



**RECLAMATION DISTRICT NO. 1000  
BOARD OF TRUSTEES  
REGULAR BOARD MEETING**

1633 GARDEN HIGHWAY  
SACRAMENTO, CA 95833

**FRIDAY, OCTOBER 8, 2021  
8:00 A.M.**

**WEB & TELEPHONE MEETING ONLY**

**MODIFIED BROWN ACT REQUIREMENTS IN LIGHT OF STATE OF EMERGENCY**

In compliance with CA Assembly Bill 361, members of the Board of Trustees and members of the public will participate in this meeting by teleconference. The call-in information for the Board of Trustees and the public is as follows:

**Join the meeting from your computer, tablet or smartphone.**

<https://www.gotomeet.me/rd1000>

**You can also dial in using your phone.**

United States (Toll Free): [1 866 899 4679](tel:18668994679)

United States: [+1 \(571\) 317-3116](tel:+15713173116)

**Access Code: 539-716-757**

If you don't already have the GoToMeeting application downloaded, please allow yourself additional time prior to the meeting to install the free application on your computer, tablet, or smartphone. The application is not required to participate via phone.

Any member of the public on the telephone may speak during Public Comment or may email public comments to [kking@rd1000.org](mailto:kking@rd1000.org) and comments will be read from each member of the public. During this period of modified Brown Act Requirements, the District will use best efforts to swiftly resolve requests for reasonable modifications or accommodations with individuals with disabilities, consistent with the Americans with Disabilities Act, and resolving any doubt whatsoever in favor of accessibility. Requests for reasonable modifications under the ADA may be submitted to the email address noted above, or by phone directly to the District.

All items requiring a vote of the Board of Trustees will be performed as a roll call vote to ensure votes are heard and recorded correctly. In addition, the meeting will be recorded and participation in the meeting via GoToMeeting and/or phone will serve as the participants acknowledgment and consent of recordation.

**1. PRELIMINARY**

- 1.1. Call Meeting to Order
- 1.2. Roll Call
- 1.3. Approval of Agenda
- 1.4. Pledge of Allegiance
- 1.5. Conflict of Interest (*Any Agenda items that might be a conflict of interest to any Trustee should be identified at this time by the Trustee involved*)
- 1.6. Review and Consider Adoption of Resolution No. 2021-10-01

**2. PRESENTATIONS**

- 2.1. RD 1000 – Riverside Encroachments (Ric Reinhardt – MBK Engineers)

**3. PUBLIC COMMENT (NON-AGENDA ITEMS)**

*Any person desiring to speak on a matter which is not scheduled on this agenda may do so under the Public Comments section. Speaker times are limited to three (3) minutes per person on any matter within RD 1000's jurisdiction, not on the Agenda.*

*Public comments on agenda or non-agenda items during the Board of Trustees meeting are for the purpose of informing the Board to assist Trustees in making decisions. Please address your comments to the President of the Board. The Board President will request responses from staff, if appropriate. Please be aware the California Government Code prohibits the Board from taking any immediate action on an item which does not appear on the agenda unless the item meets stringent statutory requirements (see California Government Code Section 54954.2 (a)).*

*Public comments during Board meetings are not for question and answers. Should you have questions, please do not ask them as part of your public comments to the Board. Answers will not be provided during Board meetings. Please present your questions to any member of RD 1000 staff via e-mail, telephone, letter, or in-person at a time other than during a Board meeting.*

**4. INFORMATIONAL ITEMS**

- 4.1. GENERAL MANAGER'S REPORT: Update on activities since the September 2021 Board Meeting.
- 4.2. OPERATIONS MANAGER'S REPORT: Update on activities since the Sept. 2021 Board Meeting.
- 4.3. DISTRICT COUNSEL'S REPORT: Update on activities since the September 2021 Board Meeting.

**5. CONSENT CALENDAR**

*The Board considers all Consent Calendar items to be routine and will adopt them in one motion. There will be no discussion on these items before the Board votes on the motion, unless Trustees, staff or the public request specific items be discussed and/or removed from the Consent Calendar.*

- 5.1. APPROVAL OF MINUTES: Approval of Minutes from September 10, 2021 Regular Board Meeting
- 5.2. TREASURER'S REPORT: Approve Treasurer's Report for September 2021.
- 5.3. EXPENDITURE REPORT: Review and Accept Report for September 2021.

## AGENDA

*RD 1000 Board Meeting  
October 8, 2021*

5.4. BUDGET TO ACTUAL REPORT: Review and Accept Report for September 2021.

### **6. SCHEDULED ITEMS**

6.1. INSURANCE RENEWAL: Authorize General Manager to Execute Annual Insurance Renewal.

### **7. BOARD OF TRUSTEE'S COMMENTS/REPORTS**

7.1. BOARD ACTIVITY UPDATES:

#### 7.1.1. RD 1000 Committee Meetings Since Last Board Meeting

- Personnel Committee (Jones, Bains & Barandas) September 24, 2021
- Executive Committee (Gilbert & Lee Reeder) September 29, 2021

#### 7.1.2. RD 1000 Committees No Meetings Since Last Board Meeting

- Legal Committee (Avdis, Barandas & Lee Reeder)
- Finance Committee (Gilbert, Bains & Burns)
- Operations Committee (Bains, Barandas & Burns)
- Urbanization Committee (Lee Reeder, Avdis & Jones)

### **8. CLOSED SESSION**

8.1. PUBLIC EMPLOYEE EMPLOYMENT & CONTRACT (General Manager): Pursuant to Government Code § 54957.

### **9. RECONVENE TO OPEN SESSION**

9.1 REPORT ON CLOSED SESSION: Discuss and take action on any changes in Employment Contract for the General Manager.

### **10. ADJOURN**



## RECLAMATION DISTRICT 1000

DATE: OCTOBER 8, 2021

AGENDA ITEM NO. 1.6

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TITLE: Assembly Bill 361

SUBJECT: Review and Consider Adoption of Resolution No. 2021-10-01

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### EXECUTIVE SUMMARY:

On September 16, 2021, Governor Gavin Newsom signed Assembly Bill 361 into law, codifying certain modified requirements for teleconference meetings held by state and local public agencies, similar to those previously authorized and extended by executive order during the COVID-19 State of Emergency. This staff report briefly summarizes AB 361 and describes what Reclamation District No. 1000 (District) must do to utilize the modified requirements for holding remote meetings.

### BACKGROUND:

The Ralph M. Brown Act (Brown Act), which governs local public agency meetings, traditionally permitted agencies to utilize teleconferencing (audio or video) for public meetings, subject to certain heightened requirements aimed to preserve public participation.

- Agendas must identify each teleconference location
- Agendas must be posted at each teleconference location
- Physical access for the public must be provided at each teleconference location
- Board actions must be taken by roll call vote
- One board member must be physically present at each meeting location and quorum of the board must participate within the agency's jurisdictional boundaries
- Members of the public must have an opportunity to address the Board from any teleconference location

(Gov. Code, § 54953(b)(3).) However, the rising spread of COVID-19 and the imposition of stay-at-home orders made some of those teleconference requirements untenable, leaving many public agencies unable to hold meetings at all.

On March 4, 2020, Governor Newsom proclaimed a State of Emergency due to COVID-19. Pursuant to that State of Emergency Proclamation, the Governor issued a series of executive orders (N-25-20, N-29-20, and N-35-20) which, among other things, provided several exceptions to the normal Brown Act teleconference rules to permit local agencies to continue meeting while stay-at-home orders were in effect or where meeting in person would pose a risk to health or safety. The executive orders allowed agencies to meet without first identifying or providing public access to each teleconference location, and without maintaining a physical presence of members



**TITLE: AB 361**

within agency boundaries, though roll call votes and public participation were still required. On June 15, 2021, as vaccinations increased and in-person restrictions eased, Governor Newsom issued Executive Order N-08-21 which provided the Brown Act modifications would expire on September 30, 2021.

**AB 361:**

With the State of Emergency still in place and variant cases on the rise, AB 361 was introduced to provide a longer-term solution for teleconference meetings during states of emergency, effective until January 1, 2024. While not limited to COVID-19, the legislation mirrors many of the allowances made under the Governor’s executive orders. AB 361 amends Section 54953 of the Government Code to allow the legislative body of a local agency to meet remotely without complying with the normal teleconference rules for agenda posting, physical location access, or quorum rules. To do so, one of three scenarios must exist, all of which require that the Governor has proclaimed a State of Emergency pursuant to Government Code section 8625:

- A. State or local officials have imposed or recommended measures to promote social distancing;
- B. The agency is holding a meeting for the purpose of determining whether meeting in person would present imminent risks to the health or safety of attendees; or
- C. The agency is holding a meeting and has determined that meeting in person would present imminent risks to the health or safety of attendees.

(Gov. Code, § 54953(e)(1).)

An agency that holds a meeting under either of the three scenarios must continue to post its agenda in the time required by the Brown Act, and ensure that the public is able to address the board directly through teleconference means. (*Id.* at subd. (e)(2).) If a disruption prevents the public agency from broadcasting the meeting or receiving public comments in real time, the board may take no further action until those functions are restored; any actions taken during such a disruption are subject to legal challenge. (*Id.*)

Assuming the State of Emergency remains in effect and an agency wishes to continue meeting under the modified rules, it must adopt an initial resolution within 30 days of the first teleconference meeting (which applies retroactively to that first meeting), and then must adopt an extension resolution at least every 30 days thereafter. (*Id.* at subd. (e)(3).) The resolutions must contain findings stating that the agency has reconsidered the circumstances of the State of Emergency and at least one of the following circumstances exist:

- i. The State of Emergency continues to directly impact the ability of the members to meet safely in person; or
- ii. State or local officials continue to impose or recommend measures to promote social distancing.

**TITLE: AB 361**

(*Id.*) The requirement for agencies to affirm by resolution every 30 days that the State of Emergency continues to necessitate remote meetings did not exist under the executive orders, and may present a logistical challenge for agencies that meet quarterly—or even monthly when meetings are separated by more than 30 days. Where an agency is not able to rely on regular meetings to adopt extension resolutions within that time frame, the agency has two potential options:

- Hold a special “AB 361” remote meeting within the 30-day window simply to re-authorize the AB 361 exceptions.
- Allow the initial resolution or extension resolution to lapse and approve a new initial resolution at the next agency meeting, subject to the same substantive and procedural requirements as the first.

It should be noted it is not entirely clear from the text of the statute that an agency may simply adopt a new initial resolution after failing to adopt an extension resolution within 30 days, and still take advantage of the retroactive application of the modified teleconference rules for that meeting. For a number of practical reasons, including the variability of active COVID-19 cases and the development of new state or local recommendations and orders, it might become necessary to do so. A conservative approach, and the one we recommend, would be to avoid lapses by holding a special meeting every 30 days to reauthorize the modified teleconference rules.

Once AB 361 authorization lapses, the normal Brown Act rules will apply and an agency seeking to hold a teleconference meeting will once again be required to post agendas and provide public access at each remote location, identify those locations in the agenda, and maintain a quorum of the board within agency boundaries. If a meeting is not held in conformity with AB 361, board members may not teleconference from their residences or other locations which are not open and accessible to the public.

**CLARIFICATION ON IMPLEMENTATION DATE:**

Upon its signing on September 16, 2021, AB 361 became effective immediately. However, on September 20, 2021, the Governor issued Executive Order N-15-21, clarifying that the changes in AB 361 shall be suspended until October 1, 2021, when the modified Brown Act provisions under Executive Order N-08-21 are set to expire.

**CONCLUSION:**

AB 361 provides relief to many agencies that have grown accustomed to the modified Brown Act teleconference rules under the emergency executive orders, though the 30-day authorization window could require agencies to hold more special meetings. Without the AB 361 exceptions, agencies will be obligated to return to normal in-person meetings or provide public access at each remote location under the traditional teleconference rules, starting October 1, 2021.

**TITLE: AB 361**

**RECOMMENDATION:**

Staff recommends the Board review and consider adoption of Resolution No. 2021-10-01.

**ATTACHMENTS:**

1. Resolution No. 2021-10-01

**STAFF RESPONSIBLE FOR REPORT:**



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Kevin L. King, General Manager

Date: 10/05/2021



**RECLAMATION DISTRICT NO. 1000**  
**RESOLUTION NO. 2021-10-01**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF RECLAMATION DISTRICT NO. 1000  
PROCLAIMING A LOCAL EMERGENCY, RATIFYING THE COVID-19 STATE OF EMERGENCY, AND  
AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF [DISTRICT] PURSUANT TO THE  
RALPH M. BROWN ACT.**

At a regular meeting of the Board of Trustees of Reclamation District No. 1000 held at the District Office on the 8<sup>th</sup> day of October 2021, the following resolution was approved and adopted:

**WHEREAS**, Reclamation District No. 1000 (District) is committed to preserving and nurturing public access and participation in meetings of the Board of Trustees; and

**WHEREAS**, all meetings of the District are open and public, as required by the Ralph M. Brown Act (Gov. Code, §§ 54950 – 54963) (“Brown Act”), so that any member of the public may attend, participate, and watch the District’s legislative body conduct its business; and

**WHEREAS**, Assembly Bill 361 added Government Code section 54953(e) to make provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

**WHEREAS**, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

**WHEREAS**, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the District’s boundaries, caused by natural, technological, or human-caused disasters; and

**WHEREAS**, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

**WHEREAS**, such conditions now exist in the District, specifically, on March 4, 2020, Governor Gavin Newsom proclaimed a State of Emergency to exist in California due to the threat of COVID-19; despite sustained efforts, the virus continues to spread and has impacted nearly all sectors of California; and

**WHEREAS**, the Board of Trustees does hereby find that the ongoing risk posed by the highly transmissible COVID-19 virus has caused, and will continue to cause, conditions of peril to the safety of persons within the District that are likely to be beyond the control of services, personnel, equipment, and facilities of the District, and desires to proclaim a local emergency and ratify the proclamation of state of emergency by the Governor of the State of California; and

**WHEREAS**, as a consequence of the local emergency, the Board of Trustees does hereby find that the District shall conduct its meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that the Board shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

**WHEREAS**, all meeting agendas, meeting dates, times, and manner in which the public may participate in the public meetings of the District and offer public comment by telephone or internet-based service options including video conference are posted on the District website and physically outside of the District office.

**NOW, THEREFORE BE IT RESOLVED THAT:**

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Proclamation of Local Emergency. The Board hereby proclaims that a local emergency now exists throughout the District, and the ongoing risk posed by the highly transmissible COVID-19 virus has caused, and will continue to cause, conditions of peril to the safety of persons within the District.

Section 3. Ratification of Governor's Proclamation of a State of Emergency. The Board hereby ratifies the Governor of the State of California's Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020.

Section 4. Remote Teleconference Meetings. District staff are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) November 7, 2021, or such time the Board of Trustees adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the District may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953. The facts contained in the recitals above are true and correct, and the Board so finds and determines.

**ON A MOTION BY** Trustee \_\_\_\_\_, seconded by Trustee \_\_\_\_\_,  
the foregoing resolution was passed and adopted by the Board of Trustees of Reclamation District  
No. 1000, this 8<sup>th</sup> day of October 2021, by the following vote, to wit:

AYES: Trustees:

NOES: Trustees:

ABSTAIN: Trustees:

RECUSE: Trustees:

ABSENT: Trustees:

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Thomas M. Gilbert  
President, Board of Trustees  
Reclamation District No. 1000

CERTIFICATION:

I, Joleen Gutierrez, Secretary of Reclamation District No. 1000, hereby certify that the foregoing Resolution 2021-10-01 was duly adopted by the Board of Trustees of Reclamation District No. 1000 at the regular meeting held on the 8<sup>th</sup> day of October 2021 and made a part of the minutes thereof.

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Joleen Gutierrez, District Secretary



## RECLAMATION DISTRICT 1000

DATE: OCTOBER 8, 2021

AGENDA ITEM NO. 4.1

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TITLE: General Manager's Report – October 2021

SUBJECT: Update on Activities Since the September 2021 Board of Trustees Meeting

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### EXECUTIVE SUMMARY:

This Staff Report is intended to report the noteworthy activities and events of the District. Noteworthy activity from September 2021 included continued coordination on Natomas Levee Improvement Project with the United States Army USACE of Engineers, SAFCA and others, and District Policy development. In summary, the District had a productive and successful month. Our key activities and achievements are presented below:

### BACKGROUND:

#### 1. Administration Services

##### a. Human Resources

- i. Congratulations to Mark Jenkins for completing a 2-year term of Flood Specialist I on September 16. By recommendation of the Operations Manager and approval by the General Manager, Mark has been promoted to Flood Operations Specialist II.

##### b. Fiscal Year 2021-2022 Budget

- i. Budget approved at June 11, 2021 Board of Trustees meeting.

##### c. Fiscal Year 2020-2021 Audit

- i. The District's FY 2020-2021 Audit is underway. Since July 2021, staff has provided various financial transactions information and documentation to the District's Auditor. Simultaneously, the District's consultant accountant prepared and provided financial-related schedules to the Auditor for review. At this time, the District's audit remains on schedule and is currently under review. The next steps include audit fieldwork to verify information provided, and staff anticipates receiving a Draft Audit for the Finance Committee to review by mid-November 2021.

##### d. Comprehensive Financial Plan

- i. Worked with NBS to prepare draft Comprehensive Financial Plan for review by Finance Committee. Draft report was presented to the Board in December 2020. Staff received comments and worked with NBS to revise the report. A final draft was presented to the Finance Committee on January 5, 2021.



**TITLE: General Manager's Report – October 2021**

- ii. The Board of Trustees approved the Financial Plan at the January 2021 Regular Meeting and directed staff to work on developing a scope of work for Phase 2.
  - iii. The District worked with NBS to develop Phase 2 of the Financial Plan; the Board of Trustees approved the Professional Services Agreement (PSA) with NBS on March 12, 2021 for Phase 2.
  - iv. GM King executed the PSA with NBS on May 4, 2021.
  - v. Phase 2 Kickoff Meeting occurred in June 2021.
  - vi. Held team meeting with NBS on September 1, 2021, to discuss progress on Phase 2.1 .
  - vii. Check-in call to review Report 1<sup>st</sup> draft scheduled on September 22 has been rescheduled to October 6 to allow NBS more time to prepare the report.
- e. Indirect Cost Allocation Plan
- i. GM King issued a Request for Qualifications (RFQ) for an Indirect Cost Allocation Plan on March 31, 2021.
  - ii. The District is seeking a qualified financial consultant to develop the Plan, thereby ensuring the District is utilizing comprehensive indirect cost rates, and accurately accounting for the true cost of providing services to the District's partners and the public. The District's goal is to have a well-documented and defensible cost allocation plan; identifying overhead rates that can be used in the calculation of billable hourly rates for grants, and other District billings.
  - iii. Submittals were due May 14, 2021 at 4:00 pm. GM King scheduled a Finance Committee Meeting to review submittals and performed interviews of three (3) respondents on May 25, 2021.
  - iv. Following the Finance Committee meetings, a recommendation from the Committee was made to award the contract to Matrix Consulting Group.
  - v. PSA was executed on June 30, 2021.
  - vi. Staff met with Matrix Consulting Project Team on July 29 for a Cost Allocation Plan Kick-off Meeting.
  - vii. Throughout August and September, staff fulfilled several complex data collection requests from Matrix. The project team will analyze information to understand district departments, services, line items, activities, and funding sources to determine which services should be allocated toward overhead costs.
- f. Strategic Communication Services
- i. GM King issued a Request for Qualifications for Strategic Communication

**TITLE: General Manager's Report – October 2021**

Services on June 15, 2021.

- ii. District received 4 qualified submittals on July 30, 2021.
- iii. Board of Trustees approved award of contract with Allen Strategic at the August 2021 Board meeting. Professional Services Agreement was executed with Allen Strategic on August 17, 2021.

**2. District Operations**

a. Routine Operations & Maintenance:

- i. District Crews continue to perform routine maintenance and operations of the District's infrastructure. See Agenda Item 4.2 for information regarding activities performed in August 2021.

**3. Capital Improvement Projects**

a. CIP Update

- i. District entered into Professional Services Agreement with KSN, Inc. on November 12, 2019. A kickoff meeting was held on December 2, 2019.
- ii. Condition Assessment and Facility Inventory finalized in December 2019.
- iii. KSN prepared Draft Final Report and presented the aforementioned report to the Board of Trustees on June 12, 2020.
- iv. On August 14, 2020, the Board of Trustees adopted the Capital Improvement Plan Update with minor revisions to the draft presented. The Final adopted CIP was provided to the Board on September 11, 2020.
- v. Staff met with KSN in April to discuss a Scope of Services for pre-engineering work for planned Capital Improvement Projects for Fiscal Year 2021/2022.
- vi. KSN is currently working on Pumping Plant #8 Preliminary Design and construction phasing plan.

**4. Natomas Levee Improvement Projects**

Sufficient borrow remains an issue for the Natomas Project. The Corps has identified some available material from their Lower American River bank protection sites as well as another levee site outside Natomas. They continue to look at commercial borrow and other parcels inside and outside Natomas, this issue could affect the project schedule. Currently, Reaches F and G do not have an identified borrow source.

a. Reach A

- i. The Corps received bids for Reach A on August 16. The Contract was awarded on September 23 to Ahtna-Great Lakes (joint venture) for the base contract. Construction is still scheduled to commence in 2022 for three years.

**TITLE: General Manager's Report – October 2021**

- ii. . Work at Plants 1A and 1B will be bid as options pending resolution of design and an issue the Corps has with the SAFCA/RD 1000 agreement for work at Plant 1. The District is working with SAFCA and Corps Counsel to resolve the issue.
  - iii. The Corps will issue the Take Letter for tree removal in October; anticipate tree removal work starting in November. SAFCA/State continue coordinating with the Corps on Caltrans issues as well as SMUD, and PGE relocations. The Corps will conduct public outreach this fall.
- b. Reach B
- i. Construction continues on Reach B including relocation of the Riverside Canal, replacement of other Natomas Water Company facilities and levee construction south of Powerline Road. Borrow for Reach B will come from work on the Lower American River sites and Pocket Area levee work. Corps is working on contracts to have the material delivered to the Reach B site in spring 2022. Mailboxes along Garden Highway are being relocated to the waterside (residence side) of the levee.
  - ii. Garden Highway will remain closed between San Juan Rd and Powerline Rd through November 1, 2021 to accommodate the outfall construction at Plant 3.
  - iii. Construction at the I-5 window crossing the Sacramento River south of Bayou Road consists of widening the levee by expanding the levee into a paved parking lot area on the waterside. The work also includes the construction of a seepage berm on the landside of the project footprint. The current intersection and ramp for North Bayou Way would be rebuilt to meet the new grade of the levee. The contract continues to be suspended as the Corps and the contractor resolve the lack of performance by the contractor. District staff is monitoring the work to insure the levee is ready for flood season.
- c. Reach C
- i. The Reach C project is complete, and the District is providing the operation and maintenance.
- d. Reach D
- i. The reconstruction of Pumping Plant 4, discharge pipes and outfall structure has entered month 4. While progress on the structure is positive, the plant will not be operational this flood season as the contractor waits for electrical equipment and resolves power issues with PG&E.
  - ii. The Corps is working on the package to turn the previously completed levee improvements in Reach D over to the non-federal sponsors (and RD 1000) though the District has effectively taken over the O&M of the levee.

**TITLE: General Manager's Report – October 2021**

e. Reach E

- i. Review of the 95% plans is complete and comments from the State, SAFCA and RD 1000 were submitted to the Corps. Currently, the proposed borrow site is the Kaufman property adjacent to the project. Critical issue continues to be securing right of way and coordination with PG&E to move their utility lines outside the proposed construction. The current scheduled contract award date is July 2022 (construction 2023 and 2024).
- ii. SAFCA and State DWR have initiated right of way acquisition based on the ROW Take letter from the Corps issued in July. Appraisals will be complete in September and offers for the acquisition in October.

f. Reach F

- i. The Corps continues to work on the 65% design based on the revised Design Water Surface elevation and geotechnical information. The District,
- ii. State and SAFCA continue working with the Corps on key issues affecting design; particularly the proposed takes on properties with existing structures, and the work near Pumping Plant No. 6.
- iii. To assist with the 65% design, the Corps has initiated several design workshops with the State/SAFCA/RD 1000 to identify and resolve key issues. This past month we focused on borrow. Currently there is no identified borrow site for the work in Reach F and G which could impact the schedule. The Corps estimates it may take up to two years to get approval for a newly identified borrow site including Geotech, cultural and environmental clearance. Contract Award still scheduled for 2022 and construction in 2023 and 2024 if a borrow site can be identified.

g. Reach G

- i. See notes above for Reach F as Reaches F and G are combined into a single design and construction contract.

h. Reach H

- i. Construction activities continue to complete construction on E. Levee Road, landside patrol road, retaining walls and remaining cut-off wall construction. SAFCA continues acquisition of rights needed to complete patrol road and fence relocations. This project will continue into 2023 if the landside lower patrol road revisions are not approved by the Corps. E Levee Road is expected to re-opened mid-September.

i. Reach I

- i. Construction of the cutoff wall has been completed and project finalization and turnover to SAFCA and the District is in progress.
- ii. Design for the Reach I Contract 2 to construct a patrol / maintenance road and perform levee slope flattening being done by HDR Engineers. 100%

**TITLE: General Manager's Report – October 2021**

plans were submitted in September 2021. SAFCA and RD 1000 were able to get modifications to address some access road constrictions affecting future O&M. The Corps continues coordination with SAFCA and the State on necessary ROW acquisition. Contract for tree removal to be awarded September 2021 with work done between November and February of 2021 and 2022. The levee construction is delayed to 2023.

j. Other Projects

- i. Plant 5 replacement—Design for Plant 5 replacement has been delayed to January 2022 due to lack of funding. Corps is coordinating with SAFCA on the designer selection
- ii. Highway 99 – The design contract for the closure of the Highway 99 crossing gap at the Natomas Cross Canal has been awarded to HDR Engineers. The design team did a site visit in September. The proposed fix is a slurry wall either across the freeway lanes from the top of the levee or along the waterside under the bridge with a clay cap placed on the waterside slope. The Corps and State will coordinate with Caltrans on the preferred alternative.

**5. Miscellaneous**

a. DWR Flood Maintenance Assistance Program (FMAP)

- i. District was notified by DWR of approval of FMAP funds for 2021/2022. District will receive \$792K in award in FY 2021/2022.
- ii. General Manager King signed the FMAP 2021/2022 Funding Agreement and submitted to DWR on October 7.
- iii. Funding Agreement for FY 2021/2022 was executed on March 23, 2021.
- iv. District submitted an application for FMAP 2022/2023 funds on May 28, 2021.
- v. GM King awarded construction contract to Emerald Site Services on September 3, 2021 for Vegetation Removal. Emerald was the sole respondent to the District's Request for Proposals, as has been the case in the two previous FMAP Grants.

b. Sacramento Area Flood Control Agency (SAFCA)

- i. Board Meeting – September 16, 2021 (Attachment No. 1)

c. System Wide Improvement Framework (SWIF)

- i. The District submitted a revised SWIF to the Central Valley Flood Protection Board and the United States Army USACE of Engineers on August 31, 2020, awaiting approval.

**TITLE: General Manager's Report – October 2021**

d. Natomas Basin Hydraulic Model

- i. Board of Trustees approved contract with CESI on October 9, 2020.
- ii. District held kick-off meeting on February 3, 2021.
- iii. GM King is coordinating with City and County on funding agreement. City approved the agreement in April 2021 and Sacramento County approved the agreement on May 4, 2021. GM King is working to collect signatures to execute the agreement and subsequently invoice the City and County respectively.
- iv. Project Schedule was provided to the Board in May.

**ATTACHMENTS:**

1. SAFCA Board Meeting – September 16, 2021
2. Correspondence Received 10/5/2021 – Ted Costa

**STAFF RESPONSIBLE FOR REPORT:**



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Kevin L. King, General Manager

Date: 10/02/2021



## **Board of Directors Action Summary of September 16, 2021 - 3:00 PM**

### **WEBEX MEETING**

**Directors/Alternates Present:** Ashby, Avdis, Conant, Desmond, Frost, Harris, Jennings, Johns, Jones, Kennedy, Nava, Nottoli, Shah

**Directors Absent:** None

#### **ROLL CALL**

**PUBLIC COMMENTS** – Made by Donald Murphy, written comment submitted.

#### **EXECUTIVE DIRECTOR'S REPORT**

1. Information - Executive Director's Report for September 16, 2021 (Johnson)

#### **CONSENT MATTERS**

Motion by Director Avdis and seconded by Director Desmond to approve Resolution Nos. 2021-109; 2021-110; 2021-111; 2021-112; 2021-113; and 2021-114; and approved Staff's recommendation to drop Item 7 - Resolution No. 2021-115 from the Agenda.

AYES: Avdis, Conant, Desmond, Harris, Jennings, Johns, Kennedy, Nava, and Shah  
NOES: (None)  
ABSTAIN: Frost (had no sound)  
RECUSE: (None)

ABSENT: Ashby, Jones, and Nottoli

2. Approving the Action Summary for August 19, 2021 (Russell)
3. Resolutions - Authorizing an Increase in the Executive Director's Authority to Execute Agreements for Relocation of Sacramento Municipal Utility District Electrical Distribution Facilities Related to the American River Watershed Program, Natomas Levee Improvement Project (Bassett)
  - A. Resolution 2021-109 - Reach A
  - B. Resolution 2021-110 - Reach H
  - C. Resolution 2021-111 - Reach I
4. Resolution No. 2021-112 - Authorizing the Executive Director to Terminate Lease Agreement 1798 for Office Space at 1007 7th Street and to Negotiate and Execute a Lease Agreement for Replacement Office Space (Campbell)
5. Resolution No. 2021-113 - Declaring Portions of Sacramento County APNs 225-0090-014 and 225-0110-050 Exempt Surplus Land (Bassett)
6. Resolution No. 2021-114 - Rescinding Resolution No. 2021-010 Setting the Meeting Time and Location of the SAFCA Board of Director's Meetings and Adopting Resolution No. 2021-114 to Provide an Additional Meeting Location (Russell)
7. Resolution No. 2021-115 - Authorizing Settlement of Eminent Domain Action - Sacramento Area Flood Control Agency v. Hutton, et al., Sacramento County Superior Court Case No. 34-2021-00302537, Portions of Sacramento County APNs 274-0260-045 and 274-0260-046, with Defendants Desmond E. Hutton and Mary E. Hutton, Trustees of the Trust of Desmond E. & Mary E. Hutton Dated 3/21/91; and Sean Hutton (Bassett)

**Government Code Section 54956.9 - Consultation with Agency Counsel Regarding Existing Litigation (Goldberg, Johnson, Campbell, Bassett, Sigman)**  
**Name of Case: SAFCA v. Carol J. Johnson, as trustee of the Carol J. Johnson Trust, et al.,**  
**Sacramento Superior Court Case No. 34-2019-00248521**

**No action taken**



**Government Code Section 54956.8 - Conference with Real Property Negotiators.  
Property: 2050 Garden Highway, Sacramento, CA 95833 APN: 274-0220-073  
Agency Negotiators: Richard M. Johnson, Jason D. Campbell, Jeremy D. Goldberg, John A. Bassett  
Negotiating Party: Linda S. Parr, David D. Parr  
Under Negotiation: Price and terms of payment**

Motion by Director Avdis and seconded by Director Desmond, directing Staff to continue negotiations, if successful, the details of which will be made public when there are reduced to writing.

AYES: Avdis, Conant, Desmond, Harris, Jennings, Johns, Kennedy, Nava, and Shah  
NOES: (None)  
ABSTAIN: Ashby, Frost, Jones (had no sound)  
RECUSE: (None)  
ABSENT: Nottoli

**SEPARATE MATTERS**

8. Public Hearing - Resolution of Necessity No. 2021-107 - CONTINUED FROM THE AUGUST 19, BOARD OF DIRECTOR'S MEETING - Authorizing an Eminent Domain Action to Condemn Real Property Interests for the Reach A Component of Phase 4b of the American River Watershed Program, Natomas Levee Improvement Project - Fee Interest Acquisition Over a Portion of APN 274-0220-073 at 2050 Garden Highway in Sacramento, CA 95833 - Property Owners: Linda Susan Parr, Trustee of the Trust for the Benefit of David Donald Parr Under the D. Donald and Alice E. Parr Revocable Trust Dated February 3, 1993, Linda Susan Parr, Trustee of the Linda S. Parr Revocable Trust Dated January 4, 2013, and David D. Parr

Pursuant to Section 1245.240 of the Cal Code of Civil Procedure this Item requires a 2/3 or 9 Member Approval Vote to pass

Motion by Director Shah and seconded by Director Avdis to Continue this Item to the October 21, 2021 Board of Director's Meeting and continue negotiations.

AYES: Ashby, Avdis, Conant, Desmond, Frost, Harris, Jennings, Johns, Jones, Kennedy, Nava, Nottoli, and Shah  
NOES: (None)  
ABSTAIN: (None)  
RECUSE: (None)  
ABSENT: (None)

**RECIEVE AND FILE**

9. Information - Real Estate Policies and Requirements (Johnson)

**ADJOURN**

Respectfully submitted,  
Lyndee Russell

From the desk of:

**Ted Costa**

Attached you will find five copies of my resume. I am a candidate for The Special District seat on Local Agency Formation Commission (LAFCO).

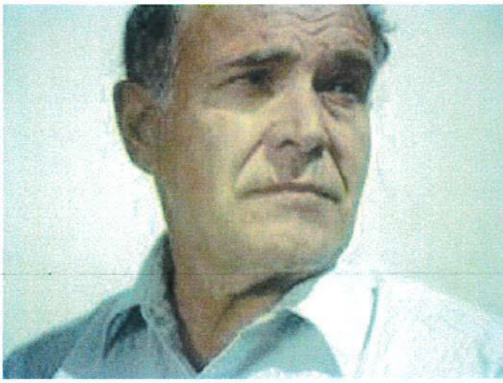
If you haven't received your ballot yet, you will shortly.

I am asking you to include my resume in your agenda packet for your next board meeting.

Thank you,

Edward J. (Ted) Costa  
Director, San Juan Water District

P.S. For four years I worked for a Reclamation District. I am knowledgeable about the problems associated with levee maintenance, excessive taxation, and governmental regulations.



**Resume of Edward J. (Ted) Costa**  
(candidate for LAFCO special district seat)

***TESTED AND TRUSTED***

**TED COSTA IS:**

I was born and raised on a family farm in South Natomas and educated in local schools---American River College and UC Davis;

Mentored in politics by the late Paul Gann and Senator S.I. Hayakawa;

Intricately involved in thirteen state-wide initiatives----from Prop. 13 to Re-Districting Reform---- 9 were passed into law by the voters. I drafted three sections of the California State Constitution, and managed 16 lawsuits before the Court of Appeals and Supreme Court. We won 15;

I am currently a board member of the San Juan Water District, a Community Service District that takes American River water, treats it and sends it to water districts in the northeast part of Sacramento County AND at the lowest cost in the entire state. I am also a board member of the Central Valley Project Water Users Association (CVPWA) that protects the contract water rights of all CVP water users from Bakersfield to Shasta;

I am a U.S. Coast Guard Veteran, active in my Community Association, prompt meetings of local Special Districts, and a farmer on the side.

**TED COSTA BELIEVES:**

Special Districts are the backbone of government. When our water main breaks, we don't call a Legislator. When our power goes out, we don't call a Congressman. We call our Special Districts for all these services. It is so important our special districts are run as efficiently as possible and held accountable to the people. LAFCO is the agency that makes that happen.

LAFCO powers come straight from the Legislature and are rightfully divided up by Counties, Cities and Special Districts with the intent of making local governmental subdivisions work more efficiently for the people.

If you vote for me, I will work hard to be a good steward of your trust. Please feel free to contact me:



***"I live in Citrus Heights with my wife Dr. Jayna and our many animals".***



## RECLAMATION DISTRICT 1000

DATE: OCTOBER 8, 2021

AGENDA ITEM NO. 4.2

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TITLE: Operations Manager's Report – October 2021

SUBJECT: Update on Activities Since the September 2021 Board of Trustees Meeting

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### EXECUTIVE SUMMARY:

This Staff Report is intended to inform the Board and serve as the official record of the activities the District's field staff engaged in for the month of September 2021. As well as provide information regarding District facility use and local weather impacts on District facilities and river levels. Noteworthy activities include mowing along the inner and outer levee system, including drains and canals. Mechanically removed sediment and aquatics along the I-2 Drain, R-1 Drain and the H Drain. Staff performed beaver damage repairs along the lower GGS. Performed aquatic spraying along the North Drain, Fisherman's Lake, and the West Drain.

Meggar testing was completed at Pumping Plants #1B, #1A, #2, #5, and #8, pumping plants #3 and #4 were not tested due to current NLIP construction. Three (3) motors at pumping plant #8 (#3, #4, #5) did not pass Meggar testing. Some time back this plant was subject to intrusion, which resulted in copper wire theft. The repair at the time was to install electrical splices leading to the failed pumps. These splices can potentially cause high resistance conditions causing a failed Meggar test. Follow up testing/diagnosis is scheduled for this issue. The pumps are operational at this time, but increased resistance can potentially lead to further damage.

Emerald Services is currently performing water side vegetation removal, beginning at Pumping Plant #2 heading North to Riego Road. This project is related to the FY 2021/2022 FMAP funding agreement, completion is expected by November 15.

Steelhead Creek trash clean-up is scheduled for October 5-8, these efforts will be coordinated with RD 1000, City Parks, City Rangers, and the American River Flood Control District.

The Operations Manager's report was created to provide monthly updates to the Board of Trustees on field related activities within the District boundaries, as well as provide a historical record. This allows for the District and the public an opportunity to refer back to data trends over time regarding the weather impact on District facilities, crew activities, and local river and canal conditions as well as general District activities from month to month.

**TITLE: Operations Manager Report**

**DRAINAGE CANAL / DITCH CLEANING 2021**

NAME OF CANAL/DRAIN	DATE CLEANED / REPAIRED	DATE DISCED	DATE GRADED	ACTIVITY REASON	Type Of Machine	DISTANCE
J-6 DRAIN	4/27/2021 & 6/10/2021			SILT/AQUATIC VEGETATION	KOMATSU PC 270 LC	.48 MI.
J-7 DRAIN	4/27/2021 & 6/8/2021			SILT/AQUATIC VEGETATION	KOMATSU PC 270 LC	.35 MI.
M-4 DRAIN	(5/3/2021 - 5/4/2021) 7/13/2021			SILT	JD 310 SK BACKHOE	.25 MI.
R-1 DRAIN(BOX CULVERT-SANKEY)	(5/6/2021-5/7/2021) (5/10/2021-5/14/2021) 8/1/21	9/17/21 - 9/22/21	(9/17/21) 9/20/21-9/22/21	SILT/AQUATIC VEGETATION	KOMATSU PC 270 LC	1.5 MI.
I-3 DRAIN	5/25/2021 - 5/26/2021			SILT/AQUATIC VEGETATION	KOMATSU PC 270 LC	.40 MI.
NORTH DRAIN (PLANT 2-POWERLINE)	8/6/2021 & 8/10/2021			SILT/AQUATIC VEGETATION	HITACHI 200 LC	2 MI.
I-2 DRAIN	(8/30/21-9/3/21) ( 9/8/21-9/10/21) (9/13/21-9/14/21)			SILT/AQUATIC VEGETATION	KOMATSU PC 270 LC	1.75 MI.
O DRAIN	7/28/2021			SILT/AQUATIC VEGETATION	KOMATSU PC 270 LC	1.75 MI.
G-1 DRAIN	5/14/2021 - 5/17/202 & 6/2/2021			SILT/AQUATIC VEGETATION	KOMATSU PC 270 LC	1.94 MI.
G-3 DRAIN	5/18/2021			SILT/AQUATIC VEGETATION	KOMATSU PC 270 LC	.48 MI.
G-2 DRAIN	5/18/2021 - 5/19/2021			SILT/AQUATIC VEGETATION	KOMATSU PC 270 LC	.48 MI.
M-9 DITCH	5/24/2021			SILT	JD 310 SK BACKHOE	.43 MI.
G DRAIN	5/28/2021 & 6/1/2021			SILT/AQUATIC VEGETATION	KOMATSU PC 270 LC	.47 MI.
SWIMMING HOLE DITCH	6/2/2021 - 6/3/2021			SILT/AQUATIC VEGETATION	KOMATSU PC 270 LC	1 MI.
OLD ORCHARD RD. DITCH	6/7/2021			SILT/AQUATIC VEGETATION	KOMATSU PC 270 LC	.25 MI.
J DITCH	6/8/2021			SILT/AQUATIC VEGETATION	KOMATSU PC 270 LC	.78 MI.
J-4 DITCH	6/11/2021 & 6/14/2021 - 6/15/2021			SILT/AQUATIC VEGETATION	KOMATSU PC 270 LC	.48 MI.
J-8 DITCH	6/21/2021			SILT/AQUATIC VEGETATION	KOMATSU PC 270 LC	.33 MI.
BRYTE BEND DITCH	6/15/2021 - 6/18/2021 & 6/21/2021			SILT/AQUATIC VEGETATION	KOMATSU PC 270 LC	1.55 MI.
M-10 DITCH	6/22/2021 - 6/23/2021			AQUATIC VEGETATION	KOMATSU PC 270 LC	.5 MI.
WEST DRAIN(I-5 - POWERLINE)	(6/22/2021-6/25/2021) (6/28/2021-7/1/2021)			AQUATIC VEGETATION	KOMATSU PC 270 LC	1.83 MI.
WEST DRAIN(POWERLINE-DEL PASO)	7/19/2021 - 7/22/2021			AQUATIC VEGETATION	KOMATSU PC 270 LC	1.74 MI.
M-2 DITCH	7/6/2021			SILT/AQUATIC VEGETATION	KOMATSU PC 270 LC	.42 MI.
WEST DRAIN(I-5 - ELKHORN)	7/6/2021 - 7/9/2021			SILT/AQUATIC VEGETATION	KOMATSU PC 270 LC	1.46 MI.
M-5 DITCH	7/8/2021			SILT	KOMATSU PC 270 LC	.26 MI.
M-6 DITCH	7/12/2021 - 7/13/2021			SILT/AQUATIC VEGETATION	KOMATSU PC 270 LC	.50 MI.
SCHOOLHOUSE RD. DITCH	7/15/2021			SILT/AQUATIC VEGETATION	KOMATSU PC 270 LC	.55 MI.
WEST DRAIN(DEL PASO-EL CENTRO)	(7/19/2021-7/22/2021) (7/26/2021-7/27/21)			AQUATIC VEGETATION	KOMATSU PC 270 LC	1.79MI.
VESTAL DRAIN	(7/28/2021-7/30/2021) (8/2/2021-8/4/21)			SILT/AQUATIC VEGETATION	KOMATSU PC 270 LC	.82 MI.
V-DRAIN(NORTH DRAIN-HWY 99)	8/8/2021			SILT/AQUATIC VEGETATION	HITACHI 200 LC	.75 MI.
V-DRAIN(HWY 99-EAST LEVEE)	8/6/2021,8/9/2021			AQUATIC VEGETATION	KOMATSU PC 270 LC	1.89 MI.
NEW VESTAL DRAIN	8/2/2021-8/5/2021			SILT/AQUATIC VEGETATION	HITACHI 200 LC	.72 MI.
SIMPSON HOMES RD.				SILT/AQUATIC VEGETATION	KOMATSU PC 270 LC	1.0 MI.
R-1 DRAIN(SANKEY-CHAPPEL PUMPS)	8/19/2021-8/20/2021,8/23/2021-8/25/2021			SILT/AQUATIC VEGETATION	KOMATSU PC 270 LC	1.97 MI.
P-DRAIN	8/6/2021,8/11/2021			SILT/AQUATIC VEGETATION	HITACHI 200 LC	.25 MI.
NORTH DRAIN(RIEGO-SANKEY)	8/17/21-8/18/21			AQUATIC VEGETATION	HITACHI 200 LC	2.25 MI.
NORTH DRAIN(SANKEY-PLANT 4)	8/12/21-8/13/21			AQUATIC VEGETATION	HITACHI 200 LC	2.05 MI.

**RECOMMENDATION:**

There are no staff recommendations, the information provided is strictly informational.

**ATTACHMENTS:**

1. Operations Manager's Report Data Sheet

**STAFF RESPONSIBLE FOR REPORT:**



Gabriel J. Holleman, Operations Manager

Date: 10/1/2021



Kevin L. King, General Manager

Date: 10/1/2021





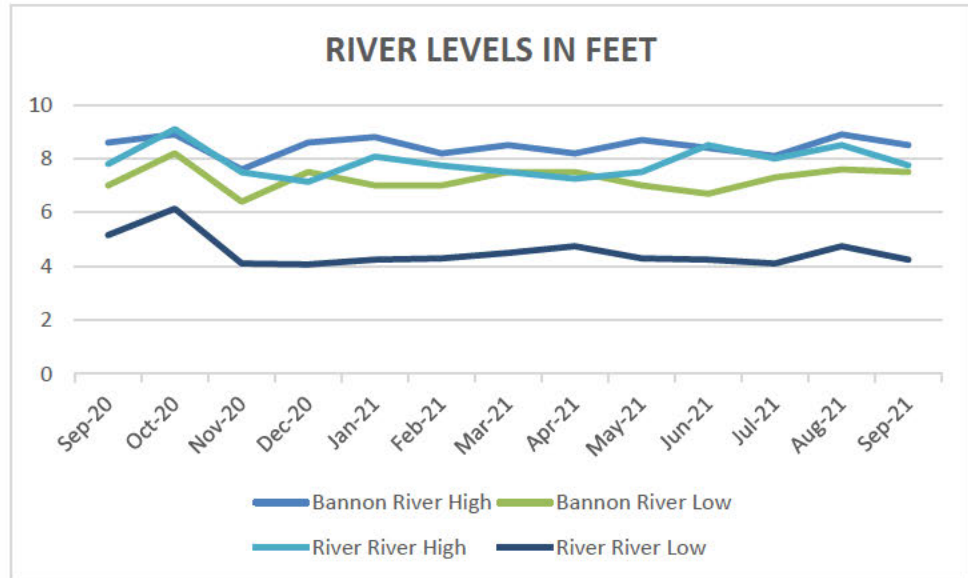
## Operations Manager's Report September 2021

AGENDA ITEM 4.2  
ATTACHMENT NO. 1

**River Levels:**

**Bannon** H: 8.5'  
L: 7.5'

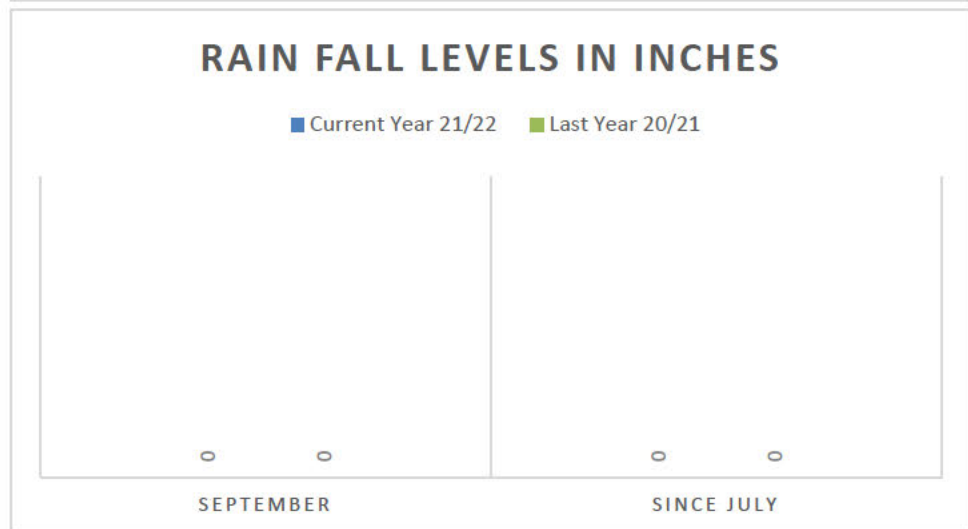
**River** H: 7.75'  
L: 4.25'



**Rain Fall Totals:**

September 2021  
Rain Totals = 0"

Rain Totals Since  
July 1, 2021 = 0"



**Safety Topics for the Month of September**

- Important Warnings about Gaurdrails
- Fall arrest Full Body Harnesses – Do's & Don'ts
- Lanyard For Fall Arrest Systems
- Anchor Points For Fall Arrest Systems

**District Requests Received**

The District received multiple requests related to trash, debris and abandoned vehicles along District facilities. Staff and local law enforcement were deployed to remove these items within District boundaries.

The chart below represents various activities the field crew spent their time working on during the month of September, 2021.

RD 1000 Field Crew	*Field Hours Worked	Activity
	218	Ditch Maintenance
	173	Weed Control
	148	Mowing
	118	Equipment Repair
	46	Garbage

\*Hours worked do not include the Operations Manager's time.

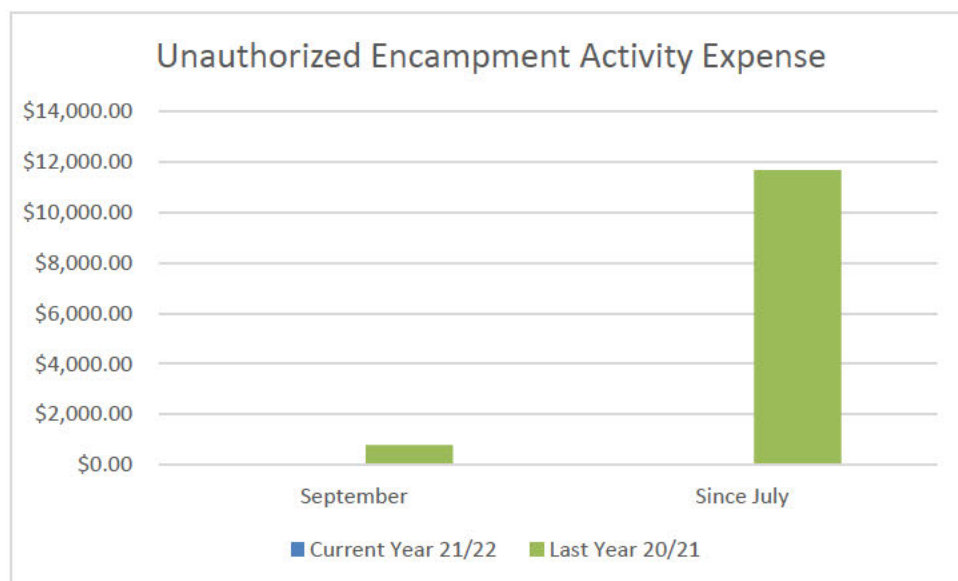
### Pumping

Please see the pumping data below as it relates to the month of September within the Basin. Pump totals in the month of September are 2997.38 A/F. Pump totals reflect PP#4 (Reach D) , PP#3 (Reach B) dewatering wells and rice field water releases.

Pumping Plant	Pump	Hours and A/F
Plant 1B	Pump # 6	131.4 Hours and 1287.72 A/F
Plant #5	Pump #1	361.4 Hours and 686.66 A/F
Plant #8	Pump #3	295 Hours and 1003 A/F

**Unauthorized Encampment Activity** There were no unauthorized encampment activities in the month of September.

**Unauthorized Encampment Activity – Year to Date** This fiscal year to date the District has not allocated any resources related unauthorized encampments.







**RECLAMATION DISTRICT 1000**

**DATE: OCTOBER 8, 2021**

**AGENDA ITEM NO. 4.3**

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**TITLE: District Counsel's Report – October 2021**

**SUBJECT: Update on Activities Since the September 2021 Board of Trustees Meeting**

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**EXECUTIVE SUMMARY:**

Reclamation District 1000's (RD 1000; District) General Counsel, Rebecca Smith and/or Scott Shapiro to provide verbal report of work performed during the month of September 2021.

**ATTACHMENTS:**

None

**STAFF RESPONSIBLE FOR REPORT:**

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Kevin L. King, General Manager

Date: 10/01/2021



## RECLAMATION DISTRICT 1000

DATE: OCTOBER 8, 2021

AGENDA ITEM NO. 5.1

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**TITLE:** Approval of Minutes

**SUBJECT:** Approval of Minutes from September 10, 2021 Regular Board Meeting

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### EXECUTIVE SUMMARY:

This staff report serves as the official record of the Board of Trustees monthly meetings. This document details meeting participants, proof of items discussed, summaries of board meeting discussion, and the Board's actions. Staff recommends Board approval of meeting minutes (Attachment No. 1) from September 10, 2021.

### BACKGROUND:

The Ralph M. Brown Act (Gov. Code §54950 et seq.) governs meetings by public commissions, boards and councils, and public agencies in California. The Act facilitates public transparency and public participation in local government decisions. The Act also contains specific exemptions from the open meeting requirements where governmental agencies have a demonstrated need for confidentiality. To further comply with transparency, Reclamation District No. 1000 documents meetings of the Board of Trustees through Board Minutes.

### RECOMMENDATION:

Staff recommends the Board approve the Minutes from September 10, 2021, Regular Board Meeting.

### ATTACHMENTS:

1. September 10, 2021, Board Meeting Minutes

### STAFF RESPONSIBLE FOR REPORT:

  
\_\_\_\_\_  
Joleen Gutierrez, Administrative Service Manager

Date: 10/01/2021

  
\_\_\_\_\_  
Kevin L. King, General Manager

Date: 10/01/2021



**RECLAMATION DISTRICT NO. 1000  
BOARD OF TRUSTEES MEETING**

**SEPTEMBER 10, 2021  
MEETING MINUTES**

In light of COVID-19 and in Compliance with CA Executive Orders N-25-20 and N-29-20, members of the Board of Trustees and members of the public participated in this meeting by teleconference. This meeting was recorded without objection. Present were Board President Thom Gilbert; Board Vice President Elena Lee Reeder; Trustee Nick Avdis; Trustee Tom Barandas; Trustee Debra G. Jones; Trustee Chris Burns; General Manager Kevin King; Co-General Counsel Scott Shapiro; Administrative Services Manager Joleen Gutierrez; Operations Manager Gabriel Holleman; and Administrative Assistant Christina Forehand.

**1. PRELIMINARY**

1.1. Call Meeting to Order

Board President Thom Gilbert called the meeting to order.

1.2. Roll Call

ASM Gutierrez called the roll and established a quorum.

PRESENT: Trustee Thom Gilbert, Trustee Elena Lee Reeder, Trustee Nick Avdis, Trustee Tom Barandas, Trustee Chris Burns, Trustee Debra G. Jones

ABSENT: Trustee Jag Bains

1.3. Approval of Agenda

MOVED/SECONDED: Trustee Burns/Trustee Avdis

AYES: Trustee Thom Gilbert, Trustee Elena Lee Reeder, Trustee Nick Avdis, Trustee Tom Barandas, Trustee Chris Burns, Trustee Debra G. Jones

NOES: None

ABSTAIN: None

ABSENT: Trustee Jag Bains

MOTION: Motion to approve September 10, 2021, Board Meeting Agenda is approved.

1.4. Pledge of Allegiance

Trustee Chris Burns led the Pledge of Allegiance.

1.5. Conflict of Interest (*Any Agenda items that might be a conflict of interest to any Trustee should be identified at this time by the Trustee involved*)

There were no conflicts identified by the Trustees.

## **2. PRESENTATIONS**

### 2.1. No Scheduled Presentations

There were no presentations scheduled.

## **3. PUBLIC COMMENT (NON-AGENDA ITEMS)**

Michael Kevin Mcrae, addressed the Board and introduced himself as a Garden Highway resident for 25 years and a stakeholder with a degree in Plant Science and Agronomy. Mr. Mcrae sat on the Natomas Basin Conservancy Board for ten years.

As a management practice, he proposed maintaining RD1000 interior canals to serve our flood-control mission, if possible, to preserve native trees on one side of the canal (Valley Oak, Cottonwood, Ash, or Elder) instead of clearing all vegetation on both sides.

This practice would allow the creation of a forested habitat suitable for animals that depend on it. Mr. Mcrae states that 95% of the valley floor has been reduced by native vegetation. RD1000 as a large land manager could have a tangible impact on maintaining local native animal populations by preserving the habitat they need. Mr. Mcrae understands conveyance structures and how RD1000 must keep them free, so in high water events, they serve their purpose; however, he is not convinced there is a conflict and wonders if the District has a policy to the contrary.

There were no other comments made.

## **4. INFORMATIONAL ITEMS**

### 4.1. GENERAL MANAGER'S REPORT: Update on activities since the August 2021 Board Meeting.

General Manager Kevin King shared the NLIP and project schedules may be delayed partially due to SAFCA, and the CORPS attempts to locate borrow material (AKA fill dirt).

Trustee Chris Burns asked if the District is still active in CSDA's Legislative Committee as several bills would impact the District. GM King relies on Dane Wadle at CSDA to request the District's endorsement. GM King is open to adding legislation to his GM report in the future. GM King also made known some of the District policies he is updating (See Item 6.1). There is a process for endorsing legislative work that would allow some authority without waiting for formal Board action as we currently do.

### 4.2. OPERATIONS MANAGER'S REPORT: Update on activities since the August 2021 Board Meeting.

General Manager Kevin King shared photos of trash clean-ups with volunteers, trash rack repairs/lower guide replacement at Plant 8, and aquatic vegetation application.

Operations Manager Gabe Holleman provided a verbal report on aquatic vegetation water treatments performed by Water Works to reduce the overgrowth of primrose throughout district canals. The District has spent \$54k on the Primrose treatments. In October 2021, aquatic vegetation treatments will continue to reduce Coontail (aquatic plants).

Trustee Nick Avdis commented on public commenter Mcrae that his points are well received. In the past, the Board has discussed tree plantings, and he believes it is a worthwhile issue for the Operations Committee to discuss further and for the public to react to when we roll out a fee proposal.

Trustee Debra G. Jones offered that when the Operations Committee meets to discuss this issue, she would like to see a collaboration with the Tree Foundation. GM King will add this item to his Work Plan as an initial discussion and assign a priority.

Trustee Chris Burns would like to develop and adopt a policy first before meeting with a non-governmental agency (NGO) to pay for the trees. Trustee Burns inquired about emergency tree trimming that we paid for, but there has been no mention of it in previous Operation Manager's reports. Ops Manager Holleman explained that tree limbs fell near the District's mechanic's shop due to wind storms. Eliminating the potential for damage to the District's mechanic shop, the tree has been removed.

Trustee Chris Burns made known two separate fires near our transformers (located behind Boat Works). He is adamant about clearing vegetation near transformers to reduce the potential for fires and impacts on the transformer. GM King stated the Ops Manager Holleman would add vegetation removal in this area to his worklist. Ops Manager Holleman will also coordinate vegetation removal in this area with SMUD.

#### 4.3. DISTRICT COUNSEL'S REPORT: Update on activities since the August 2021 Board Meeting.

Co-Counsel Scott Shapiro provided a verbal report of his activities during August 2021.

General Manager Kevin King added Co-Counsel Rebecca Smith has been working with the developer's counsel on purchasing Loan Tree Canal mitigation land and transfer language to take over the property. GM King will return to the Board about taking over the mitigation property

## 5. **CONSENT CALENDAR**

*The Board considers all Consent Calendar items to be routine and will adopt them in one motion. There will be no discussion on these items before the Board votes on the motion, unless Trustees, staff, or the public request specific items be discussed and/or removed from the Consent Calendar.*

MOVED/SECONDED: Trustee Avdis/Trustee Burns

AYES: Trustee Thom Gilbert, Trustee Elena Lee Reeder, Trustee Nick Avdis, Trustee Tom Barandas, Trustee Chris Burns, Trustee Debra G. Jones

NOES: None

ABSTAIN: None

ABSENT: Trustee Jag Bains

MOTION: Motion to approve Items 5.1 through 5.4 on the Consent Calendar is approved.

- 5.1. APPROVAL OF MINUTES: Approval of Minutes from August 9, 2021, Regular Board Meeting.
- 5.2. TREASURER'S REPORT: Approve Treasurer's Report for August 2021.
- 5.3. EXPENDITURE REPORT: Review and Accept Report for August 2021.
- 5.4. BUDGET TO ACTUAL REPORT: Review and Accept Report for August 2021.

## **6. SCHEDULED ITEMS**

- 6.1. DISTRICT POLICY UPDATE: Review AND Discuss Draft Updated District Policies; General & Administrative Sections.

General Manager Kevin King introduced draft Administrative Policies that he prepared using CSDA's Policy Manual. He would like Trustees to begin review and provide comments back to him over the next 30 days.

General Manager Kevin King continues working on the remaining policy sections (3000 Personnel and 4000 Board) with plans to provide draft sets to the Board in October for their review and comments. He anticipates finalizing edits and combining all policies into one packet for approval in November.

Trustee Debra G. Jones inquired about the District's policy and process for creating policies. It is not clear whether the District even has a policy or formal process to develop new policies. Substantive issues should go to committees as appropriate. Depending on the subject matter, the various Committees should take on initial subject matter work of drafting policy for review by the entire Board. Trustee Burns Agrees.

General Manager Kevin King stated that his focus is to make policy updates using the CSDA policy template. Once the initial template sections have received Board approval, approved additional policies can be developed (i.e., Vegetation and Tree Policy, Homeless Encampments, Policy on Development, Levee Setback Policy).

Trustee Nick Avdis would like draft policies to come through the legal committee for discussion and a recommendation to the Board for adoption.

General Manager Kevin King would like all Trustees to review all draft sections, provide feedback, and then come to the Legal Committee to recommend the complete draft set.

Trustee Elena Lee Reeder asked for legal counsel clarification on Board Packet page 110, policy 2415.4. Counsel Shapiro believes the focus is on serial meetings and not violating the Brown Act.

Counsel provided examples of what would and would not constitute a serial meeting via social media. The Legal Committee will look closer at this item.

Trustee Chris Burns asked if we're going to map the new policies and existing policies. GM King replied he had not yet pulled the old policies into the new ones.

Trustee Debra G. Jones would like to address and develop policies for homelessness. Kevin will schedule an Urbanization Committee Meeting to address this issue.

GM Kevin will set up a Committee Meeting to develop policies on Homelessness and include them in the policy manual.

6.2. SACRAMENTO LOCAL AGENCY FORMATION COMMISSION: Nominations for Special District Representation.

No action was taken.

**7. BOARD OF TRUSTEE'S COMMENTS/REPORTS**

7.1. BOARD ACTIVITY UPDATES:

7.1.1. RD 1000 Committee Meetings from August 10, 2021 – September 1, 2021

- Urbanization Committee (Lee Reeder, Avdis & Jones) August 10, 2021
- Executive Committee (Gilbert & Lee Reeder) September 1, 2021

7.1.2. RD 1000 Committees No Meetings Since Last Board Meeting

- Legal Committee (Avdis, Barandas & Lee Reeder)
- Finance Committee (Gilbert, Bains & Burns)
- Operations Committee (Bains, Barandas & Burns)
- Personnel Committee (Jones, Bains & Barandas)
- Urbanization Committee (Lee Reeder, Avdis & Jones)

**8. CLOSED SESSION**

8.1. PUBLIC EMPLOYEE EMPLOYMENT & CONTRACT (General Manager): Pursuant to Government Code § 54957.

Trustee Chris Burns inquired whether a Closed Session is appropriate. Counsel reported that Executive Committee determined that a Closed Session is appropriate.

**9. RECONVENE TO OPEN SESSION**

REPORT ON CLOSED SESSION: Discuss and take action on any changes in Employment Contract for the General Manager.

Co-Counsel Scott Shapiro reported out the Board met in Closed Session and is referring to the Personnel Committee to offer an extended contract of 3 years to the General Manager and for the Personnel Committee to negotiate that with the General Manager and bring back a final Agreement to the Board for consideration.

**10. ADJOURN**

MOVED/SECONDED: Trustee Jones /Trustee Avdis

AYES: Trustee Thom Gilbert, Trustee Elena Lee Reeder, Trustee Nick Avdis, Trustee Tom Barandas, Trustee Chris Burns, Trustee Debra G. Jones

NOES: None

ABSTAIN: None

ABSENT: Trustee Jag Bains

MOTION: Motion to adjourn the meeting is approved.





**RECLAMATION DISTRICT 1000**

**DATE: OCTOBER 8, 2021**

**AGENDA ITEM NO. 5.2**

**TITLE: Treasurer’s Report**

**SUBJECT: Approve Treasurer's Report for September 2021**

**EXECUTIVE SUMMARY:**

This Staff Report is intended to inform the Board of the current total funds in the District's checking and money market accounts, Sacramento County Treasurer Fund, State Treasurer Local Agency Investment Fund (LAIF), and the City of Sacramento Pooled Investment Fund.

The Staff Report attachment provides the monthly beginning and ending balances of its Operations and Maintenance cash flow. The report considers the current month's receipts, fund to fund transfers, accounts payable, and payroll. Notable fund and cash flow items during September 2021 are featured in the attached Treasurer's Report.

The District maintains funds in the California State Controller Local Agency Investment Fund (LAIF), the Sacramento County Treasurer, and Bank of the West. The District's primary source of income is property assessments. Assessments are collected through respective Sacramento and Sutter County tax bills.

Annually, the Board of Trustees approves a Resolution designating officers and signatories to the Operations and Maintenance Fund held by the Sacramento County Treasurer. The District's Financial Reserve Policy guides current, future, and unexpected funding requirements. The District's Investment Policy guides investments made by the District of any surplus or reserve funds it may have.

**RECOMMENDATION:**

Staff recommends the Board approve the September 2021 Treasurer's Report.

**ATTACHMENTS:**

- 1. Treasurer's Report September 2021

**STAFF RESPONSIBLE FOR REPORT:**

  
 \_\_\_\_\_  
 Joleen Gutierrez, Administrative Services Manager

Date: 10/01/2021

  
 \_\_\_\_\_  
 Kevin L. King, General Manager

Date: 10/01/2021

Reclamation District 1000  
Treasurer's Report  
September 2021

Treasurer's Report for September 2021

September 2021		Ending Balance @ 9/30/21
<b>Total Funds at 9/30/21</b>		<b>10,963,220.55</b>
Bank of the West - Checking		106,990.06
Bank of the West - Money Market		300,548.60
Bank of the West FMAP		258,115.53
Sacramento County Treasurer		5,671,104.58
State Treasurer - Local Agency Investment Fund		2,441,963.05
City of Sacramento - Pool A		2,184,498.73

Included in O&M cash flow below  
Included in O&M cash flow below

September 2021 - Operations and Maintenance Cash Flow	Money Market	Operating Checking	Combined O&M
<b>Beginning Balance at 9/1/21</b>	250,548.60	170,050.17	420,598.77
Transfers from money market to operating account	-200,000.00	200,000.00	0.00
Transfers from LAIF to money market account	250,000.00	0.00	250,000.00
Transfer from FMAP account	0.00	92,184.53	92,184.53
Current months receipts	0.00	129,862.09	129,862.09
Accounts Payable*	0.00	-386,380.18	-386,380.18
Payroll	0.00	-98,726.55	-98,726.55
<b>Ending Balance at 9/30/21</b>	<b>300,548.60</b>	<b>106,990.06</b>	<b>407,538.66</b>

\*See Attached Check Register

Current months receipts are made up of the following:

Refund of Cal PERS fee	200.00
Sacramento City Natomas MOU proceeds	129,522.00
Refund of bank fees	40.00
Credit card incentive payment	100.09
	<u>129,862.09</u>



## RECLAMATION DISTRICT 1000

DATE: OCTOBER 8, 2021

AGENDA ITEM NO. 5.3

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TITLE: Expenditure Report

SUBJECT: Review and Accept Report for September 2021

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### EXECUTIVE SUMMARY:

This Staff Report serves to advise the Board of monthly expenditures and explain any expenses outside of the usual course of business. Staff recommends the Board review and accept the Expenditure Report for September 2021.

#### Expenses

The Administrative Services Manager reviews and the General Manager approves expenditures. This activity is disclosed monthly as an attachment to this staff report. The Expenditure Report (Attachment 1) has a few note items \$19,827 to Big Valley Divers, Inc. for trash rack repairs, \$13,245 to CA Central Valley Flood Control Association, \$129,425 for FMAP equipment, and \$56,040 to Waterworks Industries, Inc. aquatic vegetation management, \$12,217 to SCI Consulting for Levy Administration, \$18,315 to Loewen Pump Maintenance for Plant 8 repairs, and \$25,244 to SMUD for transformer construction.

### RECOMMENDATION:

Staff recommends the Board review and accept the Expenditure Report for September 2021.

### FINANCIAL IMPACT:

None.

### ATTACHMENTS:

1. September 2021 Expenditure Report

### STAFF RESPONSIBLE FOR REPORT:

  
\_\_\_\_\_  
Joleen Gutierrez, Administrative Services Manager

Date: 10/01/2021

  
\_\_\_\_\_  
Kevin L. King, General Manager

Date: 10/01/2021

# September 2021 Expenditure Report

Type	Date	Num	Name	Memo	Debit	Credit	Balance
<b>Cash and Investments</b>							<b>170,050.17</b>
<b>1010.00 - Bank of the West Checking Acct</b>							<b>170,050.17</b>
Check	09/01/2021	EFT	Cal Pers			939.38	169,110.79
Check	09/01/2021	EFT	Cal Pers			950.00	168,160.79
Bill Pmt - Check	09/01/2021	2683969	Napa Auto Parts	Inv 132734		10.64	168,150.15
Bill Pmt - Check	09/01/2021	24408399122	PG&E			48.31	168,101.84
Bill Pmt - Check	09/01/2021	50707	Big Valley Divers, Inc.	Inv 082421		19,827.00	148,274.84
Bill Pmt - Check	09/01/2021	50708	Streamline	Inv A14C0AB6-0010		200.00	148,074.84
General Journal	09/01/2021		Bank of the West	Service charge rebate	40.00		148,114.84
General Journal	09/01/2021		Bank of the West	Monthly service charge		40.00	148,074.84
General Journal	09/01/2021			Credit card incentive payment	100.09		148,174.93
Bill Pmt - Check	09/02/2021	50709	Anthem United Homes	Customer Deposit Balance Refund		815.38	147,359.55
Bill Pmt - Check	09/02/2021	50710	Brookfield Natomas LLC	Customer Deposit Refund (Grandpark)		5,000.00	142,359.55
Bill Pmt - Check	09/02/2021	50711	Brookman Protection Services, Inc.	Inv 21-082		8,100.00	134,259.55
Bill Pmt - Check	09/02/2021	50712	CA Central Valley Flood Control Assoc.	Inv 3858		13,245.00	121,014.55
Bill Pmt - Check	09/02/2021	50713	Jani-King	Inv 09210159		649.82	120,364.73
Transfer General Journal	09/02/2021			Funds Transfer 9/3/21 payroll activity	200,000.00		320,364.73
General Journal	09/03/2021			9/3/21 payroll activity		16,472.70	303,892.03
General Journal	09/03/2021			9/3/21 payroll activity		37,254.93	266,637.10
Bill Pmt - Check	09/08/2021	25153322387	City of Sacramento	Acct 7029676079		4.65	266,632.45
Bill Pmt - Check	09/08/2021	11087689121	Comcast	Acct 8155600381146169		220.01	266,412.44
Bill Pmt - Check	09/08/2021	80035792517	Waste Management of Sacramento			643.98	265,768.46
Bill Pmt - Check	09/08/2021	50714	ACWA JPIA	October 2021		1,699.97	264,068.49
Bill Pmt - Check	09/08/2021	50715	Bearing Belt & Chain	Inv 79606		315.77	263,752.72
Bill Pmt - Check	09/08/2021	50716	Blankinship & Associates, Inc.	Inv 7674		2,500.00	261,252.72
Bill Pmt - Check	09/08/2021	50717	Chavez Accountancy Corporation	Inv 4943		2,252.50	259,000.22
Bill Pmt - Check	09/08/2021	50718	Cintas	Inv 4094311151		40.29	258,959.93
Bill Pmt - Check	09/08/2021	50719	Dossier Systems	Inv 50347		902.00	258,057.93
Bill Pmt - Check	09/08/2021	50720	Interstate Oil Company	Inv 573499		3,488.65	254,569.28
Bill Pmt - Check	09/08/2021	50721	Pape Machinery	Inv 269184		129,425.53	125,143.75
Bill Pmt - Check	09/08/2021	50722	US Bank Corp	Acct Ending 4049		999.28	124,144.47
Bill Pmt - Check	09/08/2021	50723	Valley Hydraulics & Machine, Inc.	Inv 123366		360.20	123,784.27
Bill Pmt - Check	09/08/2021	50724	Valley Tire Center, Inc.	Inv 82213		34.00	123,750.27
Bill Pmt - Check	09/08/2021	50725	Valley Truck & Tractor Company	Inv 1111679		157.96	123,592.31
Bill Pmt - Check	09/08/2021	50726	Waterworks Industries, Inc.	Inv 15518		56,040.00	67,552.31
Bill Pmt - Check	09/09/2021	50728	County of Sacramento - Dept of Finance	Property Taxes		4,464.93	63,087.38
Transfer	09/09/2021			Funds Transfer	92,184.53		155,271.91



General Journal	09/09/2021		Cal Pers	Refund of Cal Pers late fees	200.00	155,471.91
Check Bill Pmt -	09/10/2021	EFT	ADP			97.22 155,374.69
Check Bill Pmt -	09/13/2021	09132021	Alhambra & Sierra Springs	Inv 6169212091021		71.47 155,303.22
Check Bill Pmt -	09/13/2021	50729	AT&T	Inv 16976340		353.91 154,949.31
Check Bill Pmt -	09/13/2021	50730	Cintas			216.91 154,732.40
Check Bill Pmt -	09/13/2021	50731	LEHR	Inv 62969		943.98 153,788.42
Check Bill Pmt -	09/13/2021	50732	SCI Consulting Group	Inv 9943		12,217.21 141,571.21
Check Bill Pmt -	09/13/2021	50733	Yolo County Public Works	August Statement		1,156.50 140,414.71
Check Bill Pmt -	09/14/2021	50734	Carson Landscape Industries	Inv 251963		765.00 139,649.71
Check Bill Pmt -	09/14/2021	50735	Cintas	Inv 5076093461		5.31 139,644.40
Check Bill Pmt -	09/14/2021	50736	Downey Brand LLP			3,303.50 136,340.90
Check Bill Pmt -	09/14/2021	50737	Powerplan	Inv 13022297		371.03 135,969.87
Check Bill Pmt -	09/14/2021	50738	Security & Asset Management, LP	Inv 5197114		604.87 135,365.00
Check Bill Pmt -	09/14/2021	50739	Terrapin Technology Group	Inv 21-1253		1,005.14 134,359.86
Check	09/14/2021	09142021	Sacramento County Utilities			227.40 134,132.46
Payment General Journal	09/14/2021		City of Sacramento - Utilities		129,522.00	263,654.46
General Journal	09/15/2021			9/15/21 payroll activity		13,215.69 250,438.77
General Journal	09/15/2021			9/15/21 payroll activity		31,783.23 218,655.54
Check Bill Pmt -	09/16/2021	1001945023	Cal Pers	October 2021		19,056.00 199,599.54
Check Bill Pmt -	09/16/2021	50740	Carson Landscape Industries	Inv 252341		160.00 199,439.54
Check	09/16/2021	50741	Loewen Pump Maintenance	Inv 3201		18,315.00 181,124.54
Check	09/17/2021	EFT	Cal Pers			950.00 180,174.54
Check Bill Pmt -	09/20/2021	EFT	Bank of the West			20.00 180,154.54
Check Bill Pmt -	09/21/2021	9212021	Alhambra & Sierra Springs	Inv 2121702491821		22.33 180,132.21
Check Bill Pmt -	09/21/2021	26447027461	City of Sacramento	Acct 2007944000		148.04 179,984.17
Check Bill Pmt -	09/21/2021	2698596	Napa Auto Parts			49.78 179,934.39
Check Bill Pmt -	09/21/2021	1247280694	Verizon	Inv 9888365634		268.85 179,665.54
Check Bill Pmt -	09/21/2021	26447049275	City of Sacramento	Acct 5450844000		66.60 179,598.94
Check Bill Pmt -	09/21/2021	50742	Reclamation District 537	APN 042-310-015		4,995.00 174,603.94
Check Bill Pmt -	09/21/2021	50743	Smile Business Products	Inv 981750		160.26 174,443.68
Check Bill Pmt -	09/21/2021	50744	SMUD Corporation Yard Office	Service Notification 31859664		25,244.00 149,199.68
Check Bill Pmt -	09/22/2021	26508591989	PG&E	Acct 3702326178-9		30.35 149,169.33
Check Bill Pmt -	09/22/2021	50745	Cintas			93.52 149,075.81
Check Bill Pmt -	09/22/2021	50746	Contour Sierra Aebi, LLC	Inv 4034		133.64 148,942.17
Check Bill Pmt -	09/22/2021	50747	NBS	Inv 921000283		2,500.00 146,442.17
Check Bill Pmt -	09/22/2021	50748	Powerplan	Inv 1162654		818.08 145,624.09
Check Bill Pmt -	09/22/2021	50749	Security & Asset Management, LP	Inv 5198131		3,663.42 141,960.67
Check	09/22/2021	50750	SMUD	Acct 7000000317		34,924.64 107,036.03

Bill Pmt - Check	09/22/2021	50751	Supply Industrial Hardware LLC	Inv 545293/1	45.97	106,990.06	
Total 1010.00 · Bank of the West Checking Acct					<u>422,046.62</u>	<u>485,106.73</u>	<u>106,990.06</u>
					<u>422,046.62</u>	<u>485,106.73</u>	<u>106,990.06</u>
					<b><u>422,046.62</u></b>	<b><u>485,106.73</u></b>	<b><u>106,990.06</u></b>

Activity Summary

Transfers from money market account	200,000.00
Transfers from FMAP account	92,184.53
Refund of Cal PERS fee	200.00
Amounts received from City for Notomas MOU	129,522.00
Refund of bank fees	40.00
Credit card incentive payment	100.09
Return of developer deposits	-5,815.38
Payroll disbursements	-98,726.55
Accounts payable disbursements	<u>-380,564.80</u>
Net activity	<u><u>-63,060.11</u></u>



## RECLAMATION DISTRICT 1000

DATE: OCTOBER 8, 2021

AGENDA ITEM NO. 5.4

---

**TITLE:** Budget to Actual Report

**SUBJECT:** Review and Accept Report for September 2021

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**EXECUTIVE SUMMARY:**

This Staff Report provides a monthly budgetary snapshot of how well the District meets its set budget goals for the fiscal year. The monthly Budget to Actual Report contains a three-column presentation of actual expenditures, budgeted expenditures, and the Budget percentage. Each line item compares budgeted amounts against real-to-date expenses. Significant budgeted line item variances (if any) will be explained in the Executive Summary of this report.

Attachment 1 provides a year-to-date report for the month ending September 30, 2021. The most significant expenditures under Administration are for the Workers Compensation Insurance, CalPERS Annual Unfunded Pension Liability, mitigation land expenses, property tax assessment, and district memberships.

**BACKGROUND:**

The Board of Trustees adopts a budget annually in June. District staff prepares the budget, which presents the current year's budget versus expenditures and a proposed budget for the upcoming fiscal year.

Three Board committees review the draft budget before being presented to the Board for adoption in June. The Personnel Committee reviews the wage and benefits portion of the budget. The Operations Committee reviews the Capital expenditures Budget. After the two committees review and make recommendations to the budget, the final draft is prepared for the Finance Committee to consider. After review by the Finance Committee, the final Proposed Budget is presented to the entire Board for adoption at a regular Board meeting.


**RECOMMENDATION:**

Staff recommends the Board review and accept the Budget to Actual Report for September 2021.

**ATTACHMENTS:**

1. Budget to Actual Report September 2021

**STAFF RESPONSIBLE FOR REPORT:**

  
\_\_\_\_\_  
Joleen Gutierrez, Administrative Services Manager

Date: 10/01/2021

  
\_\_\_\_\_  
Kevin L. King, General Manager

Date: 10/02/2021

**Reclamation District No. 1000  
Budget to Actual Comparison  
July 1, 2021 to September 30, 2021 (Three Months Ending of Fiscal 2022)**

	Year to Date July 1, 2021 to September 30, 2021	Budget	Percent of Budget
<b>Operation &amp; Maintenance Income</b>			
Property Assessments	190	2,250,000	0.01%
Rents	5,597	24,000	23.32%
Interest Income	4,319	55,000	7.85%
SAFCA - O/M Assessment	-	1,400,000	0.00%
Misc Income	2,759	-	Not Budgeted
FMAP Grant	137,228	792,000	17.33%
Annuitant Trust Reimbursement	-	70,000	0.00%
Security Patrol Reimbursement	9,050	45,000	20.11%
<b>Total</b>	<b>159,143</b>	<b>4,636,000</b>	<b>3.43%</b>
<b>Restricted Fund</b>			
Metro Airpark Groundwater Pumping	-	25,000	0.00%
<b>Total Combined Income</b>	<b>159,143</b>	<b>4,661,000</b>	<b>3.41%</b>
<b>Administration, Operations and Maintenance - Expenses</b>			
<b>Administration</b>			
Government Fees/Permits	-	12,500	0.00%
Legal	5,303	65,000	8.16%
Liability/Auto Insurance	36,393	160,000	22.75%
Office Supplies	505	4,500	11.22%
Computer Costs	6,070	34,900	17.39%
Accounting/Audit	8,937	56,800	15.73%
Admin. Services	5,697	22,000	25.90%
Utilities (Phone/Water/Sewer)	2,988	16,400	18.22%
Mit. Land Expenses	4,995	5,300	94.25%
Administrative Consultants	19,017	114,500	16.61%
Assessment/Property Taxes (SAFCA - CAD)	4,465	8,500	52.53%
Admin - Misc./Other Expenses	479	2,800	17.11%
Memberships	23,942	39,700	60.31%
Office Maintenance & Repair	4,566	31,500	14.50%
Payroll Service	455	4,500	10.11%
Public Relations	50	49,000	0.10%
Small Office & Computer Equipment	-	10,000	0.00%
Election	-	10,000	0.00%
Conference/Travel/Professional Development	56	20,500	0.27%
<b>Sub Total</b>	<b>123,918</b>	<b>668,400</b>	<b>18.54%</b>
<b>Personnel/Labor</b>			
Wages	254,290	1,139,323	22.32%
Group Insurance	41,000	105,084	39.02%
Worker's Compensation Insurance	21,632	31,000	69.78%
OPEB - ARC	-	83,751	0.00%
Dental/Vision/Life	6,800	23,000	29.57%
Payroll Taxes	18,775	86,589	21.68%
Pension	111,936	262,604	42.63%
Continuing Education	60	5,000	1.20%
Trustee Fees	4,725	35,000	13.50%
Annuitant Health Care	27,651	85,000	32.53%



Sub Total

486,869

1,856,351

26.23%

<b>Operations</b>			
Power	66,840	500,000	13.37%
Supplies/Materials	1,038	25,000	4.15%
Herbicide	19,252	240,000	8.02%
Fuel	13,825	40,000	34.56%
Field Services	71,377	91,000	78.44%
Field Operations Consultants	4,000	20,000	20.00%
Equipment Rental	-	5,000	0.00%
Refuse Collection	3,469	45,000	7.71%
Equipment Repair/Service	5,958	15,000	39.72%
Equipment Parts/Supplies	11,130	60,000	18.55%
Facility Repairs	90,513	527,000	17.18%
Shop Equipment (not vehicles)	-	5,000	0.00%
Field Equipment	1,292	20,000	6.46%
Misc/Other 2	191	500	38.20%
Utilities - Field	3,794	11,000	34.49%
Government Fees/Permits - Field	-	10,000	0.00%
FEMA Permits	-	1,500	0.00%
<b>Sub Total</b>	<b>292,679</b>	<b>1,616,000</b>	<b>18.11%</b>
<b>Equipment</b>			
Equipment	20,749	430,000	4.83%
<b>Sub Total</b>	<b>20,749</b>	<b>430,000</b>	
<b>Consulting/Contracts/Memberships</b>			
Engineering/Technical Consultants	410	182,500	0.22%
Security Patrol	15,900	80,000	19.88%
Temporary Admin	-	15,000	0.00%
<b>Sub Total</b>	<b>16,310</b>	<b>277,500</b>	<b>5.88%</b>
<b>FMAP Expenditures</b>			
LOI/SWIF (Consultants)	7,802	20,000	39.01%
Equipment	129,426	601,000	21.54%
Operations & Maintenance (Field)	-	162,850	0.00%
Administrative	-	8,150	0.00%
<b>Sub Total</b>	<b>137,228</b>	<b>792,000</b>	<b>17.33%</b>
<b>Total A, O &amp; M Expenses</b>	<b>1,077,753</b>	<b>5,640,251</b>	<b>19.11%</b>
<b>Capital Expenses</b>			
Capital Office Upgrades	-	30,000	0.00%
Capital RE Acquisition	-	50,000	0.00%
Capital Office Facility Repair	-	30,000	0.00%
Capital Facilities	-	1,250,000	0.00%
<b>Sub Total</b>	<b>-</b>	<b>1,360,000</b>	<b>0.00%</b>
<b>Total All Expenditures</b>	<b>1,077,753</b>	<b>7,000,251</b>	<b>15.40%</b>



## RECLAMATION DISTRICT 1000

DATE: OCTOBER 8, 2021

AGENDA ITEM NO. 6.1

---

**TITLE:** Insurance Renewal

**SUBJECT:** Review and Consider Authorizing General Manager to Execute Annual Insurance Renewal.

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**EXECUTIVE SUMMARY:**

Reclamation District No. 1000 (RD 1000; District) is required to annually renew their property, auto, and liability insurance. The District previously selected Allied Community Services, LLC., for insurance services and it is recommended to renew with Allied for 2021/2022 coverage.

The total rate increase for the 2021 renewal over the expiring policy is 13.5%.

**RECOMMENDATION:**

Staff recommends the Board review and consider authorizing the General Manager to execute the District's annual insurance renewal for liability and property insurance services with Allied Community Insurance Services, LLC.

**FINANCIAL IMPACT:**

\$151,155

**ATTACHMENTS:**

1. Water Plus Insurance Proposal (Allied Community Insurance Services, LLC)

**STAFF RESPONSIBLE FOR REPORT:**

  
\_\_\_\_\_  
Joleen Gutierrez, Administrative Services Manager

Date: 10/01/2021

  
\_\_\_\_\_  
Kevin L. King, General Manager

Date: 10/01/2021



**INSURANCE PROPOSAL**  
**Reclamation District 1000**

**EFFECTIVE DATE**  
**10/15/2021**

**PRESENTED BY:**  
**PCF Insurance Services of the West LLC**



**PROGRAM MANAGER**  
**[www.alliedpublicrisk.com](http://www.alliedpublicrisk.com)**  
**Allied Community Insurance Services, LLC**  
**Agency License No. 733176**  
**CA License No. 0L01269**



## PREMIUM SUMMARY

**NOTE:** This proposal is prepared from information supplied to us on the application submitted by your insurance broker. It may or may not contain all terms requested on the application. Proposed coverages are provided by the Allied Public Risk WaterPlus policy forms and are subject to the terms, exclusions, conditions and limitations of those policy forms. Actual policies should be reviewed for specific details. Specimen policies are available from your insurance broker.

PAGE	COVERAGE SECTION	PREMIUM
3-7	<b>SECTION 1. PROPERTY</b> (Property, Equipment Breakdown & Mobile Equipment)	\$ 42,948.00
8	<b>SECTION 2. COMMERCIAL CRIME</b>	\$ 938.00
9-10	<b>SECTION 3. COMMERCIAL GENERAL LIABILITY</b>	\$ 32,547.00
11	<b>SECTION 4. PUBLIC OFFICIALS &amp; MANAGEMENT LIABILITY (POML)</b> (Wrongful Acts, Employment Practices, Employee Benefits, Privacy & Network Risk)	\$ 5,966.00
12	<b>SECTION 5. BUSINESS AUTO</b>	\$ 39,571.00
13	<b>SECTION 6. COMMERCIAL EXCESS LIABILITY</b>	\$ 28,131.00

	<b>TOTAL ANNUAL PREMIUM</b> (excludes state-imposed taxes, surcharges, and fees)	\$ 150,101.00
	<b>TERRORISM PREMIUM</b>	\$ 754.00
	<b>FULLY EARNED POLICY FEE</b>	\$ 300.00
	<b>STATE-IMPOSED TAXES, SURCHARGES, AND FEES</b>	\$ N/A
	<b>TOTAL AMOUNT DUE*</b> *Payment is due in accordance with the producer agreement.	\$ 151,155.00

### NOTES:

**INSURED:** Reclamation District 1000  
**EFFECTIVE DATE:** 10/15/2021

**DISCLAIMER:** Actual coverage is subject to the language of the policies as issued. Your issued policy may contain limits, exclusions, and limitations that are not detailed in this proposal.



## SECTION 1. PROPERTY\*

\*IS THIS SECTION INCLUDED IN THE PROPOSAL? Yes

### CARRIER:

- Allied World Assurance Company or affiliate
- A XV (Excellent) A.M. Best Rating

### FORM:

- Special Causes of Loss
- Proprietary
- Integrated

### LIMITS:

<b>Blanket Property:</b> (Real Property & Business Personal Property)	<b>\$21,037,951</b>
<b>Blanket Coverage Extension:</b> A separate blanket limit that applies to the following coverages: Business Income, Extended Business Income, Commandeered Property, Civil Authority, Extra Expense, Tenant Leasehold Interest, Electronic Data, Preservation of Property.	<b>\$2,000,000</b>
<b>Equipment Breakdown / Boiler &amp; Machinery:</b>	<b>Included</b>
<b>Mobile Equipment (Scheduled):</b>	<b>\$2,287,216</b>
<b>Mobile Equipment (unscheduled, maximum \$10,000 any one item):</b>	<b>\$12,650</b>
<b>Mobile Equipment (borrowed, rented &amp; leased):</b>	<b>\$100,000</b>
<b>Earthquake (earth movement excluded):</b>	<b>N/A</b>
<b>Flood Zone AE:</b>	<b>N/A</b>
<b>Flood Zone X (unshaded):</b>	<b>N/A</b>

### DEDUCTIBLES:

\$1,000	Property
\$1,000	Mobile Equipment
\$1,000	Equipment Breakdown (aboveground & less than 50 feet belowground)
\$2,500	Equipment Breakdown (greater than 50 feet belowground)
N/A	Earthquake (earth movement excluded)
N/A	Flood Zone X (per occurrence)
N/A	Flood Zone AE <sup>1</sup> (per occurrence)
N/A	Flood Zone AE <sup>1</sup> (per damaged structure / per occurrence)
	<sup>1</sup> the greater of the deductibles will be applied
N/A	Wind/Hail <sup>2</sup> (per occurrence)
N/A	Wind/Hail <sup>2</sup> (per damaged structure / per occurrence)
	<sup>2</sup> the greater of the deductibles will be applied

### POLICY HIGHLIGHTS:

- Blanket Policy Limits
- Blanket Coverage Extension Limits
- No Coinsurance Penalty
- Equipment Breakdown
- Broad Definition of Covered Property
- Proprietary Coverage Extensions

### VALUATION:

- Replacement Cost: Real Property & Business Personal Property
- Actual Cash Value: Mobile Equipment
- Actual Loss Sustained: Loss of Income & Expenses
- Market Price: Fine Arts

INSURED: Reclamation District 1000

EFFECTIVE DATE: 10/15/2021

DISCLAIMER: Actual coverage is subject to the language of the policies as issued. Your issued policy may contain limits, exclusions, and limitations that are not detailed in this proposal.





## SPECIAL COVERAGES:

- **New Locations Or Newly Constructed Property:**  
Pays up to \$1,000,000 for your new real property while being built on or off described premises as well as real property you acquire, lease or operate at locations other than the described premises; and business personal property located at new premises.
- **Utility Services – Direct Damage, Business Income & Expense:**  
Pays up to \$250,000 for covered property damaged by an interruption in utility service to the described premises. The interruption in utility service must result from direct physical loss or damage by a Covered Cause of Loss and does not apply to loss or damage to electronic data, including destruction or corruption of electronic data. Separate limits apply to Direct Damage and Business Income/Expense Expense.
- **Pollution Remediation Expenses:**  
Pays up to \$100,000 or \$250,000 for remediation expenses resulting from a Covered Causes of Loss or Specified Cause of Loss occurring during the policy period and reported within 180 days. Covered Causes of Loss means risks of direct physical loss unless the loss is excluded or limited by the Property Coverage Form. Specified Cause of Loss means the following: fire; lightning; explosion; windstorm or hail; smoke; aircraft or vehicles; riot or civil commotion; vandalism; leakage from fire extinguishing equipment; sinkhole collapse; volcanic action; falling objects; weight of snow; ice or sleet; water damage; and equipment breakdown.
- **SCADA Upgrades:**  
Pays up to \$100,000 to upgrade your scheduled SCADA system after direct physical loss from a Covered Cause of Loss. The upgrade is in addition to its replacement cost. SCADA means the Supervisory Control and Data Acquisition system used in water and wastewater treatment and distribution to monitor leaks, waterflow, water analysis, and other measurable items necessary to maintain operations.
- **Contract Penalties:**  
Pays up to \$100,000 for contract penalties you are required to pay due to your failure to deliver your product according to contract terms solely as a result of direct physical loss or damage by a Covered Cause of Loss to Covered Property.
- **Contamination:**  
Pays up to \$100,000 for loss or damage to covered property because of contamination as a result of a Covered Cause of Loss. Contamination means direct damage to real property and business personal property caused by contact or mixture with ammonia, chlorine, or any chemical used in the water and / or wastewater treatment process.
- **Property In Transit:**  
Pays up to \$100,000 for direct physical loss or damage to covered property while in transit more than 1000 feet from the described premises. Shipments by mail must be registered for covered to apply. Electronic data processing property and fine arts are excluded.
- **Unintentional Errors:**  
Pays up to \$100,000 for any unintentional error or omission you make in determining or reporting values or in describing the covered property or covered locations.



## KEY DEFINITIONS

### ■ **Real Property:**

The buildings, items or structures described in the Declarations that you own or that you have leased or rented from others in which you have an insurable interest. This includes:

- Aboveground piping;
- Aboveground and belowground penstock;
- Additions under construction;
- Alterations and repairs to the buildings or structures;
- Buildings;
- Business personal property owned by you that is used to maintain or service the real property or structure or its premises, including fire-extinguishing equipment; outdoor furniture, floor coverings and appliances used for refrigerating, ventilating, cooking, dishwashing or laundering;
- Completed additions;
- Exterior signs, meaning neon, automatic, mechanical, electric or other signs either attached to the outside of a building or structure, or standing free in the open;
- Fixtures, including outdoor fixtures;
- Glass which is part of a building or structure;
- Light standards;
- Materials, equipment, supplies and temporary structures you own or for which you are responsible, on the premises or in the open (including property inside vehicles) within 1000 feet of the premises, used for making additions, alterations or repairs to buildings or structures at the premises;
- Paved surfaces such as sidewalks, patios or parking lots;
- Permanently installed machinery and equipment;
- Permanent storage tanks;
- Solar panels;
- Submersible pumps, pump motors and engines;
- Underground piping located on or within 1000 feet of premises described in the Declarations;
- Underground vaults and machinery.

### ■ **Business Personal Property:**

The property you own that is used in your business including:

- Furniture and fixtures;
- Machinery and equipment;
- Computer equipment;
- Communication equipment;
- Labor materials or services furnished or arranged by you on personal property of others;
- Stock;
- Your use interest as tenant in improvements and betterments.
- Leased personal property for which you have a contractual responsibility to insure.

### ■ **Pollution Conditions:**

The discharge, dispersal, release, seepage, migration, or escape of any solid, liquid, gaseous or thermal irritant or contaminant, including smoke, vapor, soot, fumes, acids, alkalis, chemicals, minerals, chemical elements and waste. Waste includes materials to be recycled, reconditioned or reclaimed.





## KEY DEFINITIONS *(continued)*

### ■ **Remediation Expenses:**

Expenses incurred for or in connection with the investigation, monitoring, removal, disposal, treatment, or neutralization of pollution conditions to the extent required by: (1) Federal, state or local laws, regulations or statutes, or any subsequent amendments thereof enacted to address pollution conditions; and (2) a legally executed state voluntary program governing the cleanup of "pollution conditions."

### ■ **Outdoor Property:**

Fixed or permanent structures that are outside covered real property including but not limited to:

- Historical markers or flagpoles;
- Sirens, antennas, towers, satellite dishes, or similar structures and their associated equipment;
- Exterior signs not located at a premises;
- Fences or retaining walls;
- Storage sheds, garages, pavilions or other similar buildings or structures not located at a premises;
- Dumpsters, concrete trash containers, or permanent recycling bins;
- Hydrants; or
- Electric utility power transmission and distribution lines and related equipment owned by the insured.

### ■ **Equipment Breakdown:**

Direct damage to mechanical, electrical or pressure systems as follows:

- Mechanical breakdown including rupture or bursting caused by centrifugal force;
- Artificially generated electrical current, including electrical arcing, that disturbs electrical devices, appliances or wires;
- Explosion of steam boilers, steam piping, steam engines or steam turbines owned or leased by you, or operated under your control;
- Loss or damage to steam boilers, steam pipes, steam engines or steam turbines; or
- Loss or damage to hot water boilers or other water heating equipment;
- If covered electrical equipment requires drying out as a result of a flood, we will pay for the direct expenses for such drying out.
- None of the following are covered objects as respects to equipment breakdown:
  - a. Insulating or refractory material;
  - b. Buried vessel or piping;
  - c. Sewer piping, piping forming a part of a fire protection system or water piping other than:
    - (1) Feed water piping between any boiler and its feed pump or injector;
    - (2) Boiler condensate return piping; or
    - (3) Water piping forming a part of refrigerating and air conditioning vessels and piping used for cooling, humidifying or space heating purposes;
  - d. Structure, foundation, cabinet or compartment containing the object;
  - e. Power shovel, dragline, excavator, vehicle, aircraft, floating vessel or structure, penstock, draft tube or well-casing;
  - f. Conveyor, crane, elevator, escalator or hoist, but not excluding any electrical machine or electrical apparatus mounted on or used with this equipment; and
  - g. Felt, wire, screen, die, extrusion, late, swing hammer, grinding disc, cutting blade, cable chain, belt, rope, clutch late, brake pad, non-metallic part or any part or tool subject to frequent, periodic replacement.



**PROPERTY SUBLIMITS:**

Coverage	Limit
Accounts Receivable	\$500,000
Valuable Papers and Records	\$500,000
Contamination	\$100,000
Tools and Equipment Owned by Your Employees	\$5,000
Personal Effects and Property of Others	\$5,000
Outdoor Property (unscheduled)	\$25,000
New Locations or Newly Constructed Property	\$1,000,000
Business Personal Property at New Locations	\$1,000,000
Utility Services - Direct Damage	\$250,000
Utility Services – Business Income and Extra Expense	\$250,000
Dependent Business Premises	\$250,000
Property at Other Locations	\$250,000
Pollution Remediation Expense (specified cause of loss)	\$250,000
Pollution Remediation Expense (covered cause of loss)	\$100,000
Contract Penalties	\$100,000
SCADA Upgrades	\$100,000
Property in Transit	\$100,000
Backup/Overflow of Water from Sewer, Drain, Sump	\$100,000
Fine Arts	\$25,000
Limited Coverage for “Fungus”, Wet Rot or Dry Rot	\$25,000
Trees, Shrubs & Plants (maximum \$1,000 any one item)	\$25,000
Indoor and Outdoor Signs (unscheduled)	\$25,000
Arson Reward	\$10,000
Fire Department Service Charge	\$5,000
Non-Owned Detached Trailers	\$5,000
Cost of Inventory or Adjustment	\$5,000
Patterns, Dies, Molds, Forms	\$2,500
Fire Protection Devices	\$2,500
Debris Removal	25% of scheduled limit
Ordinance or Law Provision	25% of scheduled limit

**NOTES:**

Premium is calculated from attached property schedule; review property schedule for coverage and limit adequacy.

**Earthquake and Flood coverages are excluded.**

INSURED: Reclamation District 1000

EFFECTIVE DATE: 10/15/2021

DISCLAIMER: Actual coverage is subject to the language of the policies as issued. Your issued policy may contain limits, exclusions, and limitations that are not detailed in this proposal.





## SECTION 2. COMMERCIAL CRIME\*

**\*IS THIS SECTION INCLUDED IN THE PROPOSAL? Yes**

**CARRIER:**

- Allied World Assurance Company or affiliate
- A XV (Excellent) A.M. Best Rating

**FORM:**

- Proprietary
- Integrated

**RATING BASIS:**

- On file with underwriter
- Non auditable

**LIMITS:**

EMPLOYEE THEFT	FORGERY OR ALTERATION	INSIDE THE PREMISES Theft of Money and Securities	INSIDE THE PREMISES Robbery or Safe Burglary or Other Property	OUTSIDE THE PREMISES	COMPUTER FRAUD	FUNDS TRANSFER FRAUD	MONEY ORDERS & COUNTERFEIT PAPER CURRENCY
\$250,000	\$250,000	\$250,000	\$5,000	\$250,000	\$100,000	\$100,000	\$100,000

**DEDUCTIBLE:**

\$1,000 each claim

**DESIGNATED EMPLOYEE BENEFIT PLAN(S):**

**POLICY HIGHLIGHTS:**

- Separate Limits Apply to Each Coverage
- Coverage Extended to Directors and Authorized Volunteers
- Faithful Performance

**NOTES:**

**INSURED: Reclamation District 1000**  
**EFFECTIVE DATE: 10/15/2021**

**DISCLAIMER:** Actual coverage is subject to the language of the policies as issued. Your issued policy may contain limits, exclusions, and limitations that are not detailed in this proposal.



## SECTION 3. COMMERCIAL GENERAL LIABILITY \*

**\*IS SECTION INCLUDED IN THE PROPOSAL? Yes**

**CARRIER:**

- Allied World Assurance Company or affiliate
- A XV (Excellent) A.M. Best Rating

**FORM:**

- Occurrence
- Proprietary

**RATING BASIS:**

- On file with underwriter
- Non auditable

**LIMITS:**

Per Occurrence	\$1,000,000
General Aggregate	\$3,000,000
Products & Completed Operations Aggregate	\$3,000,000
Personal & Advertising Injury Limit	\$1,000,000
Damage to Premises Rented to You	\$1,000,000
Medical Payments	\$10,000

**DEDUCTIBLE:**

N/A

**POLICY HIGHLIGHTS:**

- Duty to Defend
- Broad Definition of Insured
- Fellow Employee
- Per Location Aggregate
- Blanket Additional Insured Endorsement

**OPTIONAL COVERAGES INCLUDED IN QUOTE:**

Dam, Levee & Dike Structural Failure - **See Notes**

**INSURED: Reclamation District 1000**  
**EFFECTIVE DATE: 10/15/2021**

**DISCLAIMER:** Actual coverage is subject to the language of the policies as issued. Your issued policy may contain limits, exclusions, and limitations that are not detailed in this proposal.



## SPECIAL COVERAGES:

- **Water & Wastewater Testing Errors & Omissions:**  
Coverage is provided for damages arising out of an act, error or omission which arises from your water or wastewater testing.
- **Failure To Supply:**  
Coverage is provided for bodily injury or property damage arising out of the failure of any insured to adequately supply water.
- **Waterborne Asbestos:**  
Coverage is provided for bodily injury or property damage from waterborne asbestos arising out of potable water which is provided by you to others.
- **Contractual Liability - Railroads:**  
Coverage is provided for any contract or agreement that indemnifies a railroad for bodily injury or property damage arising out of construction or demolition operations, within 50 feet of any railroad property and affecting any railroad bridge or trestle, tracks, road-beds, tunnel, underpass or crossing.
- **Pollution:**  
Coverage is provided for bodily injury or property damage which occurs or takes place as a result of your operations and arises out of the following:
  - Potable water which you supply to others;
  - Chemicals you use in your water or wastewater treatment process;
  - Natural gas or propane gas you use in your water or wastewater treatment process;
  - Urgent response for the protection of property, human life, health or safety conducted away from premises owned by or rented to or regularly occupied by you;
  - Your application of pesticide or herbicide chemicals if such application meets all standards of any statute, ordinance, regulation or license requirement of any federal, state or local government;
  - Smoke drift from controlled or prescribed burning that has been authorized and permitted by an appropriate regulatory agency.
  - Fuels, lubricants or other operating fluids needed to perform the normal electrical, hydraulic or mechanical functions necessary for the operation of mobile equipment or its parts
  - Escape or back-up of sewage or waste water from any sewage treatment facility or fixed conduit or piping that you own, operate, lease, control or for which you have the right of way, but only if property damage occurs away from land you own or lease.
  - Sudden and accidental events that are neither expected nor intended by an Insured. However, no coverage is provided under this exception for petroleum underground storage tanks.

## NOTES:

**Dam, Levee & Dike Structural Failure Coverage: Please provide confirmation of maintenance plan/program in place to address items with a "U" rating in the Spring 2021 Levee Inspection Report.**





**SECTION 4. PUBLIC OFFICIALS & MANAGEMENT LIABILITY\***

**\*IS THIS SECTION INCLUDED IN THE PROPOSAL? Yes**

**CARRIER:**

- Allied World Assurance Company or affiliate
- A XV (Excellent) A.M. Best Rating

**FORM:**

- Occurrence

**DEFENSE COSTS:**

- Outside the Limits of Liability

**LIMITS:**

Wrongful Acts	\$1,000,000	per act
Employment Practices <i>(including third party discrimination)</i>	\$1,000,000	per offense
Employee Benefit Plans	\$1,000,000	per offense
Injunctive Relief	\$5,000	per act
	\$3,000,000	aggregate limit

**PRIVACY LIABILITY AND NETWORK RISK<sup>1</sup>:**

Privacy & Network Security Wrongful Acts	\$1,000,000	per act
Breach Consultation Services	\$50,000	per act
Breach Response Services	\$50,000	per act
Public Relations & Data Forensics	\$50,000	per act

<sup>1</sup>Coverage provided for Privacy Liability & Network Risk Coverage is issued on a claims made basis with defense inside the limit of liability. Privacy Retroactive Date: 10/15/2018. Privacy Deductible: \$1,000.

**SPECIAL COVERAGES:**

- Inverse Condemnation: Yes

**DEDUCTIBLE**

\$1,000 each claim including expenses

**RETROACTIVE DATE:**

**POLICY HIGHLIGHTS:**

- Duty To Defend
- Broad Definition of Named Insured including Past and Future Employees
- Outside Directorship
- Punitive Damages are Covered Where Insurable by Law
- No Intentional Acts, Assault & Battery or Bodily Injury Exclusions

**NOTES:**

**INSURED: Reclamation District 1000**

**EFFECTIVE DATE: 10/15/2021**

**DISCLAIMER:** Actual coverage is subject to the language of the policies as issued. Your issued policy may contain limits, exclusions, and limitations that are not detailed in this proposal.



**SECTION 5. BUSINESS AUTO\***

**\*IS THIS SECTION IS INCLUDED IN THE PROPOSAL? Yes**

**CARRIER:**

- Allied World Assurance Company or affiliate
- A XV (Excellent) A.M. Best Rating

**FORM:**

- ISO Business Auto

**PORTFOLIO:**

	Symbol	Limit
Combined Single Limit for Bodily Injury & Property Damage (each accident)	1	\$1,000,000
Hired Auto Liability	8	\$1,000,000
Non-Owned Auto Liability	9	\$1,000,000
"No-Fault" or Statutory Personal Injury Protection (each person)	No Coverage	N/A
Medical Payments	2	\$5,000
Uninsured / Underinsured Motorists	2	\$1,000,000
Hired Physical Damage	8	\$50,000
Owned Physical Damage – Comprehensive	2	ACV
Owned Physical Damage – Collision	2	ACV

**DEDUCTIBLE:**

Liability: None  
 Comprehensive: \$500  
 Collision: \$500

**NOTES:**

**Please refer to Auto terms provided for per unit coverage.**



**SECTION 6. COMMERCIAL EXCESS LIABILITY \***

**\*IS THIS SECTION IS INCLUDED IN THE PROPOSAL? Yes**

**CARRIER:**

- Allied World Assurance Company or affiliate
- A XV (Excellent) A.M. Best Rating

**FORM:**

- Proprietary
- Following Form

**LIMITS:**

\$10,000,000 / \$10,000,000

**RATING BASIS:**

- On file with underwriter
- Non auditable

**SCHEDULED UNDERLYING POLICIES:**

Commercial General Liability - Yes  
 Hired and Non-Owned Auto Liability - Yes  
 Public Officials & Management Liability - Yes  
 Wrongful Acts - Yes  
 Employment Practices - Yes  
 Employee Benefit Plans - Yes  
 Owned Auto Liability - Yes  
 Employer's Liability (minimum underlying limit requirement of \$500,000 / \$500,000 / \$500,000) - Yes  
 Other:

**NOTABLE EXCLUSION:**

- Workers' Compensation

**NOTES:**

Employers' Liability subject to Allied World security requirements.  
**Excess Coverage for Inverse Condemnation is limited to the first \$5M of Excess.**



**POLICYHOLDER DISCLOSURE  
NOTICE OF TERRORISM  
INSURANCE COVERAGE**

You are hereby notified that under the Terrorism Risk Insurance Act, as amended via the Program Reauthorization Act of 2015, that you have a right to purchase insurance coverage for losses resulting from acts of terrorism, as defined in Section 102(1) of the Act: The term “act of terrorism” means any act that is certified by the Secretary of the Treasury – in consultation with the Secretary of Homeland Security, and the United States Attorney General—to be an act of terrorism; to be a violent act or an act that is dangerous to human life, property or infrastructure; to have resulted in damage within the United States, or outside the United States in the case of certain air carriers or vessels or the premises of a United States mission; and to have been committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

YOU SHOULD KNOW THAT WHERE COVERAGE IS PROVIDED BY THIS POLICY FOR LOSSES RESULTING FROM CERTIFIED ACTS OF TERRORISM SUCH LOSSES MAY BE PARTIALLY REIMBURSED BY THE UNITED STATES GOVERNMENT UNDER A FORMULA ESTABLISHED BY FEDERAL LAW. HOWEVER, YOUR POLICY MAY CONTAIN OTHER EXCLUSIONS WHICH MIGHT AFFECT YOUR COVERAGE, SUCH AS EXCLUSION FOR NUCLEAR EVENTS. UNDER THIS FORMULA, THE UNITED STATES GOVERNMENT GENERALLY REIMBURSES [85% THROUGH 2015; 84% BEGINNING ON JANUARY 1, 2016; 83% BEGINNING ON JANUARY 1, 2017; 82% BEGINNING ON JANUARY 1, 2018; 81% BEGINNING ON JANUARY 1, 2019 AND 80% BEGINNING ON JANUARY 1, 2020] OF COVERED TERRORISM LOSSES EXCEEDING THE STATUTORILY ESTABLISHED DEDUCTIBLE PAID BY THE INSURANCE COMPANY PROVIDING THE COVERAGE. THE PREMIUM CHARGED FOR THIS COVERAGE IS PROVIDED BELOW AND DOES NOT INCLUDE ANY CHARGES FOR THE PORTION OF LOSS COVERED BY THE FEDERAL GOVERNMENT UNDER THE ACT.

YOU SHOULD ALSO KNOW THAT THE TERRORISM RISK INSURANCE ACT, AS AMENDED, CONTAINS A \$100 BILLION CAP THAT LIMITS U.S. GOVERNMENT REIMBURSEMENT AS WELL AS INSURERS’ LIABILITY FOR LOSSES RESULTING FROM CERTIFIED ACTS OF TERRORISM WHEN THE AMOUNT OF SUCH LOSSES IN ANY ONE CALENDAR YEAR EXCEEDS \$100 BILLION. IF THE AGGREGATE INSURED LOSSES FOR ALL INSURERS EXCEED \$100 BILLION, YOUR COVERAGE MAY BE REDUCED.

**Acceptance or Rejection of Terrorism Insurance Coverage**

	I hereby elect to purchase terrorism coverage for a prospective premium of \$754.00
	I hereby decline to purchase terrorism coverage for certified acts of terrorism. I understand that I will have no coverage for losses resulting from certified acts of terrorism.

Policyholder/Applicant’s Signature  <b>Reclamation District 1000</b>	Insurance Company  <b>Allied World Specialty Insurance Company</b>
Print Name	Policy Number
Date	

# CALIFORNIA UNINSURED MOTORISTS COVERAGE SELECTION/REJECTION

<b>Applicant/Named Insured:</b> Reclamation District 1000
<b>Company:</b> Allied World Specialty Insurance Company

California law permits you to make certain decisions regarding Uninsured Motorists Coverage. This document describes this coverage and the options available.

You should read this document carefully and contact us or your agent if you have any questions regarding Uninsured Motorists Coverage and your options with respect to this coverage.

This document includes general descriptions of coverage. However, no coverage is provided by this document. You should read your policy and review your Declarations Page(s) and/or Schedule(s) for complete information on the coverages you are provided.

**A. Mandatory Offer Of Bodily Injury Uninsured Motorists Coverage**

Please indicate your choices by initialing next to the appropriate item(s) below.

**1. Selection Of Bodily Injury Uninsured Motorists Coverage**

<p>(Initials)</p>  <p>_____</p>	<p><b>I select Bodily Injury Uninsured Motorists Coverage at limits equal to the limits of my Bodily Injury Liability Coverage (split limits) or Combined Single Limit for Liability Coverage.</b></p>
---------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**2. Rejection Of Bodily Injury Uninsured Motorists Coverage**

The California Insurance Code requires that we provide you with the following information:

"The California Insurance Code requires an insurer to provide uninsured motorists coverage in each bodily injury liability insurance policy it issues covering liability arising out of the ownership, maintenance, or use of a motor vehicle. Those provisions also permit the insurer and the applicant to delete the coverage completely or to delete the coverage when a motor vehicle is operated by a natural person or persons designated by name. Uninsured motorists coverage insures the insured, his or her heirs, or legal representatives for all sums within the limits established by law, which the person or persons are legally entitled to recover as damages for bodily injury, including any resulting sickness, disease, or death, to the insured from the owner or operator of an uninsured motor vehicle not owned or operated by the insured or a resident of the same household. An uninsured motor vehicle includes an underinsured motor vehicle as defined in subdivision (p) of Section 11580.2 of the Insurance Code".

<b>(Initials)</b>	<b>I reject Bodily Injury Uninsured Motorists Coverage entirely.</b>
_____	<b>I delete Bodily Injury Uninsured Motorists Coverage only with respect to the following individuals:</b>
_____	<b>(Name of Excluded Driver(s))</b>
	_____
	_____

**3. Lower Limit(s) For Bodily Injury Uninsured Motorists Coverage**

The California Insurance Code requires that we provide you with the following information:

"The California Insurance Code requires an insurer to provide uninsured motorists coverage in each bodily injury liability insurance policy it issues covering liability arising out of the ownership, maintenance, or use of a motor vehicle. Those provisions also permit the insurer and the applicant to agree to provide the coverage in an amount less than that required by subdivision (m) of Section 11580.2 of the Insurance Code but not less than the financial responsibility requirements. Uninsured motorists coverage insures the insured, his or her heirs, or legal representatives for all sums within the limits established by law, which the person or persons are legally entitled to recover as damages for bodily injury, including any resulting sickness, disease, or death, to the insured from the owner or operator of an uninsured motor vehicle not owned or operated by the insured or a resident of the same household. An uninsured motor vehicle includes an underinsured motor vehicle as defined in subdivision (p) of Section 11580.2 of the Insurance Code".

(Initials)

I reject Bodily Injury Uninsured Motorists Coverage at limits equal to my Bodily Injury Liability Coverage (split limits) or Combined Single Limit for Liability Coverage and I select the following lower limits.

(Choose one):

(Initials)	Split Limits	OR	(Initials)	Combined Single Limit
_____	\$ 15,000/30,000		_____	\$ 30,000
_____	20,000/40,000		_____	40,000
_____	25,000/50,000		_____	50,000
_____	30,000/60,000		_____	60,000
_____	50,000/100,000		_____	100,000
_____	100,000/300,000		_____	250,000
_____	250,000/500,000		_____	300,000
_____	500,000/1,000,000		_____	500,000
_____	\$ _____		_____	1,000,000
	(Other)		_____	\$(Other)

### B. Mandatory Offer Of Property Damage Uninsured Motorists Coverage

Uninsured Motorists Coverage may also include Property Damage Uninsured Motorists Coverage. Property Damage Uninsured Motorists Coverage provides insurance protection to an insured for compensatory damages for injury to or destruction of a covered auto caused by an automobile accident which an insured is legally entitled to recover from the owner or operator of certain types of uninsured motor vehicles. However, Property Damage Uninsured Motorists Coverage is available only:

1. If you have not rejected Bodily Injury Uninsured Motorists Coverage; and
2. For autos for which you have not purchased Collision Coverage.

Please indicate your choices by initialing next to the appropriate item(s) below.

<b>(Initials)</b> _____	<b>I select Property Damage Uninsured Motorists Coverage at a limit of \$3,500 for each accident for the following vehicle(s):</b>  <b>(Specify Year/Make/Model)</b> _____ _____ _____
<b>(Initials)</b> _____ _____	<b>I reject Property Damage Uninsured Motorists Coverage entirely.</b> <b>I delete Property Damage Uninsured Motorists Coverage only with respect to the following individuals:</b>  <b>(Name of Excluded Driver(s))</b> _____ _____

\_\_\_\_\_  
**Applicant's/Named Insured's Signature**

\_\_\_\_\_  
**Date**



## RECLAMATION DISTRICT 1000

DATE: OCTOBER 8, 2021

AGENDA ITEM NO. 7.1.1

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TITLE: Committee Meeting Minutes

SUBJECT: Committee Meeting Minutes since the September Board Meeting

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### EXECUTIVE SUMMARY:

#### Personnel Committee Meeting – September 24, 2021

A meeting of the Reclamation District No. 1000 Personnel Committee was held on Friday, September 24, 2021, at 08:00 a.m. via GoToMeeting and Conference Call. In attendance were Trustees Jones, Bains, and Barandas. Staff in attendance were General Manager King, General Counsel Smith, and General Counsel Shapiro. There were no members of the public present, therefore no public comments were received.

The Personnel Committee met in closed session regarding the General Manager's Employment Agreement. The Committee reported out of Closed Session with a recommendation of a 3-year contract extension of the General Manager's Employment Agreement. General Counsels Smith and Shapiro will draft the terms of the 3-year extension and provide to the Board of Trustees at the October 8, 2021 Regular Board Meeting.

With no further business on the Personnel Committee Agenda, meeting adjourned at 8:50 a.m.

#### Executive Committee Meeting – September 29, 2021

A meeting of the Reclamation District No. 1000 Executive Committee was held on Wednesday, September 29, 2021, at 8:00 a.m. via GoToMeeting and Conference Call. In attendance was Trustee Lee-Reeder. Staff in attendance were General Manager King and General Counsel Smith. There were no members of the public present, therefore no public comments were received.

General Manager King presented the proposed agenda for the October 8, 2021, Board of Trustees meeting. The Committee reviewed the agenda and approved as presented.

With no further business on the Executive Committee Agenda, meeting adjourned at 8:33 a.m.

### STAFF RESPONSIBLE FOR REPORT:

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Kevin L. King, General Manager

Date: 10/01/2021