RIO LINDA / ELVERTA COMMUNITY WATER DISTRICT REGULAR MEETING OF THE BOARD OF DIRECTORS

JULY 20, 2020 (6:30 p.m.)

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

Join Zoom Meeting

https://us02web.zoom.us/j/84983077101?pwd=emM0L2ZqNkN0WkNGa3BwdzFoczFZZz09

Meeting ID: 849 8307 7101 Password: 611018 Dial by your location (669) 900 6833 US

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

3.1. Minutes

June 15, 2020 and June 29, 2020
The Board is being asked to approve the Minutes from the June 15, 2020 Regular Board
Meeting and June 29, 2020 Special Board Meeting.

3.2. Expenditures

The Finance & Administrative Committee recommends the Board approve the May Expenditures.

3.3. Financial Reports

The Finance & Administrative Committee recommends the Board approve the May Financial Reports.

4. REGULAR CALENDAR ITEMS FOR DISCUSSION AND ACTION

4.1. GM Report

4.1.1. The General Manager, Tim Shaw will provide his monthly report to the Board of Directors.

4.2. District Engineer's Report

- 4.2.1. The Contract District Engineer will provide his monthly report to the Board of Directors.
- 4.3. Consider authorizing a minor clarification to the Collective Bargaining Agreement, Cost of Living Adjustment implementation date language.
- 4.4. Receive a status report on the ongoing rate study and discuss scheduling a Board workshop with participation from the rate study consultant.
- 4.5. Discuss the alternatives (where feasible) to special meetings in closed session to consult with specialty Legal Counsel on existing litigation.
- 4.6. Authorize any new Board Member Assignments (committees and other) announced by the Chair pursuant to District Policy 2.01.065

5. INFORMATION ITEMS

5.1. District Activities Reports

- 5.1.1. Water Operations Report
- 5.1.2. Conservation Report
- 5.1.3. Completed and Pending Items Report

5.2. Board Member Reports

- 5.2.1. Report any ad hoc committees dissolved by requirements in Policy 2.01.065
- 5.2.2. Sacramento Groundwater Authority Harris (primary), Reisig
- 5.2.3. Executive Committee Jason Green, Robert Reisig
- 5.2.4.ACWA/JPIA Ridilla

6. DIRECTORS' AND GENERAL MANAGER COMMENTS

7. ADJOURNMENT

Upcoming meetings:

Executive Committee

August 3, 2020, Monday, 6:00pm Visitor's/Depot Center, 6730 Front Street, Rio Linda, CA 95673

Regular Board Meeting

August 17, 2020, Monday, 6:30 pm at Visitor's /Depot Center, 6730 Front Street, Rio Linda, CA 95673.



Consent Calendar Agenda Item: 3.1

Date:	July 20, 2020
Subject:	Minutes
Staff Contact:	Timothy R. Shaw, General Manager
Recommended C	Committee Action:
N/A -Minutes of	f Board meetings are not reviewed by committees.
Current Backgro	ound and Justification:
These minutes a	re to be reviewed and approved by the Board of Directors.
Conclusion:	
I recommend the with your Board	e Board review and approve (as appropriate) the minutes of meetings provided packets.
Board Action / N	Iotion
Motioned by: D	pirector Seconded by Director
Ridilla: Ha	nris: Jason Green Gifford Reisig
(A) Yea (N)	Nay (Ab) Abstain (Abs) Absent

MINUTES OF THE JUNE 15, 2020

BOARD OF DIRECTORS REGULAR MEETING OF THE RIO LINDA/ELVERTA COMMUNITY WATER DISTRICT

1. CALL TO ORDER, ROLL CALL

The June 15, 2020 meeting of the Board of Directors of the Rio Linda/Elverta Community Water District called to order at 6:30 p.m. at the Visitor's Depot Center located at 6730 Front Street, Rio Linda, CA 95673. General Manager Tim Shaw took roll call of the Board of Directors. President Jason Green, Director Chris Gifford, Director Robert Reisig, Director Mary Harris, Director John Ridilla and General Manager Tim Shaw were present. Legal Counsel attended the meeting via Zoom. Director Harris led the pledge of allegiance.

2. PUBLIC COMMENT

No Public Comment

3. CONSENT CALENDAR

3.1 Minutes

May 18, 2020

3.2 Expenditures

3.3 Financial Reports

No public comment.

It was moved by Director Ridilla and seconded by Director Harris to approve the Consent Calendar. Directors Green, Gifford, Reisig, Ridilla, Ridilla and Harris voted yes. The motion carried with unanimous vote of 5-0-0.

REGULAR CALENDAR

4. ITEMS FOR DISCUSSION AND ACTION

4.1 General Manager's Report

GM Shaw provided a written report.

No public comment.

The Board made no action on this item

4.2 District Engineer's Report – Mike Vasquez

Mike Vasquez provided a written report to the Board of projects in the works since the last meeting of the Board. The report highlighted topics of General District Engineering and Well 16 Pumping Station Construction Project.

No public comment on this item.

The Board made no action on this item.

4.3 Consider ratifying a field change order for the Well 16 Pumping Station project to accommodate standard SMUD pull box requirements.

The Well 16 Pump Station construction contractor notified staff that SMUD pull boxes for the Well 16 Pump Station Project would cost more than the allotted amount anticipated and required by the design engineer in the bid documents. The bid documents for the Well 16 Pump Station Project required bidders to allow up to \$5,000 of budget for SMUD pull boxes since SMUD had not formally issued their permit with their design components before the Well 16 Pump Station project was advertised for bid in November 2019, and bids were received in January 2020.

The design engineer claims that there was no reasonable way of knowing exactly what design components SMUD would require until SMUD's design was received, and therefore did not include design of SMUD pull boxes in the bid documents. But, as mentioned above, the design engineer did include a \$5,000 allotment to be included in the bids in anticipation of some type of SMUD pull boxes.

The total cost to purchase and install the pull boxes as required by SMUD is \$15,000, of which \$10,000 is in addition to the budget included in the construction contractor's bid, and would be a contract change order to the construction contractor. Staff authorized the construction contractor to perform the work to avoid any delay charges pursuant to pervious direction to do so from the District Board of Directors in amounts under \$25,000.

The construction contractor received SMUDS's design in May 2020, while it was determined that the design engineer received the design from SMUD in February 2020, after bids were received. SMUD claims that their pull box design is standard and it may have been reasonable for the design engineer to assume a design more consistent to SMUD's, therefore adding a larger allotment for budget. While it is debatable that the design engineer should have included a pull box design more consistent to SMUD's final design in the bid documents and thereby allowing the District to receive a fixed cost for the pull boxes at the time of bidding, the District is ultimately responsible to install the pull boxes per SMUD's design. It is reasonable to expect that had the SMUD design been received before bidding was advertised and included in the bid documents, the bid for installation would have been more than the allotted \$5,000.

This \$10,000 change, if ratified by the Board, is a 0.34% increase in the construction contract amount of \$2,691,400, and utilizes 2.3% of the \$428,600 construction contingency.

No public comment.

It was moved by Director Ridilla and seconded by Director Green to approve the change order and necessary documents with the construction contractor Anvil Builders, Inc. to ratify the SMUD pull boxes change order at the Well 16 site. Directors Reisig, Gifford, Harris Ridilla and Green voted yes. The motion carried with unanimous vote of 5-0-0.

4.4 Consider authorizing a preliminary, generally described easement on the Well 16 project necessary to accommodate SMUD facilities Such easement to be legally described and recorded by SMUD subsequent to SMUD facilities completion.

SMUD has requested a preliminary/generally described 5 foot wide easement on the District's Well property for construction, access, and maintenance of SMUD electrical facilities. The grant of easement is attached to this Agenda Item. This is a typical grant of easement request from SMUD, that needs to be approved by the Board of Directors. Approving this preliminary easement is the first phase of SMUD's request and will allow SMUD's facilities to be installed at the Well 16 site with flexibility on location in coordination with the District.

Once the SMUD facilities are installed in their final and approved location, SMUD will then perform a field survey of the facilities and prepare an easement with a formal legal description of their location. This legally described easement will take the place of the initial generally described easement. SMUD is also requesting that the Board approve granting of the legally described easement subsequent to the legal description that will be provided by SMUD in the future.

It has been verified with SMUD Land Agent, Sarah Gentilcore, that Board approval for the preliminary easement and future legally described easement do not need Board approval by resolution. Easement preparation and recordation fees will be SMUD's responsibility.

No public comment.

It was moved by Director Harris and seconded by Director Ridilla to approve the preliminary/generally described easement and approves that SMUD record the future legally described easement, and authorize staff to execute grants of easement and necessary documents to grant the easements to SMUD at the Well 16 site. Directors Reisig, Gifford, Harris, Ridilla and Green voted yes. The motion carried with unanimous vote of 5-0-0.

4.5 Consider authorizing a response to Robin Perry's request that RLECWD relinquish or modify an existing easement on the parcel adjacent to the Well #14 parcel.

The subject request, which is more specifically described in the documents associated with this item, was not discussed at the June Executive Committee. Ms. Perry, apparently affiliated with real estate transactions, expressed the need for an expedient response. I advised Ms. Perry that a natural, reasonably anticipated consequence to a compressed timeframe would likely be a conservative response from the District's perspective, e.g. a no unless and until additional information is available. Nevertheless, Ms. Perry requests a District response.

The subject easement on the parcel adjacent to and east of the Well #14 parcel was recorded in 2006. The need for the easement is to connect a future well (Well #14) to the existing RLECWD water main in West 4th Street. The District acquired the Well #14 parcel asset and associated easement at significant rate-payer expense. The Well #14 project remains a legitimate option for future capacity to this day. It is reasonable to interpret that real estate interest in the adjacent parcel are presuming the 14-years that have lapsed represent a diminishing interest in the project by the District.

Ms. Perry is requesting that the District relinquish the easement. In the absence of relinquishment, Ms. Perry request the District consider a convenient relocation of the easement as the potential purchaser of the parcel indicate an incompatibility of the existing easement location with the planned usage of the parcel. The former would only be appropriate if the District declared the Well #16 parcel to be permanently infeasible, effectively declaring the parcel as an unneeded asset. The later is relatively more feasible, with the stipulation that the District will not be liable for any costs associated with surveying, mapping and recording the alternative easement location.

No public comment.

It was moved by Director Ridilla and seconded by Director Harris to deny the request for relinquish of the Well 14 easement, but would be willing to discuss the realignment of the easement but developer would cover all costs. Directors Reisig, Gifford, Green, Ridilla and Harris voted yes. The motion carried with unanimous vote of 5-0-0.

4.6 Consider adopting a Preliminary Budget for fiscal year 2020/2021.

The June Executive Committee discussed the known and anticipated changes in funding and costs reasonably anticipated for fiscal year 2020/2021. Areas of discussion included a possible decrease in property taxes due to the economic downturn associated with COVID-19 and the transition from an arbitrary/legacy basis for funding capital improvements to a projects-based funding of capital improvements.

This will be the first budget adoption process where the planned transfer of capital improvements funding will not be an arbitrary number. The capital budget is based on anticipated project costs and timing. Because the money for the capital budget is transferred out of the operating budget, the operating budget is directly influenced by this improved practice.

District policy recommends a preliminary budget adoption prior to the beginning of each fiscal year. The essence of this practice is to allow for Board authorized spending after July 1st (beginning of the next fiscal year), but before the prior fiscal year end balances are available due to invoices and revenues received at or near June 30th.

As has been the approach in the past few years, the budgeted amount for active employee medical insurance is based on the maximum cost possible from the current collective bargaining agreement. If the year lapses without experiencing the maximum cost for medical insurance, then there is a budget windfall available for allocating to other District expenses, e.g. additional pipe replacements. Similarly, the budgeted amount for Cost of Living Adjustments (COLA) pursuant to the collective bargaining agreement is the maximum possible. In the current economic conditions, it is unlikely the stipulated Consumer Price Index will yield the maximum (3%) COLA.

It is appropriate for the Board to schedule a public hearing for the adoption of the Final Budget in conjunction with the August 19, 2019 regular Board meeting.

Director Reisig requested money be allocated for a new dump truck. No public comment.

It was moved by Director Gifford and seconded by Director Ridilla to approve the preliminary Budget for fiscal year 2020/2021. Directors Reisig, Gifford, Ridilla, Harris and Green voted yes. The motion carried with a vote of 5-0-0.

4.7 Consider providing direction to staff in response to requests for clarifications from the rate study consultant.

Staff participated in a kickoff meeting with the rate study consultant. In the kickoff meeting, the consultant requested some general parameters for the study, e.g. the projected start date for the proposed new rate structure. Typically, a new structure is designed and computed for an effective date coinciding with either the start of a fiscal year or the start of a calendar year (July or January). A copy of the typical bi-monthly billing tasks calendar is included with your board

packets to illustrate the complexities and lead time associated with a billing cycle that spans two months. It shows that an effective date for implementing any rate structure changes in January 2021 is impractical because the rate study, prop 218 process and Board adoption of a new rate structure would be needed prior to November 2020 to accommodate such timeline. The 45-day notice period for the prop 218 process would require the rate study to be complete in September, which is unlikely and unnecessarily rushed.

Other feedback requested by the consultant is staffing needs and timing. Staff advised that licensed water treatment operator personnel would be required when the state re-implements the Hexavalent Chromium Maximum Contaminant Level (MCL). Accordingly, RLECWD may not need licensed treatment operators until 2022. Continuing future staffing, organizational structure changes, the District contracted CPS-HR in 2017 to prepare a new position description, Administration Manager. The new position description was completed in May 2018. The change has been parked since 2018 for lack of funding

No public comment.

It was moved by Director Ridilla and seconded by Director Gifford to advise the rate consultant for the new rate structure beginning July 2021 to include water treatment in the Summer of 2022 and the position possibility of Administrative Manager 2024 as part of their rate calculations. Directors Gifford, Green, Ridilla, and Reisig voted yes. Director Harris voted no. The motion carried with a vote of 4-1-0.

4.8 Receive staff report on the Governor's Executive Orders relevant to District operations and consider providing direction to staff as may be deemed necessary and appropriate.

Two of the Governor's Executive Orders issued during the COVID-19 declared emergency have direct, substantial impact on RLECWD operations. One of the orders, N-25-20, waives the limits that temporary employees can work as a temporary employee. Without the waiver, CalPERS limits the employment of temps to 1000-hours in a fiscal year. Similarly, the current collective bargaining agreement with Teamsters Local 150 limits temporary employees to 100-days (equivalent to 800-hours. The District currently employs one temporary employee, who has been extremely valuable in the District's success in resolving the meter replacement backlog.

Executive Order N-42-20 precludes termination of service for non-payment. The amount owed is not waived, but the cash flow and ability of the District to continue paying the bills for operating costs can be impacted if the delinquency rate and duration of delinquencies extends.

Staff has reached out to CSDA, and SGA legislative advocacy contacts to request information on any legislative dialog which may lead to plans, dates on revoking and/or modifying these executive orders. CSDA responded essentially that there is nothing being discussed now, but they will keep us posted. We received no response from the RWA/SGA legislative advocate.

Staff continues to monitor news sources for any dialog. The recent dialog on suspending the moratorium on evictions has been the closest content to date.

The Board took no action on this item.

4.9 Consider adopting Resolution 2020-03 authorizing an Administrative Services Agreement with Empower for the District's IRS, Section 457 Deferred Compensation Plan.

In March 2020, the Board of Directors adopted Resolution 2020-01 approving the Administrative Services for IRS 457 Deferred Compensation Plan with VALIC, which authorized staff to execute all appurtenant documents associated with the VALIC 457 plan. Unfortunately, the VALIC personnel did not perform the administration and execution of documents in a timely manner. Additionally, some of the responses to staffs repeated requests for status of the overdue documents were causes for concern.

In response to these concerns, staff reached out to a trusted retirement investment planning professional, Brett Meyer of Ameriprise Financial Services. Mr. Meyer evaluated the plan documents of VALIC, Nationwide, Mass Mutual and other similar services as well as the District's particulars. Mr. Meyer recommends the District use the nation's 2nd largest IRS 457 plan administrator for government agency employers, Empower Retirement Services.

As previously described, the transfer of funds from Nationwide to VALIC did not transpire. Accordingly, Resolution 2020-03 authorizes the transfer of employee funds from Nationwide to Empower.

No public comment.

It was moved by Director Ridilla and seconded by Director Harris to adopt Resolution No. 2020-03 authorizing Administrative Services Agreement with Empower for the District's IRS, Section 457 Deferred Compensation Plan and removal from VALIC 457 Plan. Directors Reisig, Gifford, Green, Ridilla and Harris voted yes. The motion carried with unanimous vote of 5-0-0.

4.10 Authorize any new Board Member Assignments (committees and other) announced by the Chair pursuant to District Policy 2.01.065.

Director Reisig and Director Harris is requesting to part of the 3x3 SGA committee.

No public comment on this item.

It was moved by Director Green and seconded by Director Ridilla to authorize Directors Harris and Reisig to attend the 3x3 SGA committee. Directors Reisig, Gifford, Green, Ridilla and Harris voted yes. The motion carried with unanimous vote of 5-0-0.

It was moved by Director Reisig and seconded by Director Ridilla to authorize Directors Harris and Gifford form an Ad Hoc committee for the General Managers Performance Review. Directors Reisig, Gifford, Green, Ridilla and Harris voted yes. The motion carried with unanimous vote of 5-0-0

5. INFORMATION ITEMS

5.1. DISTRICT ACTIVITY REPORT

- **5.1.1**. Water Operations Report
- 5.1.2. Conservation Report
- **5.1.3** GM Minor Budget Revision # 3 for Fiscal Year 2019/2020.
- **5.1.4** Completed and Pending Items Report

5.2. BOARD REPORTS

- **5.2.1.** Report any ad hoc committees dissolved by requirements in Policy 2.01.065
- **5.2.2.** Regional Water Authority –Gifford, Shaw The District withdrew from RWA.
- **5.2.3.** Sacramento Groundwater Authority Harris, Reisig. Agenda provided. Director Harris gave a verbal report.
- **5.2.4**. Executive Committee Green, Reisig Minutes provided.
- **5.2.5**. ACWA/JPIA Ridilla No Report

5.2.6. Ad Hoc Committee -None

6. <u>DIRECTORS' AND GENERAL MANAGER COMMENTS</u> – None.

7. ADJOURNMENT

Director Robert Reisig adjourned the meeting at 7:38 p.m. in memory of Jane Lee Smith.

Respectfully submitted,

Timothy R. Shaw, Secretary

Jason Green, President of the Board

MINUTES OF THE JUNE 29, 2020 BOARD OF DIRECTORS SPECIAL MEETING OF THE RIO LINDA/ELVERTA COMMUNITY WATER DISTRICT

1. CALL TO ORDER, ROLL CALL

The June 29, 2020 special meeting of the Board of Directors of the Rio Linda/Elverta Community Water District called to order at 5:00 p.m. with remote participation via Zoom Software, no in-person attendance. President Jason Green, Director Chris Gifford, Director Robert Reisig, Director Mary Harris, Director John Ridilla and General Manager Tim Shaw were present via zoom along with Barbara Brenner (General Legal Counsel) Matt Edling (Specialty Counsel).

2. PUBLIC COMMENT PRIOR TO CLOSED SESSION

No Public Comment

- 1. CLOSED SESSION The Board of Directors will meet in Closed Session to discuss the following item
 - 1.1. CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION: (Pursuant to paragraph (1) of subsection (d) of Government Code Section 54956.9)

 One Case:

Rio Linda Elverta Community Water District v. United States, Case No. 2:17-cv-01349

2. RECONVENE IN OPEN SESSION

2.1. Announce any reportable actions authorized in Closed Session.

No reportable actions per Barbara Brenner

3. ADJOURNMENT

President Jason Green adjourned the meeting at 5.15 p.n	n.
Respectfully submitted,	
Timothy R. Shaw, Secretary	Jason Green, President of the Board



Consent Calendar Agenda Item: 3.2

Date:	July 20, 2020			
Subject:	Expenditures			
Staff Contact:	Timothy R. Shaw, General Manager			
Recommended	Committee Action:			
The Executive C 2020.	Committee recommends approval of the Expenditures for the month of May			
Current Backg	round and Justification:			
These expenditu	res have been completed since the last regular meeting of the Board of Directors.			
Conclusion:				
I recommend the Board approve the Expenditures for May 2020.				
Board Action /	Motion			
Motioned by: D	Pirector Seconded by Director			
	rris: Jason GreenGiffordReisig			
(A) Yea (N) N	(Ab) Abstain (Abs) Absent			

Rio Linda Elverta Community Water District Expenditure Report May 2020

Туре	Date	Num	Name	Memo	Amount
Liability Check	05/06/2020	EFT	QuickBooks Payroll Service	For PP Ending 05/02/20 Paydate 05/07/2020	19,730.83
Liability Check	05/07/2020	EFT	CalPERS	For PP Ending 05/02/20 Paydate 05/07/2020	2,682.67
Liability Check	05/07/2020	EFT	CalPERS	For PP Ending 05/02/20 Paydate 05/07/2020	1,055.60
Liability Check	05/07/2020	EFT	Nationwide	Deferred Compensation Plan: Employer & Employee Share	1,209.09
Bill Pmt -Check	05/07/2020	EFT	Adept Solutions	Computer Maintenance	1,333.00
Bill Pmt -Check	05/07/2020	EFT	Comcast	Phone/Internet	234.74
Bill Pmt -Check	05/07/2020	EFT	Republic Services	Utilities	85.72
Liability Check	05/07/2020	EFT	Internal Revenue Service	Employment Taxes	7,193.72
Liability Check	05/07/2020	EFT	Employment Development	Employment Taxes	1,326.20
Bill Pmt -Check	05/07/2020	EFT	Voyager Fleet Commander	Transportation Fuel	169.27
Transfer	05/07/2020	EFT	RLECWD	Umpqua Bank Monthly Debt Service Transfer	16,500.00
Bill Pmt -Check	05/07/2020	1228	ABS Direct, Inc.	Postage, Printing	172.36
Bill Pmt -Check	05/07/2020	1229	ACWA/JPIA	EAP-January 2020	25.70
Bill Pmt -Check	05/07/2020	1230	Buckmaster Office Solutions	Office Equipment Expense	60.33
Bill Pmt -Check	05/07/2020	1231	Cintas Corporation	Safety	28.55
Bill Pmt -Check	05/07/2020	1232	DirectHit Pest Control	Building Maintenance	75.00
Bill Pmt -Check	05/07/2020	1233	EKI Environment & Water	Engineering	5,000.00
Bill Pmt -Check	05/07/2020	1234	GW Demolition, Inc.	Pumping Maintenance	3,000.00
Bill Pmt -Check	05/07/2020	1235	Johnson Controls Fire Protection	Safety	218.82
Bill Pmt -Check	05/07/2020	1236	Oreilly Automotive	Transportation Maintenance	49.98
Bill Pmt -Check	05/07/2020	1237	Rio Linda Elverta Recreation & Park Dist	Meeting Expense	50.00
Bill Pmt -Check	05/07/2020	1238	Rio Linda Hardware & Building Supply	Shop Supplies	510.74
Bill Pmt -Check	05/07/2020	1239	RW Trucking	Distribution Supplies	654.91
Bill Pmt -Check	05/07/2020	1240	SMUD	Utilities	12,313.34
Bill Pmt -Check	05/07/2020	1241	Spok, Inc.	Field Communication	15.19
Bill Pmt -Check	05/07/2020	1242	Staples	Office Expense	136.00
Bill Pmt -Check	05/07/2020	1243	SYAR Industries	Paving Expense	2,408.93
Bill Pmt -Check	05/07/2020	1244	Vanguard Cleaning	Janitorial	195.00
Bill Pmt -Check	05/07/2020	1245	SMUD	Capital Improvement: Well 16	35,268.00
Check	05/15/2020	EFT	WageWorks	FSA Administration Fee	76.25
Check	05/17/2020	EFT	ARCO	Transportation: Fuel	434.78
Liability Check	05/20/2020	EFT	QuickBooks Payroll Service	For PP Ending 05/16/2020 Paydate 05/21/2020	18,625.47
Liability Check	05/21/2020	EFT	CalPERS	For PP Ending 05/16/2020 Paydate 05/21/2020	2,682.67
Liability Check	05/21/2020	EFT	CalPERS	For PP Ending 05/16/2020 Paydate 05/21/2020	1,055.60
Liability Check	05/21/2020	EFT	Nationwide	Deferred Compensation Plan: Employer & Employee Share	1,195.32
Liability Check	05/21/2020	EFT	Internal Revenue Service	Employment Taxes	7,107.90
Liability Check	05/21/2020	EFT	Employment Development	Employment Taxes	1,355.09
Liability Check	05/21/2020	EFT	Kaiser Permanente	Health Insurance	3,495.17
Liability Check	05/21/2020	EFT	Principal	Dental & Vision Insurance	1,363.75
Liability Check	05/21/2020	EFT	Western Health Advantage	Health Insurance	9,358.06
Bill Pmt -Check	05/21/2020	EFT	Verizon	Field Communication, Field IT	475.52
Bill Pmt -Check	05/21/2020	EFT	Umpqua Bank Credit Card	Backflow, Computer, Office, Postage, Shop, Licensing & Uniforms	1,135.43
Check	05/21/2020	EFT	RLECWD - Capital Improvement	Current Monthly Transfer	34,000.00

Rio Linda Elverta Community Water District Expenditure Report May 2020

Туре	Date	Num	Name	Memo	Amount
Liability Check	05/21/2020	1247	Customer	Final Bill Refund	23.93
Bill Pmt -Check	05/21/2020	1248	ACWA/JPIA	EAP-May 2020	25.70
Bill Pmt -Check	05/21/2020	1249	Churchwell White	Legal	1,148.40
Bill Pmt -Check	05/21/2020	1250	CoreLogic Solutions	Metro Scan	134.75
Bill Pmt -Check	05/21/2020	1252	County of Sacramento	Permits	104.50
Bill Pmt -Check	05/21/2020	1253	Energy Systems	Pump Maintenance	1,531.29
Bill Pmt -Check	05/21/2020	1254	Ferguson Enterprises	Distribution Supplies	79.91
Bill Pmt -Check	05/21/2020	1255	ICONIX Waterworks	Distribution Supplies	2,780.52
Bill Pmt -Check	05/21/2020	1256	Intermedia.net	Telephone	86.67
Bill Pmt -Check	05/21/2020	1257	Oreilly Automotive	Transportation: Maintenance	36.62
Bill Pmt -Check	05/21/2020	1258	Sacramento County Utilities	Utilities	113.70
Bill Pmt -Check	05/21/2020	1259	Sierra Chemical Company	Treatment	2,184.62
Bill Pmt -Check	05/21/2020	1260	Thrasher Bros Automotive	Transportation Maintenance	2,831.50
Bill Pmt -Check	05/21/2020	1261	Unifirst Corporation	Uniforms	239.94
Bill Pmt -Check	05/21/2020	1262	USA Bluebook	Safety	1,028.02
Bill Pmt -Check	05/21/2020	1263	Anvil Builders	Capital Improvement: Well 16 Construction	485,735.00
Bill Pmt -Check	05/21/2020	1264	County of Sacramento	Capital Improvement: Well 16 Construction	1,230.00
Bill Pmt -Check	05/21/2020	1265	Domenichelli & Associates	Capital Improvement: Well 16 Design	20,486.46
Total 10000 · Bar	nk - Operating A	ccount			713,866.23

Rio Linda Elverta Community Water District Expenditure Report May 2020

Туре	Date	Num	Payee	Memo	Amount
Check	05/01/2020	EFT	Revenue Refunding Bond Trustee	Loan Payment	114,447.04
10350 · U	Jmpqua Bank				114,447.04
Туре	Date	Num	Payee	Memo	Amount
Check	05/21/2020	EFT	RLECWD	Transfer Surcharge 2 Surplus Repayment	110,201.00
10375 - S	Surcharge Accou	ınt 2			110,201.00
Туре	Date	Num	Payee	Memo	Amount
				CIP Expense Transfer: Refer to operating check	***************************************
Transfer	05/21/2020	EFT	RLECWD - Operating	numbers: 1262, 1263, 1264	507,451.46
10475 · C	Capital Improven	nent-Ump	oqua Bank		507,451.46



Consent Calendar Agenda Item: 3.3

Date:

July 20, 2020

Subject:

Financial Reports

Staff Contact: Timothy R. Shaw, General Manager

Recommended Committee Action:

The Executive Committee recommends approval of the Districts Financial Reports for the month of May 2020.

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 in order to inform them of the District's current financial condition.

Conclusion:

I recommend the Board approve the Financial Reports for May 2020.

Board Action / Motion

Motioned	by: Director	Second	or		
Ridilla: Harris:		_ Jason Green	Gifford	Reisig	
(A) Yea (N) Nav (Ab)	Abstain (Abs) A	bsent		

Rio Linda Elverta Community Water District Balance Sheet As of May 31, 2020

ASSETS

ASSETS	
Current Assets	
Checking/Savings	
100 · Cash & Cash Equivalents	
10000 · Operating Account	4 .
10020 · Operating Fund-Umpqua	638,007.40
Total 10000 · Operating Account	638,007.40
10475 · Capital Improvement	•
10480 · General	1,399,725.48
10485 · Vehicle Replacement Reserve	15,000.00
Total 10450 · Capital Improvement	1,414,725.48
Total 100 · Cash & Cash Equivalents	2,052,732.88
102 · Restricted Assets	
102.1 · Restricted Capital Improvements	territado en trasporto.
10700 · ZIONS Inv/Surcharge Reserve	515,060.23
Total 102.1 · Restricted Capital Improvements	515,060.23
102.2 · Restricted for Debt Service	en e
10300 · Surcharge 1 Account	806,980.71
10350 · Umpqua Bank Debt Service	21,194.44
10380 · Surcharge 2 Account	151,736.30
10385 · OpusBank Checking	3,120,625.96
Total 102.2 · Restricted for Debt Service	4,100,537.41
102.4 · Restricted Other Purposes	
10600 · LAIF Account	295,201.01
10650 · Operating Reserve Fund	301,603.51
Total 102.4 · Restricted Other Purposes	596,804.52
Total 102 · Restricted Assets	5,212,402.16
Total Checking/Savings	7,265,135.04
Accounts Receivable	0.00
Other Current Assets	
12000 · Water Utility Receivable	570,600.73
12200 · Accrued Revenue	0.00
12250 · Accrued Interest Receivable	2,153.92
15000 · Inventory Asset	56,276.61
16000 · Prepaid Expense	20,824.39
Total Other Current Assets	649,855.65
Total Current Assets	7,914,990.69
Fixed Assets	, .
17000 · General Plant Assets	727,153.00
17100 · Water System Facilites	20,759,002.47
17300 ⋅ Intangible Assets	373,043.42
17500 · Accum Depreciation & Amort	-9,282,773.19
18000 · Construction in Progress	1,313,099.20
18100 · Land	576,673.45
Total Fixed Assets	14,466,198.35
Other Assets	
19000 · Deferred Outflows	262,764.00
19900 · Suspense Account	0.00
Total Other Assets	262,764.00
TOTAL ASSETS	22,643,953.04
= = = = = = = = = = = = = = = = = = = =	· · · · · · · · · · · · · · · · · · ·

Accrual Basis

Rio Linda Elverta Community Water District Balance Sheet As of May 31, 2020

LIABILITIES & EQUITY Liabilities Current Liabilitie Accounts Pa

Current Liabilities	
Accounts Payable	60,386.05
Credit Cards	960.00
Other Current Liabilities	580,484.27
Total Current Liabilities	641,830.32
Long Term Liabilities	
23000 · OPEB Liability	211,573.00
23500 · Lease Buy-Back	705,797.27
25000 · Surcharge 1 Loan	4,189,831.90
25050 · Surcharge 2 Loan	3,210,040.16
26000 · Water Rev Refunding	1,952,591.00
27000 · Community Business Bank	294,204.88
29000 · Net Pension Liability	987,630.00
29500 · Deferred Inflows-Pension	5,192.00
29600 · Deferred Inflows-OPEB	26,811.00
Total Long Term Liabilities	11,583,671.21
Total Liabilities	12,225,501.53
Equity	
31500 · Invested in Capital Assets, Net	7,681,067.46
32000 · Restricted for Debt Service	702,232.24
38000 · Unrestricted Equity	1,674,622.00
Net Income	360,529.81
Total Equity	10,418,451.51
TOTAL LIABILITIES & EQUITY	22,643,953.04

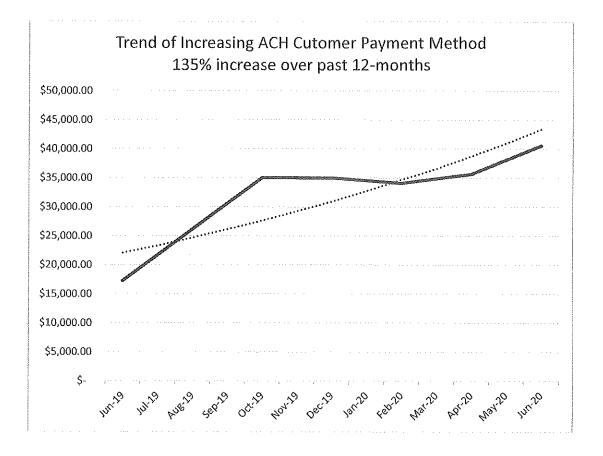
Rio Linda Elverta Community Water District Operating Profit & Loss Budget Performance As of May 31, 2020

Ordinary income/Expense	Annual Budget	May 20	Jul 19-May 20	% of Annual Budget	YTD Annual Budget Balance
Income Total 40000 ⋅ Operating Revenue	2,715,475.00	289,336.13	2,426,290.03	89.35%	289,184.97
41000 · Nonoperating Revenue 41110 · Investment Revenue					
41112 · Interest Revenue	400.00	13.62	1,927.85	481.96%	-1,527.85
Surcharg Total 41110 · Investment Revenue	400.00	13.62	1,927,85	481.96%	-1.527.85
41120 · Property Tax	81,856.00	39,985.59	95,163.73	116.26%	-13,307.73
Total 41000 · Nonoperating Revenue	82,256,00	39,999,21	97,091.58	118.04%	-14,835.58
Total Income	2,797,731.00	329,335.34	2,523,381.61	90.19%	274,349.39
Gross Income	2,797,731.00	329,335,34	2,523,381.61	90.19%	274,349.39
Expense 60000 · Operating Expenses			A. j		
60010 · Professional Fees	142,212.00	5,751.40	75,996.04	53.44%	66,215.96
60100 · Personnel Services 60110 · Salaries & Wages	722,042,00	56,424.48	631,495.69	87.46%	90,546.31
60150 · Employee Benefits & Expense	455,210.00	29,535.85	379,944.87	83.47%	75,265.13
Total 60100 · Personnel Services	1,177,252.00	85,960.33	1,011,440.56	85.92%	165,811.44
60200 · Administration	228,681.00	29,560.15	198,091.63	86.62%	30,589.37
64000 · Conservation	300.00	0.00	0.00	0.00%	300.00
65000 · Field Operations	529,200.00	47,901.45	443,061.21	83.72%	86,138.79
Total 60000 ⋅ Operating Expenses	2,077,645.00	169,173.33	1,728,589.44	83.20%	349,055.56
69000 · Non-Operating Expenses 69010 · Debt Service 69100 · Revenue Bond					
69105 · Principle	139,015.00	84,000.00	139,015.00	100.00%	0.00
69110 · Interest	61,717.00	30,447.04	61,716.55	100.00%	0.45
Total 69100 · Revenue Bond 69125 · AMI Meter Loan	200,732.00	114,447.04	200,731.55	100.00%	0.45
69130 · Principle	48,281.00	0.00	48,280.64	100.00%	0.36
69135 · Interest	10,233,00	0.00	10,233.28	100.00%	-0.28
Total 69125 · AMI Meter Loan	58,514.00	0.00	58,513.92	100.00%	0.08
Total 69010 · Debt Service	259,246.00	114,447.04	259,245.47	100.00%	0.53
69400 · Other Non-Operating Expense	0.00	0.00	0.00	0.00%	0.00
Total 69000 · Non-Operating Expenses	259,246.00	114,447.04	259,245.47	100.00%	0.53
Total Expense	2,336,891.00	283,620.37	1,987,834.91	85.06%	349,056.09
Net Ordinary Income	460,840.00	45,714.97	535,546.70		
t Income	460,840.00	45,714.97	535,546.70		

Accrual Basis

Rio Linda Elverta Community Water District CAPITAL BUDGET VS ACTUAL FISCAL YEAR 2019-20 As of May 31, 2020

	GENEF	ΣΔI	CHROMIUM MITIG		VEHICLE REPL	ACEMENT
BEGINNING FUND BALANCE	e al la caración de caración de la companya de la c	\$ 1,903,391.00	Anna in properties and an experience of the contract of the co	\$ (29,592.00)	lander i var en	\$ 10,000.00
	Annual Budget	YTD Actual	Annual Budget	YTD Actual	Annual Budget	YTD Actual
FUNDING SOURCES	-			:		
Fund Transfers						
Operating Fund Transfers In	409,940.00	374,000.00	-	1,308.20	-	-
CIP Fund Intrafund Transfers	(5,000.00)	(5,000.00)	-	-	5,000.00	5,000.00
Surcharge 2 Surplus Repayment	-		110,201.00	110,201.00	4	~
Contributed Funding		· i	,		•	
Contributed Facilities (Developers)	-	-	-	-	-	-
Grant Revenue	-	-	400,000.00	-	-	
Loan Proceeds	-	-	450,000.00	81,413.80	-	-
Investment Revenue	4,500.00	4,943.26	-	-	-	-
Sale of Fixed Assets	-	-	-	-	-	-
TOTAL FUNDS AVAILABLE FOR CIP PROJECTS	2,312,831.00	2,277,334.26	930,609.00	163,331.00	15,000.00	15,000.00
PROJECTS					•	
A · WATER SUPPLY						
A-1 · Well XX - Cr6 Treatment/Design	-	- :	50,000.00	- 7		-
A-2 · Well 16	-	-	800,000.00	629,178.76	-	-
A-3 · Miscellaneous Pump Replacements	40,000.00	2,004.72				
Total A · WATER SUPPLY	40,000.00	2,004.72	850,000.00	629,178.76	-	-
B · WATER DISTRIBUTION		_			•	
B-1 · Service Replacements	30,000.00	-	-		-	-
B-2 · Large Meter Replacements	5,000.00	3,543.07	-	-	-	-
Total B · WATER DISTRIBUTION	35,000.00	3,543.07		-	-	
C · CONTINGENCY			:			
C-1 · Contingency (10% of Est A,B,& M)	7,500.00	-	85,000.00	-	-	-
TOTAL BUDGETED PROJECT EXPENDITURES	82,500.00	5,547.79	935,000.00	629,178.76	-	
ENDING FUND BALANCE	\$ 2,230,331.00	\$ 2,271,786.47	\$ (4,391.00)	\$ (465,847.76)	\$ 15,000.00	\$ 15,000.00





Items for Discussion and Action Agenda Item: 4.1

Date:	July 20, 2020
Subject:	General Manager's Report
Staff Contact:	Timothy R. Shaw
Recommended	Committee Action:
N/A this item is	not reviewed by committee.
Current Backg	round and Justification:
regular Board m	mager will provide a written report of District activities over the period since the last neeting. The Board may ask for clarifications and may also provide direction in the reported activities.
Conclusion:	
No Board action	n is anticipated for this item.
Board Action /	Motion
Motioned by: I	Director Seconded by Director
	arris: Jason Green Gifford Reisig ay (Ab) Abstain (Abs) Absent

RLECWD Agenda Item Checklist

Item 4.1

Date **Initial Potential Meeting Date** 7/20/2020 Circle High/Medium/Low priority of Item and Identify if in line with Mission/ Goal/Strategic Planning issues or state of emergency General Managers Report 7/16/2020 Staff Work Completed (Includes reviewing, researching item with other resources (ACWA, JPIA, RWA, SGA, other Water or special districts, District Engineer, Legal Counsel then laying out business cases, pros and cons, options and recommendations based on best information available, etc. Committee Review of Item and Staff Work N/A Review by appropriate Executive or Ad Hoc Committees, to prepare board recommendations Formal Legal Counsel Review N/A Legal Counsel should have enough time to review all potential legal matters for correctness and legality **GM Review** 7/16/2020 **Actual Meeting Date Set for Agenda Item** 7/20/2020



Date:

July 20, 2020

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: This reporting period is characterized by the transitions. We're transitioning to a cloud-based version of Neptune software for meter reading. We are transitioning to Empower Retirement deferred compensation plan, We are transitioning to a higher emphasis on remote work assignments.

- 1. On June 16th the Operations Superintendent and I participated in a meeting with Neptune representatives to discuss the pattern of delays and non-responsiveness extensively experienced in the transition to cloud-based meter reading software.
- 2. On June 17th, I participated in the Legislative Advocacy meeting, not much is happening in the legislature due to COVID-19.
- 3. On June 29th, I hosted the special board meeting via Zoom to enable Board consultation with specialty Legal Counsel regarding existing litigation.
- 4. On July 2^{nd} , I participated in the first weekly teleconference with Empower Retirement.
- 5. On July 8th Staff were provided training by Ferguson personnel on the Neptune 360 cloud-based software.

Additional items of interest:

Throughout the reporting period I corresponded with Ferguson and Neptune regarding the overdue transition to cloud-based service for our water metering program. I also corresponded extensively with the rate study consultant as the rate study / cost of service report continued to be refined. The District office had plexiglass installed in the anticipation (at the time of contracting for such) of re-opening the District customer service lobby. The installation is not yet complete, but the direction of reopening business facilities has reversed. I am increasing the remote work assignments in a conscious effort to minimize the occupancy of the District office thereby reducing personnel proximity to one another. The District has also completed necessary set up for bank draft elimination, which will reduce staff time on processing payments and eliminate the 7-10 day delay for banks to mail the District customers' payments.



Items for Discussion and Action Agenda Item: 4.2

Date:	July 20, 2020
Subject:	District Engineer's Report
Staff Contact:	Mike Vasquez, District Engineer
Recommended	Committee Action:
N/A this item is	not discussed at committees.
Current Backg	round and Justification:
since the previou	ineer will provide a written report to the Board of Directors on engineering activities as monthly meeting. The Board may ask for clarifications and may also provide onse to the report.
Conclusion:	
There is no Boar	ed action anticipated for this item.
Board Action /	Motion
Motioned by: D	rirector Seconded by Director
	urris: Jason Green GiffordReisig y (Ab) Abstain (Abs) Absent

RLECWD Agenda Item Checklist

Item 4.2

Date **Initial Potential Meeting Date** 7/20/2020 Circle High/Medium/Low priority of Item and Identify if in line with Mission/ Goal/Strategic Planning issues or state of emergency **District Engineers Report** 7/16/2020 **Staff Work Completed** (Includes reviewing, researching item with other resources (ACWA, JPIA, RWA, SGA, other Water or special districts, District Engineer, Legal Counsel then laying out business cases, pros and cons, options and recommendations based on best information available, etc. N/A Committee Review of Item and Staff Work Review by appropriate Executive or Ad Hoc Committees, to prepare board recommendations N/A **Formal Legal Counsel Review** Legal Counsel should have enough time to review all potential legal matters for correctness and legality 7/16/2020 **GM Review Actual Meeting Date Set for Agenda Item** 7/20/2020



1750 Creekside Oaks Drive, Suite 220 Sacramento, CA 95833 (916) 905-2388 ekiconsuit.com

15 July 2020

DISTRICT ENGINEER'S REPORT

To:

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

From:

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

Subject:

District Engineer's Report for the 20 July 2020 Board of Directors Meeting

(EKI Project No. B80130.00)

The District Engineer is pleased to submit this brief update of duties and tasks performed for the period of 11 June 2020 to 15 July 2020:

1. General District Engineering:

- Electric Avenue Residential Development (7 Lots between Cypress Street and Elverta Road) The developer contacted the District on 7/10/2020 with the intent of moving forward with the development. The District is waiting for final plans from the developer for signature and approval of the water facilities design.
- Fox Hollow Residential Development (28 lots 6th Street between Q Street and S Street) The developer has not responded to comments provided on 3/11/2020.

2. Well 16 Pump Station Construction Project:

- Over the past month, the construction contractor has been focused on control building and perimeter sound wall work. The control building walls have been installed and the sound wall is nearing completion. SMUD conducted an inspection of the transformer pad on 7/6/2020.
- The "three week look ahead" schedule through 7/31/2020 indicates well site structural and electrical work. Control building work will continue and final surface grading will commence. On-site vault installation will also commence.
- Met on-site with the General Manager and Operations Superintendent on 6/24/2020 to review construction progress.
- Processed the contractor's second invoice.
- To date, have responded to 55 contractor submittals.
- To date, have responded to 17 contractor Request for Information letters.
- Prepared a Quarterly Report for the DWR Grant.
- Continue to coordinate with the contractor daily to answer questions and be available as a resource to keep the project on schedule.
- The contractor and District staff continue to comply with COVID-19 orders.

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

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



Items for Discussion and Action Agenda Item: 4.3

Date:

July 20, 2020

Subject:

Minor Clarification to Cost of Living Implementation Date

Staff Contact: Tim Shaw, General Manager

Recommended Committee Action:

The Executive Committee recommends Board approval of the clarification described in the Current Background and Justification Section.

Current Background and Justification:

The proposed minor change reflected below to the current collective bargaining agreement; Exhibit A would be more convenient to implement Cost of Living Adjustments (COLAs) due to the change to biweekly pay periods implemented in 2019. The current language compels the District to implement on December 1st, which was appropriate and convenient for semi-monthly pay dates (1st and 15th of each month). Forcing the implantation on the 1st of December can result in split pay rates within the same pay period, e.g. 16-hours at this rate and 64-hours at a different pay rate.

Employees shall receive the following COLA:

Cost of Living Adjustments will be provided on-not later than December 1, 2019 and December 1, 2020 at the percentage set by the United States Department of Labor, Bureau of Labor Statistics, utilizing the Consumer Price Index for Western Urban Consumers (CPI-U) for the 12-month period ending in October of each adjustment year provided that COLAs shall not exceed three percent (3%) in any one year. However, if the CPI-U percentage increase is greater than 3 % in any one year, the amount over 3% shall be available as a "credit" to be applied if the CPI-U increase is less than 3% in any subsequent year of the term of this MOU.

If the Board agrees that the above described minor clarification is worthy of pursuing, the next step would be to direct the GM to contact Teamster Local 150 and request meet and confer. It's more than likely that Teamster Local 150 would also be inclined to conduct the meet and confer process via email

Conclusion:

I recommend the board approve the minor clarification detailed above, subject to meet and confer with Teamster Local 150.

Board Action / Motion

RLECWD Agenda Item Checklist

Item 4.3

Date **Initial Potential Meeting Date** <u>7/20/2020</u> Circle High/Medium/Low priority of Item and Identify if in line with Mission/ Goal/Strategic Planning issues or state of emergency Consider authorizing a minor clarification to the Collective Bargaining Agreement, Cost of Living Adjustment implementation date language. 7/01/2020 **Staff Work Completed** (Includes reviewing, researching item with other resources (ACWA, JPIA, RWA, SGA, other Water or special districts, District Engineer, Legal Counsel then laying out business cases, pros and cons, options and recommendations based on best information available, etc. Committee Review of Item and Staff Work 7/6/2020 Review by appropriate Executive or Ad Hoc Committees, to prepare board recommendations **Formal Legal Counsel Review** N/A Legal Counsel should have enough time to review all potential legal matters for correctness and legality **GM Review** 7/16/2020 **Actual Meeting Date Set for Agenda Item** 7/20/2020



Items for Discussion and Action Agenda Item: 4.4

Date:

July 20, 2020

Subject:

Water Rates Study Status and Potentially Scheduling a Board Workshop

Staff Contact: Tim Shaw, General Manager

Recommended Committee Action:

The Executive Committee forwarded this item onto the July 20th Board agenda. A committee recommendation is not applicable for this item.

Current Background and Justification:

Following the typical and essential Q&A between consultant and client, including feedback provided by the RLECWD Board, the rate study / cost of service consultant has reached the point were draft rate study tables have been prepared. Accordingly, it is necessary and appropriate for the RLECWD Board to schedule a workshop to interact with the rate consultant.

The workshop can be part of the August regular Board meeting or it can be via a special meeting. Either way, the consultant's participation will likely be remote, i.e. via Zoom.

Conclusion:

I recommend the Board schedule a workshop to allow for necessary and appropriate dialog between Board Members, the public and the rate study consultant.

Board Ac	tion / Motion				
Motioned	by: Director	Second	ded by Direc	tor	
		Jason Green		Reisig	
(A) Yea (N) Nay (Ab)	Abstain (Abs) A	bsent		

RLECWD Agenda Item Checklist

Item 4.4

Date **Initial Potential Meeting Date** 7/20/2020 Circle High/Medium/Low priority of Item and Identify if in line with Mission/ Goal/Strategic Planning issues or state of emergency Receive a status report on the ongoing rate study and discuss scheduling a Board workshop with participation from the rate study consultant. 7/01/2020 Staff Work Completed (Includes reviewing, researching item with other resources (ACWA, JPIA, RWA, SGA, other Water or special districts, District Engineer, Legal Counsel then laying out business cases, pros and cons, options and recommendations based on best information available, etc. **Committee Review of Item and Staff Work** 7/6/2020 Review by appropriate Executive or Ad Hoc Committees, to prepare board recommendations **Formal Legal Counsel Review** N/A Legal Counsel should have enough time to review all potential legal matters for correctness and legality **GM Review** 7/16/2020 **Actual Meeting Date Set for Agenda Item** 7/20/2020



Items for Discussion and Action Agenda Item: 4.5

Date:

July 20, 2020

Subject:

Explore Alternatives to Special Meetings for Existing Litigation Legal Consultations

Staff Contact: Tim Shaw, General Manager

Recommended Committee Action:

The Executive Committee forwarded this item onto the July 20th Board agenda to allow for discussion among all Board Members. A Committee recommended Board action was not provided.

Current Background and Justification:

As the Board is aware, it was recently necessary to call a special meeting to conference with Legal Counsel regarding existing litigation. The subject matter of the special meeting was arguably straight forward and innocuous, which understandably inspires the question of whether a Board meeting was necessary.

One reason the Board meeting was necessary is the absence of any formally granted authority for the engaged specialty counsel and/or the General Manager to make decisions on behalf of the Board on existing litigation. For that matter, the Board has not corresponded with general Legal Counsel on the feasibility, limitations, and legal ramification of such a delegation.

Therefore, it is the intent of this agenda item to allow for discussion on the subject and further determine if a change in approach is something the District is interested expending resources to explore.

Conclusion:

I recommend the Board review all material associated with this item. I further recommend, that should the Board be inclined to take action to delegate authority in effort to reduce the need for special meetings, the Board should first inquire of Legal Counsel for an approximation of cost to receive a written legal opinion on the feasibility of such.

Board Action / Motion

Motioned	by: Director	Secon	ded by Direc	tor	
Ridilla:	Harris:	Jason Green	Gifford	Reisig_	
(A) Yea (N) Nav (Ab)	Abstain (Abs) A	bsent		

RLECWD Agenda Item Checklist

Item 4.5

Date **Initial Potential Meeting Date** 7/20/2020 Circle High/Medium/Low priority of Item and Identify if in line with Mission/ Goal/Strategic Planning issues or state of emergency Discuss the alternatives (where feasible) to special meetings in closed session to consult with specialty Legal Counsel on existing litigation. 7/01/2020 **Staff Work Completed** (Includes reviewing, researching item with other resources (ACWA, JPIA, RWA, SGA, other Water or special districts, District Engineer, Legal Counsel then laying out business cases, pros and cons, options and recommendations based on best information available, etc. **Committee Review of Item and Staff Work** 7/6/2020 Review by appropriate Executive or Ad Hoc Committees, to prepare board recommendations **Formal Legal Counsel Review** Legal Counsel should have enough time to review all potential legal matters for correctness and legality **GM Review** 7/16/2020 7/20/2020_ **Actual Meeting Date Set for Agenda Item**

361

DELEGATION OF LEGISLATIVE POWER

devise a "common-law" of the statute. We have it from good authority that the legislative draftsman on occasion (for tactical reasons) deliberately fails to make explicit provision for a foreseen case.8 But such failure is inevitable. Language and experience alike can never be so divinely comprehensive as to make clear provision for all future cases.9

The occasions for delegating power to administrative officers have been variously enumerated.¹⁰ They can be compassed by a single generalization. Power should be delegated where there is agreement that a task must be performed and it cannot be effectively performed by the legislature without the assistance of a delegate or without an expenditure of time so great as to lead to the neglect of equally important business. Delegation is most commonly indicated where the relations to be regulated are highly technical or where their regulation requires a course of continuous decision. It is true that the contrast between legislative and administrative competence is sometimes exaggerated. A state legislature, for example, may command greater competence than a city zoning board. A legislature has its own expert members. Under the Congressional Reorganization Act the committees may hire an expert staff. Departmental draftsmen furnish assistance. The intelligence which informs legislation may have been previously learned in administration. Legislation seldom is erected on a tabula rasa; it issues as a further link in a chain reaction between the law-making organs.

It is thus possible, if for any reason desirable, for the legislature to produce a competent statute on a technical question. Congress for many years wrote every detail of the tariff laws.11 The state legislatures originally

^{7.} Cf. Eisenstein, Some Iconoclastic Reflections on Tax Administration, 58 HARV. L. Rev. 477 (1945). He and a group of writers whose views he reflects make the point that the tax on "income" is in effect a delegation of power to the courts to determine the nature of income. There is, perhaps, some confusion in the thesis as to whether this is forced on the court because of the generality of the term "income" or whether it arises from the court's belief that it should treat as income what it believes should be taxed as such. The courts seem to have carried the conception somewhat beyond traditional accounting, e.g., in identifying increments of value not previously recognized, [Helvering v. Bruun, 309 U. S. 461 (1940) of which Congress disapproved in Revenue Act of 1942, v. Drum, 309 G. S. 401 (1940) of which Congress disapproved in Revenue Act of 1942, § 115] and in defeating devices for diverting the income flow from the presumptive tax-payer. Helvering v. Clifford, 309 U. S. 331 (1940).

8. Ildert, The Mechanics of Law Making 19-23 (1914).

9. The subject is a favorite of Jerome Frank, who pays tribute to Aristotle's acute recognition of the point. See Giuseppi v. Walling, 144 F.2d 608, 616, n. 15a (C. C. A. 2d 1944); McAllister v. Comm'r, 157 F.2d 235, 239, 240 (C. C. A. 2d 1946).

10. See Comer, Legislative Functions of National Administrative Authorities

¹⁵ et seq. (1927). Advantages of delegation are: (1) greater knowledge of what will work, (2) increased speed, (3) more flexibility, (4) greater permanence, continuity and

Supreme Court of California

WM. A. SCOLLAY, Appellant, v. THE COUNTY OF BUTTE, Respondent

67 Cal. 249 No. 9701 July 30, 1885

Background

In the year 1876, Butte County was the owner and holder of two hundred railroad bonds of the California ¡Northern Railroad Company, secured by mortgage, the principal and interest of which had become due and payable; but the company would not pay, and the county was desirous of collecting them. Under those circumstances two persons, W. S. Watson, and William Corcoran, proposed to the board of supervisors of the county that they would collect them without attorney's fees, expenses, or costs to the county, for fifty cents on the dollar. The board accepted the proposal, and on the 3d of October, 1876,a written contract to that effect was drawn and signed by the chairman of the board in the name of the county, and by Watson and Corcoran; and the contract thus signed was ratified by the board.

Conclusion

It may be conceded that the board of supervisors had power to contract for the collection of the property of the county; but in the exercise of that power it had no authority to delegate to others, whom it employed for that purpose, the power to determine whether to commence a suit in the name of the county, and to select and employ attorneys to commence and prosecute such a suit; nor to abdicate its control of the prosecution of such a suit, or to make its compromise or settlement dependent upon the written consent of strangers. The commencement of a lawsuit, the selection and employment of attorneys to commence and *255prosecute it, and the compromise and settlement of the same are acts which involve the exercise of judgment and discretion; and it is well settled that powers conferred upon a municipal corporation to do such acts cannot be delegated to others. Such powers are in the nature of public trusts conferred upon the corporation for the public benefit, and cannot be vicariously exercised. (Cooley's Const. Lim. 204.) Hence the contract in suit was *ultra vires*; and the court below properly sustained the demurrer.



Items for Discussion and Action Agenda Item: 4.6

Date:	July 20, 2020
Subject:	Authorize any new Board Member Assignments (committees and other) announced by the Chair pursuant to District Policy 2.01.065
Staff Contact:	Timothy R. Shaw
Recommended N/A	Committee Action:
Current Backg	round and Justification:
District policy a	nd various statutes stipulate Board approval of any Board Member assignments.
Conclusion:	
	e Board consider approving any specific nominations and assignments as may be ry and appropriate.
Board Action /	Motion
Motioned by: D	Director Seconded by Director
	arris: Jason Green Gifford Reisig y (Ab) Abstain (Abs) Absent



Information Items Agenda Item: 5.1

Date:

July 20, 2020

Subject:

District Reports

Staff Contact: Timothy R. Shaw, General Manager

1. DISTRICT ACTIVITY REPORT

- 1. Operations Report
- 2. Conservation Report
- 3. Completed and Pending Items Report

RIO LINDA/ELVERTA C.W.D. 2020

REPORT OF DISTRICT OPERATIONS

	SOURCE WAT	ER DATA		
Water Production (Million Gallons)				
January February March	. April	May	June	Year
37.6 40 45.5	57.9	95,9	118.9	To Date
37,607,740 40,007,134 45,529,9	19 57,951,598	95,888,048	118,923,764	
July August Sept.	Oct.	Nov.	Dec.	
				395.80
	Monthly Total			
Gallons = Multiply M.G. by: 1,000,00			Gallons	395,908,203
Cubic Feet = Divide gallons by: 7.48	15,898,899		Cubic Feet	
Hundred Cu Ft. = Divide cu. ft. by: 100	158,989		Hundred Cubic Feet	
Acre Ft.= Divide gallons by: 325,829	364,99		Acre Ft.	
DIST	TRIBUTION SY	STEW DAT	ĪĀ	
	ts Total (Low Psi Co			
January February March	April	May	June	Year
0 1(1) 1(1)	4 (4)	2 (2)	5 (5)	To Date
July August Sept.	Oct.	Nov.	Dec.	
				13
	<u>New Service</u>	<u>ces</u>		
New Construction			0	0
Existing Homes			0	0
Paid prior to increase. (2 not installed)			0	0
Total of Service Connections to Date		>		4(34(0)
<u>Dis</u>	tribution System Fa	ailures/Repairs		
Deterioration June 1 thru 30			13	37
Damaged June 1 thru 30			0	0
	<u>Bacteriological S</u>	ampling		
Routine Bacteriological Samples (Distribut	ion System)		20	102
Raw Water Bacteriological Samples (at W	ells)		11	22
	June 1, 2020 - Jun	e 30. 2020		
13 - Distribution leaks repaired by Dist			h Contractor ass	sistance.
Work Orders Issued - 56	Work Orders C			USA's Issued - 85
Change Out Meter - 3	Change Out Me			
General Complaint - 1 Disconnect Service - 1	General Compa Disconnect Serv			
Get Current Read - 5	Get Current Rea			
Line Leak - 5	Line Leak - 4			
Other Work - 1	Other Work - 1			
Possible Leak - 17	Possible Leak -			
Pressure Complaint - 5	Pressure Comp			
Re-Read Meter - 1 Re-Install Meter - 1	Re-Read Meter Re-Install Meter			
Tag Property - 10	Tag Property - 9			
Turn Off Service - 2	Turn Off Service			
Turn On Service - 3	Turn On Service			
Water Waster - 1	Water Waster -	1		
<u> </u>				

RIO LINDA/ELVERTA C.W.D.

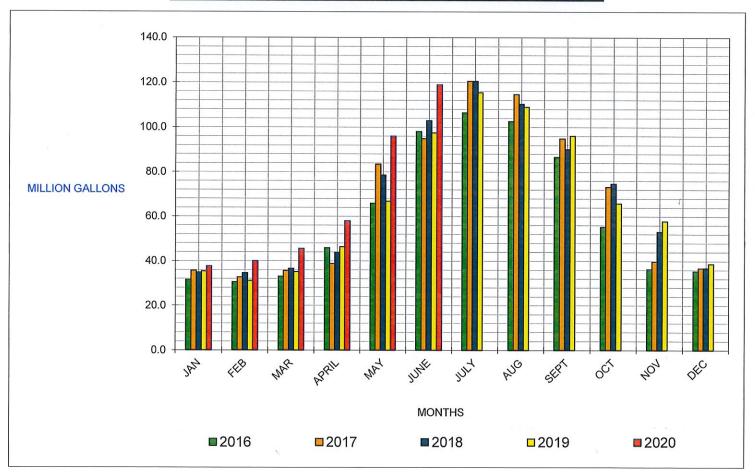
WATER PRODUCTION

2016 \ 2020

Water Production in Million Gallons

SSWD Water Purchases

Month	2016	2017	2018	2019	2020	Avg.	2016	2017	2018	2019	2020
JAN	31.5	35.6	34.8	35.3	37.6	35.0	0.0	0.0	0.0	0.0	0.0
FEB	30.5	32.7	34.5	31.1	40.0	33.8	0.0	0.0	0.0	0.0	0.0
MAR	33.0	35.6	36.5	35.1	45.5	37.1	0.0	0.0	0.0	0.0	0.0
APRIL	45.8	38.8	43.7	46.3	57.9	46.5	0.0	0.0	0.0	0.0	0.0
MAY	65.9	83.4	78.5	66.8	95.9	78.1	0.0	0.0	0.0	0.0	0.0
JUNE	98.0	94.9	102.9	97.5	118.9	102.4	0.0	0.0	0.0	0.0	0.0
JULY	106.4	120.5	120.5	115.4		115.7	0.0	0.0	0.0	0.0	
AUG	102.6	114.6	110.3	108.9		109.1	0.0	0.0	0.0	0.0	
SEPT	86.7	94.9	90.1	96.1		92.0	0.0	0.0	0.0	0.0	
OCT	55.2	73.2	74.7	65.8		67.2	0.0	0.0	0.0	0.0	
NOV	36.3	39.7	53.1	57.8		46.7	0.0	0.0	0.0	0.0	
DEC	35.4	36.7	36.8	38.7		36.9	0.0	0.0	0.0	0.0	
TOTAL	727.3	800.6	816.4	794.8	395.8	784.8	0.0	0.0	0.0	0.0	0.0





Conservation Report *June 2020*



Supplies (kits):	Shower heads(0) Kitchen Aerators(0) Bathroom Aerators(0) Shower Timer(0) Nozzle(0) Toilet Tabs(2) Retro-Fit Kits(0) Welcome Kits(0) Kids Kit(0)
Water Waste	2 Water Waste Call(s)
(calls, emails, letter,	contacted 16 customers about possible leaks
leaks detected, and	- 1 were called, 2 was mailed, 13 was emailed
fixed):	3 were confirmed resolved
Water Schedule:	given to customers with all violation letters and new applications
Surveys	0
Workshops,	None
Webinar,	
Meetings:	
Fines:	None
Other Tasks:	Assisted with payments and new customers
	Processed Payments
	Created/completed work orders
	Disconnect properties with no service application
	Notified and offered customers the ACH payment method
	Closed accounts and final billed customers
	Printed stamps
	Mailed out application requests to new owners
	Scanned and uploaded documents into UMS
	Reached out to customers with higher than normal water usage
	Verbal Demands Went over Report for High Hoogs Eventions
	Went over Report for High Usage Exceptions Tagged proportion with water violations
	Tagged properties with water violations
Grant	None
Updates:	



PENDING AND COMPLETED ITEMS 7-20-2020 BOARD OF DIRECTORS MEETING

- 1. Rate Study / Cost of Service Analysis. The Board and staff have continued to provide requested information to the rate study consultant. The preliminary draft documents have been reviewed and it is necessary and appropriate to schedule a Board workshop to enable dialog between Board Members and consultants. Pending
- 2. **SB-606 and AB-1668 planning for compliance** We have executed all professional services agreement documents and participated in several preliminary meetings with the rates study consultant. (tangible to item 1) **Pending**
- 3. Transition to Cloud-Based Service for District's Advanced Metering Infrastructure (AMI) Vendor The Cloud-based service is online. Training of staff on the new platform is underway. Completed.
- 4. **Hexavalent Chromium MCL economic feasibility** There have been no further announcement since the April 27th stakeholders workshop. Nevertheless, it is reasonably expected that the economic feasibility process is continuing as announced and on-schedule. **Pending**
- 5. Adoption of FY 2020/2021 Preliminary Budget and scheduling of a public hearing for consideration of a Final Budget the Preliminary Budget was adopted by the Board The final budget is scheduled for Board consideration via public hearing in August Completed
- 6. Minor edit to the collective bargaining agreement to enable more efficient implementation of Cost of Living Adjustment stipulated in the agreement. The minor edit is necessary and reasonable to make the implementation timing less awkward since we no longer have semi-monthly pay periods. Pending



Information Items Agenda Item: 5.2

Date:

July 20, 2020

Subject:

Board Reports

Staff Contact: Timothy R. Shaw, General Manager

2. BOARD REPORTS

- 1. Report ad hoc committee(s) dissolved by requirements in Policy 2.01.065
- 2 Sacramento Groundwater Authority Harris (Primary), Reisig
- 3. Executive Committee Reisig, Green
- 4. ACWA/JPIA -Ridilla

Minutes Rio Linda / Elverta Community Water District Executive Committee

Visitors/Depot Center 6730 Front Street Rio Linda, CA 95673

July 6, 2020 6:00 p.m.

Minutes: The meeting was called to order at 6:00 P.M. The meeting was attended by Director Reisig (via Zoom), Director Green, General Manager Tim Shaw and Contract District Engineer Mike Vasquez. There were no members of the public in attendance. The meeting remote participation application (Zoom) had no participants.

Call to Order: 6:00 P.M.

Public Comment: None Present (including zero public members via Zoom)

Items for Discussion:

1. Review and discuss the expenditures of the District for the month of May 2020.

Director Green had some questions about whether a few of the vendors/service providers listed in the report were local. General Manager Shaw confirmed they were local businesses,

The Executive Committee forwarded the report onto the July 20th Board agenda with the Committee's recommendation for approval,

2. Review and discuss the financial reports for the month of May 2020.

Director Reisig had some questions in the area of bottom line for the report period. General Manager Shaw explained the resultant bottom line for the report period reflects relatively large payments made to various parties associated with construction of Well #16 Pumping Station. The municipal financing entails the District paying the vendors, then the District gets reimbursed from Opus Bank, when the reimbursements are received, the District's bottom line recovers.

The Executive Committee forwarded the report onto the July 20th Board agenda with the Committee's recommendation for approval.

3. Review RWA Executive Committee Minutes from 5-27-2020.

The Executive Committee discussed the Agenda Item report and the other documents. The Executive Committee resolved that pushing (formally or otherwise) the Regional Water Authority to retract and/or correct their misleading, inaccurate minutes is not worth the District's efforts.

The Executive Committee did not direct the item be placed on the July 20th Board agenda other than as an item in the minutes of this Executive Committee meeting, which enables Board members to comment and discuss.

4. Discuss the Minor Edit to Cost of Living Adjustment Implementation Date.

The General Manager summarized the need to clarify the Cost of Living Adjustment implementation date. The matter is relatively straight forward and innocuous.

The Executive Committee forwarded the item onto the July 20th Board agenda, open session, with the Committee's recommendation for Board approval.

5. Review the Rate Study Status Report.

The General Manager summarized the written staff report and provided updates on the ongoing rate study.

The Executive Committee forwarded this item onto the July 20th Board Agenda.

6. Discuss the need and methods for defining the authority of specialty legal counsel and/or General Manager relative to existing litigation.

The Executive Committee discussed the Agenda Item report and associated documents. The request to explore alternatives to special meetings in closed session is understandable but is likely not feasible and/or worth the efforts needed.

The Executive Committee forwarded the item onto the July 20th Board agenda to allow for discussion by all Board Members.

7. Update from the Contract District Engineer.

The Contract District Engineer provided a summary of his written report and answered a few questions regarding the status of projects within the District.

Directors' and General Manager Comments: None

Items Requested for Next Month's Committee Agenda: None Adjournment 6:58 P.M.

Next Executive Committee meeting: Monday, August 3, 2020 at 6:00 p.m. Visitor's/Depot Center, 6730 Front Street, Rio Linda, CA 95673