Board of Directors will convene to Closed Session to discuss the following item.

9.2 CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

Paragraph (1) of subdivision (d) of Section 54956.9

Name of case: Case Number 23SC01606



**Reconvene Open Session
Agenda Item: 10**

Date: September 25, 2023

Subject: Report of Action Taken in Closed Session

Staff Contact: Timothy R. Shaw, General Manager

10. Report of Action Taken in Closed Session

- 10.1 Announce any reportable actions authorized in closed session.
- 10.2 Consider Adjustment to Compensation for General Manager.

Board Action / Motion

Motioned by: Director _____ Seconded by Director _____

Cline:_____ Harris:_____ Jason Green _____ Gifford _____ Young _____.

(A) Yea (N) Nay (Ab) Abstain (Abs) Absent