



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

1633 GARDEN HIGHWAY  
SACRAMENTO, CA 95833

**FRIDAY, AUGUST 12, 2022  
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*)

**2. PRESENTATIONS**

No Scheduled Presentations

**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 July 2022 Board Meeting.
- 4.2. **OPERATIONS MANAGER'S REPORT:** Update on activities since the July 2022 Board Meeting.
- 4.3. **DISTRICT COUNSEL'S REPORT:** Update on activities since the July 2022 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 the July 8, 2022 Regular Board Meeting.
- 5.2. **TREASURER'S REPORT:** Approve Treasurer's Report for July 2022.
- 5.3. **EXPENDITURE REPORT:** Review and Accept Report for July 2022.
- 5.4. **BUDGET TO ACTUAL REPORT:** Review and Accept Report for July 2022.

- 5.5. ASSEMBLY BILL 361: Review and Consider Adoption of Resolution No. 2022-08-01 - Proclaiming a Local Emergency, Ratifying the Covid-19 State of Emergency, and Authorizing Remote Teleconference Meetings of Reclamation District No. 1000 Pursuant to The Ralph M. Brown Act.
- 5.6. CRITICAL INFRASTRUCTURE CLEANUP: Review and Consider Adoption of Resolution No. 2022-08-02 - Authorizing the Enforcement of Chapter 8.140 of Sacramento City Code Upon District Property and Facilities.
- 5.7. CONFLICT OF INTEREST WAIVERS: Review and Consider Authorizing the General Manager to Approve Conflict of Interest Waivers.
- 5.8. DECLARATION OF SURPLUS ASSETS AND DISPOSAL AUTHORIZATION: Review and Consider Declaration of Surplus Assets and Authorizing the General Manager to Dispose of Assets in 2022.
- 5.9. SACRAMENTO & SAN JOAQUIN DRAINAGE DISTRICT ABATEMENT PILOT PROGRAM: Review and Consider Authorizing the General Manager to Execute Agreement with Sacramento and San Joaquin Drainage District

**6. SCHEDULED ITEMS**

No Scheduled Items

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

7.1. BOARD ACTIVITY UPDATES:

7.1.1. RD 1000 Committee Meetings Since Last Board Meeting

- Executive Committee (Gilbert & Lee Reeder) August 3, 2022

7.1.2. RD 1000 Committees No Meetings Since Last Board Meeting

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

**8. CLOSED SESSION**

No Closed Session Items

**9. ADJOURN**





**RECLAMATION DISTRICT 1000**

**DATE: AUGUST 12, 2022**

**AGENDA ITEM NO. 4.1**

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**TITLE: General Manager's Report – August 2022**

**SUBJECT: Update on Activities Since the July 2022 Board of Trustees Meeting**

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**EXECUTIVE SUMMARY:**

General Manager King will provide an oral report on activities during the month of July 2022.

**ATTACHMENTS:**

1. SAFCA Board Meeting – July 21, 2022

**STAFF RESPONSIBLE FOR REPORT:**

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Kevin L. King, General Manager

Date: 08/08/2022



# Board of Directors Action Summary of July 21, 2022 - 3:00 PM

## WEBEX MEETING

**Directors/Alternates Present:** Avdis, Conant, Desmond, Frost, Harris, Holloway, Jennings, Johns, Kennedy, Nottoli, Reeder, and Serna

**Directors Absent:** Ashby

### ROLL CALL

### PUBLIC COMMENTS

### CONSENT MATTERS

Motion by Director Holloway and seconded by Director Conant to approve Resolution Nos. 2022-075; 2022-076; 2022-077; 2022-079; 2022-080; 2022-081; 2022-082; 2022-083; 2022-084; and 2022-085 of Consent Matters. No members of the public requested to speak.

AYES: Avdis, Conant, Desmond, Frost, Harris, Holloway, Jennings, Kennedy, Reeder, Serna

NOES: (None)

ABSTAIN: (None)

ABSENT: Ashby, Nottoli, Johns

RECUSAL: (None)

1. Resolution No. 2022-075 - Proclaiming a Local Emergency Persists, Ratifying the COVID-19 State of Emergency, and Authorizing Remote Teleconference

Meetings of the Sacramento Area Flood Control Agency Board of Directors Pursuant to the Ralph M. Brown Act (Goldberg)

2. Approving the Action Summary for June 16, 2022 (Russell)
3. Resolution No. 2022-076 - Authorizing Levy and Collection of Sacramento Area Flood Control Agency Consolidated Capital Assessment District No. 2 and Natomas Basin Local Assessment District Assessments for Fiscal Year 2022-23 (Campbell)
4. Resolution No. 2022-077 - Approving the 2022 Urban Level of Flood Protection Adequate Progress Annual Report for Distribution to the City of Sacramento, the County of Sacramento, the County of Sutter, and the Central Valley Flood Protection Board (Bardini)
5. Resolution No. 2022-079 - Authorizing the Executive Director to Execute Amendment No. 2 to Contract No. 1419 with HDR Engineering, Inc., for Civil Engineering Design and Associated Services Related to the Natomas Levee Improvement Project (Bassett)
6. Resolution No. 2022-080 - Authorizing the Executive Director to Execute Amendment No. 6 to Contract No. 1447 with Monument Row, Inc., for Real Estate Project Management and Support Services (DeGroot)
7. Resolution No. 2022-081 - Authorizing the Executive Director to Execute Amendment No. 3 to Contract No. 1278 with Blaesie & Company, Inc., for Appraisal Services Related to the Airport Land Exchange as Part of the Natomas Levee Improvement Project (Bassett)
8. Resolution No. 2022-082 - Authorizing the Executive Director to Execute Amendment No. 2 to Contract No. 1501 with Pascuzzo Golf Design Inc., for Design and Construction Management of the Campus Commons Golf Course related to the American River Common Features 2016 Project and Consulting Services related to the Natomas Levee Improvement Project (Tibbitts)
9. Resolution No. 2022-083 - Authorizing an Increase in the Executive Director's Authority to Execute Agreements for Relocation of Sacramento Municipal Utility District Electrical Distribution Facilities Related to Reach A of the American River Watershed Program, Natomas Levee Improvement Project (Bassett)

10. Resolution No. 2022-084 - Approving Final Quantities for the American River RM 0.5 Aquatic and Riparian Habitat Creation Project, Sacramento County, California, Contract No. 4236, Accepting the Contract as Complete, and Authorizing the Executive Director to File a Notice of Completion (Bassett)
11. Resolution No. 2022-085 - Amending the Agency Alignment Implementation Plan for the Yolo Bypass Integrated Multi-Benefit Program (Johnson)

### **SEPARATE MATTERS**

12. Resolution of Appreciation No. 2022-086 - Recognizing Debra G. Jones for Her Contributions to the Sacramento Area Flood Control Agency (Johnson)

Motion by Director Conant and seconded by Director Jennings to approve Resolution No. 2022-086.

AYES: Avdis, Conant, Desmond, Frost, Harris, Holloway, Jennings, Kennedy, Reeder, Serna

NOES: (None)

ABSTAIN: (None)

ABSENT: Ashby, Nottoli, Johns

RECUSAL: (None)

**Government Code Section 54956.8 - Conference with Real Property Negotiators.  
Property: 5333 East Levee Road, Sacramento, CA 95835  
Sacramento County APNs: 226-0020-005  
Agency Negotiators: Richard M. Johnson, Jason D. Campbell, Jeremy D. Goldberg, John A. Bassett, Matt DeGroot  
Negotiating Party: Richard Cunha on behalf of Sandra Kay Cunha, Successor Trustee of The Kenneth and Mary Lou Cayocca Family 1983 Revocable Family Trust, dated April 29, 1983  
Under Negotiation: Price and terms of payment**

**Nothing to report at this time**

**Government Code Section 54956.8 - Conference with Real Property Negotiators.  
Property: 1015 Rio Lane, Sacramento CA 95822  
Sacramento County APN: 016-0161-035  
Agency Negotiators: Richard M. Johnson, Jason D. Campbell, Jeremy D. Goldberg, Matt DeGroot  
Negotiating Party: Randy Borene  
Under Negotiation: Price and terms of payment  
Nothing to report at this time**

**Government Code Section 54956.8 - Conference with Real Property Negotiators.  
Property: Sacramento County, CA  
Sacramento County APNs: 274-0120-104 and 274-0120-105, 274-0120-106  
Agency Negotiators: Richard M. Johnson, Jason D. Campbell, Jeremy D. Goldberg, Matt DeGroot  
Negotiating Party: Cathleen Rose, Lanny Winberry, Esq.  
Under Negotiation: Price and terms of payment**

Motion by Director Serna and seconded by Director Conant directing staff to continue negotiations, the terms of which will be made public, when they are reduced to writing.

AYES: Avdis, Conant, Desmond, Frost, Harris, Holloway, Jennings, Johns, Kennedy, Reeder, and Serna  
NOES: (None)  
ABSTAIN: (None)  
RECUSE: (None)  
ABSENT: Ashby and Nottoli

**SEPARATE MATTERS**

13. Public Hearing Resolution No. 2022-087 - Approving the Supplemental Assessment Roll and Setting the Fiscal Year 2022-23 Assessment Rate for the Sacramento Area Flood Control Agency Operations and Maintenance Assessment District No. 1 (Campbell)

Presentation made by Jason Campbell. Chairman Kennedy opened the public hearing. No members of the public requested to speak. No public comments were received. Chairman Kennedy closed the public hearing. Motion by Director Harris and seconded by Director Holloway to approving Resolution No. 2022-087.

AYES: Avdis, Conant, Desmond, Frost, Harris, Holloway, Jennings, Kennedy, Nottoli, Reeder, Johns  
NOES: (None)  
ABSTAIN: (None)  
ABSENT: Ashby, Serna  
RECUSAL: (None)

14. Resolution No. 2022-088 - Authorizing the Executive Director to Execute a Grant Deed Conveying Portions of Sacramento County Former APN 274-0173-029 to the Owner of APN 274-0173-041 As Exempt Surplus Land (Bassett)

This Item Requires a 4/5 or Eleven Member Vote to Adopt the Resolution

Motion by Director Harris and seconded by Director Jennings to approve Resolution No. 2022-088.



AYES: Avdis, Conant, Desmond, Frost, Harris, Holloway, Jennings, Kennedy, Nottoli, Reeder, Johns  
NOES: (None)  
ABSTAIN: (None)  
ABSENT: Ashby, Serna  
RECUSAL: (None)

## **EXECUTIVE DIRECTOR'S REPORT**

15. Information - Executive Director's Report for July 21, 2022 (Johnson)

## **RECIEVE AND FILE**

16. Report of Construction Contract Change Orders Issued Under Delegated Authority for the Fourth Quarter, Fiscal Year 2021-22 (Goldberg)
17. Report of Insurance Claims Settled Under Delegated Authority for the Fourth Quarter, Fiscal Year 2021-22 (Goldberg)
18. Report of Professional Services Agreements Issued Under Delegated Authority for the Fourth Quarter, Fiscal Year 2021-22 (Goldberg)
19. Status Reports of Environmental Consulting Master Services Agreements for the Fourth Quarter, Fiscal Year 2021-22 (Goldberg)
20. Report of Real Property Transaction Where Just Compensation is Less than \$500,000 Executed Under Delegated Authority for the Fourth Quarter, Fiscal Year 2021-22 (Goldberg)
21. Status Reports of Right of Way Consulting Master Services Agreements for the Fourth Quarter, Fiscal Year 2021-22 (Goldberg)
22. Report of California Uniform Public Construction Cost Accounting Act (CUPCCAA) Contracts Issued Under Delegated Authority for the Fourth Quarter, Fiscal Year 2021-22 (Goldberg)

23. Status Reports of Flood Risk Management Planning Master Services Agreements for the Fourth Quarter, Fiscal Year 2021-22 (Goldberg)
24. Status Reports of Land Survey and Mapping Master Services Agreements for the Fourth Quarter, Fiscal Year 2021-22 (Goldberg)
25. Report of Real Property Transactions Where Just Compensation is More Than \$500,000 Up to \$1,250,000 Executed Under Delegated Authority for the Fourth Quarter, Fiscal Year 2021-22 (Goldberg)

**ADJOURN**

Respectfully submitted,  
Lyndee Russell



## RECLAMATION DISTRICT 1000

DATE: AUGUST 12, 2022

AGENDA ITEM NO. 4.2

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TITLE: Operations Manager's Report – August 2022

SUBJECT: Update on Activities Since the July 2022 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 July 2022. 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 perimeter of the District including garbage removal along Garden Highway and the NEMDC. Pumping Plant 1B trash rack guide and chain replacement is complete. The Garden Highway High Hazard vegetation removal/modification project is complete. An estimated fifty properties took advantage of our services. MBK engineers has performed an additional survey, which should be available for review within the next few weeks. Staff along with Aqua Terra is performing a primrose treatment along the West Drainage Canal, North Drainage Canal and East drainage canal, including Fisherman's Lake and Bannon Canal. A Safety Manual has been developed, which is under review by our HR consultant BOUTIN JONES INC. GPS sensors have been installed in District equipment, this will give us the ability track and develop numerous utilization reports.

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.

### RECOMMENDATION:

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

### ATTACHMENTS:

1. Operations Manager's Report Data Sheet

### STAFF RESPONSIBLE FOR REPORT:



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Gabriel J. Holleman, Operations Manager

Date: 08/04/2022



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Kevin L. King, General Manager

Date: 08/04/2022



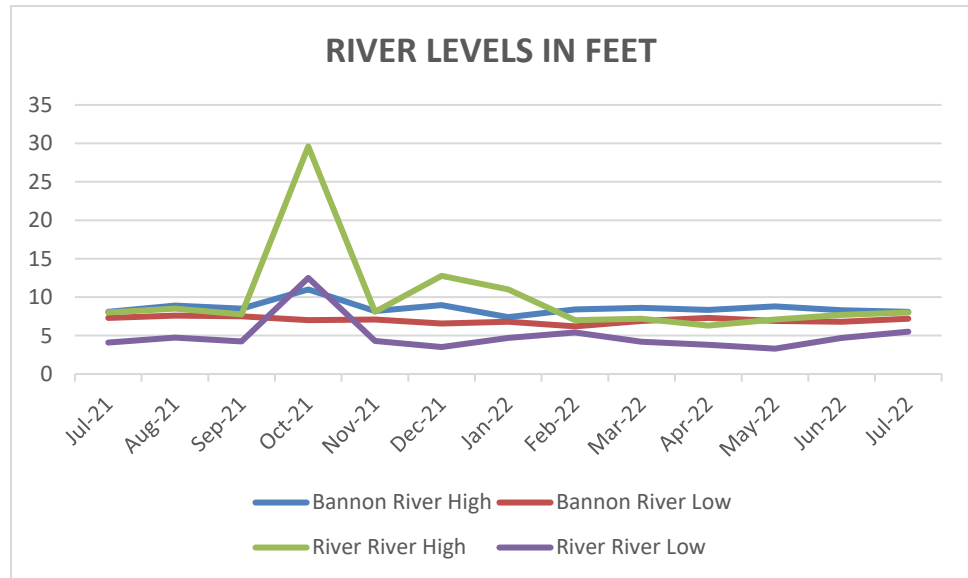
## Operations Manager's Report July 2022

**AGENDA ITEM 4.2  
ATTACHMENT NO. 1**

**River Levels:**

**Bannon** H: 8.1'  
L: 7.2'

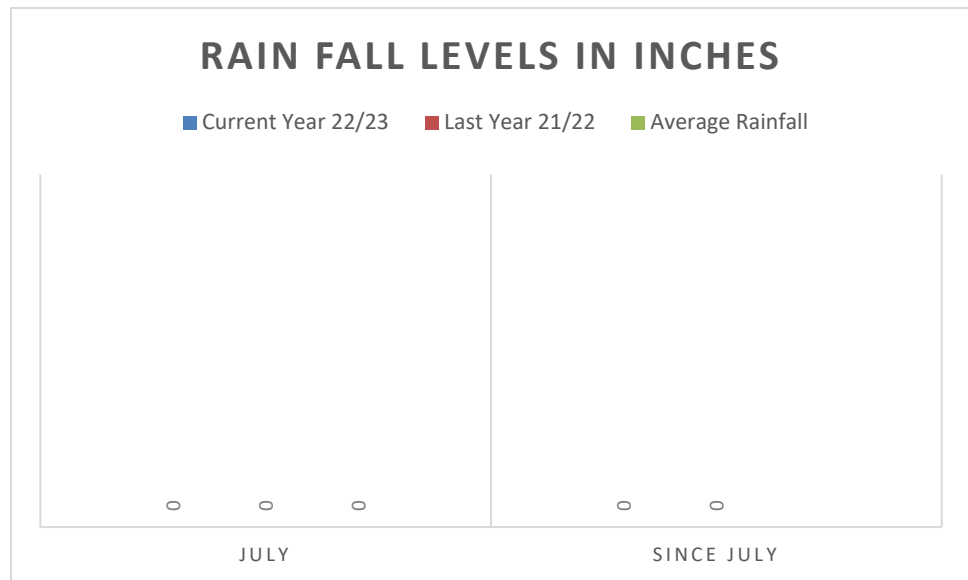
**River** H: 8.0'  
L: 5.5'



**Rain Fall Totals:**

July 2022  
Rain Totals = 0"  
July Average = .21"

Rain Totals Since  
July 1, 2022 = 0"



**Safety Topics for the Month of July**

- Tool Box Talk - Driving Safety Tips
- Personal Protective Equipment – Hazard Assessments
- Personal Protective Equipment – Eye Protection
- Tool Box Talk – Working Safely with Heavy Equipment

**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.

RD 1000 Field Crew	*Field Hours Worked	Activity
	388	Mowing
	152	Equipment Maintenance/Repairs
	151	Weed Control
	116	Garbage
	70	Pumping Plant Maintenance

The chart below represents various activities the field crew spent their time working on during the month of July, 2022.

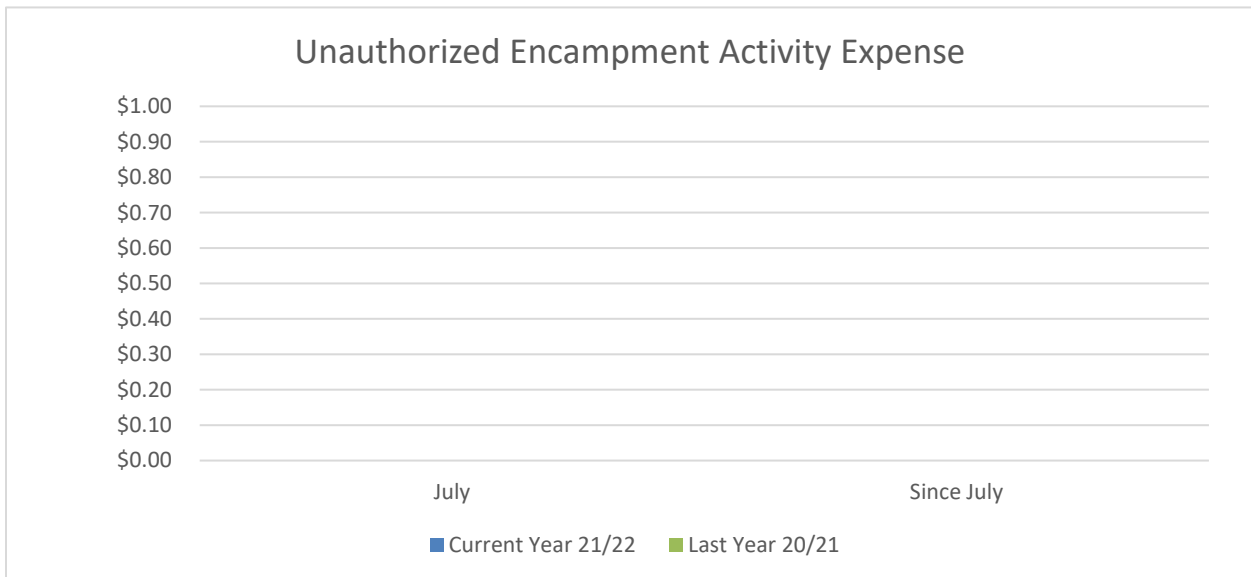
*\*Hours worked do not include the Operations Manager's time.*

**Pumping**

There were no pumping activities in the month of July.

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

**Unauthorized Encampment Activity – Year to Date** There has been no unauthorized encampment activity for the current fiscal year.





## Operations Manager's Report July 2022

AGENDA ITEM 4.2  
ATTACHMENT NO. 2

### 1. Capital Improvement Projects

#### a. CIP Update

- i. KSN is currently working on Pumping Plant #8 Preliminary Design and construction phasing plan. Their electrical team is working on the preliminary design report and readying to engage structural to vet feasibility of the site alternatives. With the operating sequences confirmed, the modeling team continues to perform testing under different conditions and sump modifications. Plant 8 replica model used to diagnose and fix the cavitation issues. We expect to have design drawings and formal recommendation following the hydraulic analysis and testing that is currently in progress.
- ii. Analysis to update costs are in progress as it relates to the PP#8 pump reimbursement agreement with SAFCA, which includes hydraulic calculations for mitigation of capacity impacts from the previous levee construction project.
- iii. Plant 1A safety improvements are currently under review, M&H will provide preliminary recommendations soon.
- iv. Electrical Condition assessment complete, analysis and reporting in progress.
- v. PP#1B trash rack guide and chain replacement is complete.

### 2. Developmental Project Updates

- a. MAP: Model is currently in review
- b. Greenbriar: Greenbriar – Ongoing coordination related to the Lone Tree Canal road elevation increase, currently reviewing change order costs.
- c. Cove: Coordinating with developer as it relates to the soils testing data near the culvert pipe replacement through the levee.
- d. Upper West Side: Modeling results and drainage study have been reviewed. A M&H response has been prepared and will be provided soon. Coordination meeting upcoming as it relates to the proposed pump station and operational needs.
- e. City of Sacramento Discharge Pipes: Continued coordination efforts with the City of Sacramento regarding the replacement of Sump 102 (Lower NEMDC).
- f. Sutter Pointe: Mass grading plan has been reviewed. Reviewed plans as it relates to the pump station, detention pond, force main and outfall.
- g. Misc. Caltrans: Coordinating efforts ongoing with the planned work at San Juan (EDC).

- h. Elkhorn Blvd/Powerline: B plans for Elkhorn extension have been reviewed and comments submitted.
- i. SMUD levee crossing at Swabbies: Permit reviewed and endorsed. Will monitor activities when construction begins.
- j. Anton Dev Co Fong Ranch Road: Met with City Parks and Rec to review drainage for the new park.
- k. Panhandle: Reviewed and commented on tentative map showing RD1000 ditches to be removed. Drainage study is being prepared.
- l. Nothpointe Industrial Park: Reviewed and commented on setbacks from levee with landscaping and permanent excavations. Revised plans received on 6/20.
- m. Ninos Parkway Trail – B Drain: Bridge at B drain. Plans received 06/22/2022, currently under review.
- n. 920 San Juan Road: Reviewing NOI. Drainage study requested
- o. NorthLake Development: Drawings currently under review.
- p. MAP Schnitzer: Meeting scheduled to review M-7 drainage canal piping. Piping of drain was rejected by RD 1000.

### 3. General Engineering Updates

- a. Basinwide Model
  - i. Stakeholder (City of Sacramento, Sac. County, Sutter County) kick off meeting held on 5/4. CESI to provide interim profiles to City/County to aide in levee certification, planning and Upper West Side.
- b. Facility Mapping Tool
  - i. Working with M&H to complete field mapping tool (GIS)

Maintenance Work Schedule		4-Jul	Through	31-Jul	
<b>Crew 1</b>		<b>4-Jul</b>	<b>11-Jul</b>	<b>18-Jul</b>	<b>25-Jul</b>
<b>Beto Gutierrez</b>					
Truck # 57	* Sprayed aquatic vegetation in Zone F, J & I * Primrose aquatic treatment * Mowing activities in Zone I	* Sprayed aquatic vegetation in Zone F. * Debris removal at PP#2 * Hauled scrap metal to recycler and cleaned up Corp Yard * Vegetation removal at 6645 Garden Hwy	Leave		Leave
<b>Crew 2</b>		<b>4-Jul</b>	<b>11-Jul</b>	<b>18-Jul</b>	<b>25-Jul</b>
<b>John Chilton</b>					
Truck # 56	* Performed trash rack repairs at PP#1B * Mowing activities along the Lower GGS Canal	* Mowing activities in Zone I & F * Vegetation removal at PP#6 outfall structure in preparation for pipe inspection * Garbage removal throughout the District	* Mowing activities in Zone D & F * Garbage removal throughout the District		* Mowing activities in Zone D & A * Garbage removal throughout the District
<b>Crew 3</b>		<b>4-Jul</b>	<b>11-Jul</b>	<b>18-Jul</b>	<b>25-Jul</b>
<b>Taylor Tikalski</b>					
Truck # 55	* Mowing activities along the Lower GGS Canal	* Utilized water truck for fire suppression during mowing activities. * Vegetation removal at PP#6 outfall structure in preparation for pipe inspection * Garbage removal throughout the District	* Mowing activities in Zone D & F * Garbage removal throughout the District		* Mowing activities in Zone D & A * Garbage removal throughout the District
<b>Crew 4</b>		<b>4-Jul</b>	<b>11-Jul</b>	<b>18-Jul</b>	<b>25-Jul</b>
<b>Bryan Hall</b>					
Truck # 69	* Unit #52 - Repaired hydraulic boom and roller bearings * Unit #66 - Tire Repair * Prepared equipment for Auction * Cleaned and organized shop	* Unit #17 - Hydraulic system repairs * Unit #52 - HVAC repairs * Unit #37 - Tire Repair * Unit #45 - Tire Repair	* Unit #17 - P.M. and Roller shaft bearing replacement * Unit #52 - Finished hydraulic boom bushing repairs * Access gate repairs at Fisherman's Lake * Unit #53 Hydraulic sys repairs * Unit #45 Check engine light and exhaust repairs		* Unit #53 - P.M., completed hydraulic repairs and diagnosed drive shaft clutch * Unit #45 DPF regeneration & HVAC repairs * Unit #37 Repaired body panels and hand throttle linkage
<b>Crew 5</b>		<b>June 4 - 8</b>	<b>June 9 - 16</b>	<b>18-Jul</b>	<b>25-Jul</b>
<b>Ray Lewis</b>					
Truck: #58	Leave	* Mowing activities in Zone F * Vegetation removal at PP#6 outfall structure in preparation for pipe inspection * Garbage removal throughout the District	* Mowing activities in Zone D & F * Garbage removal throughout the District		* Utilized water truck for fire suppression during mowing activities. * Garbage removal throughout the District
<b>Crew 6</b>		<b>4-Jul</b>	<b>11-Jul</b>	<b>18-Jul</b>	<b>25-Jul</b>
<b>Michael Rhoads</b>					
Truck: #59	Leave	* Performed trash rack repairs at PP#1B * Hauled electrical equipment to PP#4 (Reach D) * Vegetation removal at PP#6 outfall structure in preparation for pipe inspection * Garbage removal throughout the District	* Performed trash rack repairs at PP#1B * Primrose aquatic treatment		* Primrose aquatic treatment
<b>Crew 7</b>		<b>4-Jul</b>	<b>11-Jul</b>	<b>18-Jul</b>	<b>25-Jul</b>
<b>Mark Jenkins</b>					
Truck #60	* Performed trash rack repairs at PP#1B	* Mowing activities in Zone & F * Vegetation removal at PP#6 outfall structure in preparation for pipe inspection * Garbage removal throughout the District	* Utilized water truck for fire suppression during mowing activities. * Garbage removal throughout the District		* Performed trash rack repairs at PP#1B * Primrose aquatic treatment





**RECLAMATION DISTRICT 1000**

**DATE: AUGUST 12, 2022**

**AGENDA ITEM NO. 4.3**

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**TITLE: District Counsel's Report – August 2022**

**SUBJECT: Update on Activities Since the July 2022 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 July 2022.

**ATTACHMENTS:**

None

**STAFF RESPONSIBLE FOR REPORT:**

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Kevin L. King, General Manager

Date: 08/08/2022



## RECLAMATION DISTRICT 1000

DATE: AUGUST 12, 2022

AGENDA ITEM NO. 5.1

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TITLE: Approval of Minutes

SUBJECT: Approval of Minutes from July 8, 2022 Regular Board

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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 from the following Board Meetings:

- July 8, 2022 Regular Board Meeting (Attachment No. 1)

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:

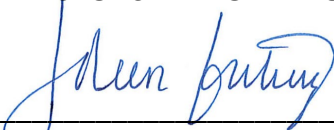
Staff recommends the Board approve the Minutes from the following Board Meeting:

- July 8, 2022 Regular Board Meeting (Attachment No. 1)

### ATTACHMENTS:

1. July 8, 2022 Regular Board Meeting

### STAFF RESPONSIBLE FOR REPORT:

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

Date: 08/01/2022

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

Date: 08/01/2022



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

**JULY 8, 2022  
MEETING MINUTES**

In compliance with CA Assembly Bill 361, members of the Board of Trustees and members of the public participated in this meeting by teleconference. Present were Board President Thom Gilbert; Board Vice President Elena Lee Reeder; Trustee Nick Avdis; Trustee Jag Bains; Trustee Tom Barandas; Trustee Chris Burns; General Counsel Andrea Clark; General Manager Kevin King; Operations Manager Gabe Holleman, Administrative Services Manager Joleen Gutierrez.

**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.

Trustees Present: Thom Gilbert, Elena Lee Reeder, Nick Avdis, Jag Bains, Tom Barandas, Chris Burns (8:01 am arrival).

1.3. Approval of Agenda

Moved/Second: Trustee Nick Avdis/Trustee Elena Lee Reeder

Ayes: Trustee Thom Gilbert, Trustee Elena Lee Reeder, Trustee Jag Bains, Tom Barandas, Trustee Chris Burns

Noes: None

Abstain: None

Absent: None

Action: The motion to approve the July 8, 2022, Board Meeting Agenda is approved.

1.4. Pledge of Allegiance

Trustee Tom Barandas 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 of interest identified by the Trustees.

**2. PRESENTATIONS**

2.1. Sacramento & San Joaquin Drainage District Abatement Pilot Program

The Central Valley Flood Protection Board Executive Office Leslie Gallagher attended this presentation. Principal Engineer/Policy Advisor Darren Suen and Environmental Services and Land Management Chief Andrea Buckley presented information about CVFPB's Sacramento & San Joaquin (SSJDD) Abatement Pilot Program. A copy of the Pilot Program packet is available in the July 8 Board packet.

Mr. Suen presented an opportunity to collaborate through the CVFPB abatement program. The CVFPB oversees the Sacramento San Joaquin Drainage District. Under the program, reimbursement funding to any agency that performs work - cleanups to keep jurisdiction areas cleaner. The SSJDD properties would be identified via GIS.

Trustees inquired about the scope of properties, whether trash removal is included in the reimbursement if there would be law enforcement cooperation, and whether reimbursement for toxic substances or bio-hazard removal would be included.

Andrea Buckley from CVFBP stated the program covers beyond what is usually covered, unauthorized human occupation at these sites, cleaning debris, and regrading. Also, removing debris, hauling dumped or burned cars, removing vegetation for greater visibility, behavioral deterrents, signage, and gating would also be reimbursable. It is a comprehensive program covering human occupation related to the SSJDD properties within the flood channel. As part of this process, determine the scope of work with us to see whether it falls under the guidelines articulated. Related law enforcement costs are also reimbursable.

Trustees were interested in moving forward with this abatement program. General Manager Kevin King will work to refine the proposed scope of work, and he will return to the Board in August with a proposed agreement with CVFPB for this project.

GM King will provide a map viewer to all Trustees after the July 8 Board meeting.

### **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.*

Commentor Patrick Tully

Mr. Tully stated there was confusion among Garden Highway property owners who underwent voluntary landscape removal about the scope of work on their property. He requested that documentation about the scope of work be clearer. He also expressed support for the removal of the unhoused encampments and debris on the levee. As a reminder, Mr. Tully made known that as an owner of navigable waterways, the Federal Clean Water Act applies.

No other public comments were made.

### **4. INFORMATIONAL ITEMS**

#### **4.1. GENERAL MANAGER'S REPORT: Update on activities since the June 2022 Board Meeting.**

General Manager Kevin King gave an update on District activities. The June 10, 2022, Board Packet includes a full copy of his report.

GM King mentioned a postcard is being developed for the 2022 Election. It will include a general notification of the timeframe and a timeline for the election. It also includes specifics about the

ballot mailing timeframes to reduce voter confusion about the ballot. The postcard will be mailed out on July 18, 2022.

4.2. OPERATIONS MANAGER’S REPORT: Update on activities since the June 2022 Board Meeting.

General Manager King stated that Operations Manager Gabe Holleman has been working on drone footage of the chains and guides the replacement of trash rakes at Plants 1A and 1B. He explained how during the October 2021 rain event where the failure of one chain on a trash rake caused the entire rake system to fail; consequently, the two pumps connected to the trash rake shut down. The chain had not been replaced in 20 years.

4.3. DISTRICT COUNSEL’S REPORT: Update on activities since the June 2022 Board Meeting.

GM King stated Andrea Clark, general counsel at Downey Brand, sat in for Scott Shapiro and Rebecca Smith during this Board meeting. There were no questions or comments directed to Counsel Clark.

**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.*

There were no requests for items to be pulled from the Consent Calendar for public discussion.

Moved/Second: Trustee Chris Burns/Trustee Tom Barandas

Ayes: Trustee Thom Gilbert, Trustee Elena Lee Reeder, Trustee Nick Avdis, Trustee Jag Bains, Trustee Tom Barandas, Trustee Chris Burns

Noes: None

Abstain: None

Absent: None

Action: Motion to approve Consent Calendar Items 5.1 -5.6 is approved

5.1. APPROVAL OF MINUTES: Approval of Minutes from the June 10, 2022, Regular Board Meeting.

5.2. TREASURER’S REPORT: Approve Treasurer’s Report for June 2022.

5.3. EXPENDITURE REPORT: Review and Accept Report for June 2022.

5.4. BUDGET TO ACTUAL REPORT: Review and Accept Report for June 2022.

5.5. ASSEMBLY BILL 361: Review and Consider Adoption of Resolution No. 2022-07-01 – Proclaiming a Local Emergency, Ratifying the Covid-19 State of Emergency, and Authorizing Remote Teleconference Meetings of Reclamation District No. 1000 Pursuant to The Ralph M. Brown Act.

5.6. COST ALLOCATION PLAN: Review and Consider Adoption of Resolution 2022-07-02, District’s Cost Allocation Plan and Implementation of Full Cost and OMB Compliant Rates.

**6. SCHEDULED ITEMS**

6.1. PUBLIC HEARING – ADOPTION OF FISCAL YEAR 2022/2023 OPERATION AND MAINTENANCE ASSESSMENT: Review and Consider Adoption of Resolution No. 2022-07-04 Authorizing Levying of Operations and Maintenance Assessment for Fiscal Year 2022/2023.

Moved/Second: Trustee Nick Avdis/Trustee Elena Lee Reeder

Ayes: Trustee Thom Gilbert, Trustee Elena Lee Reeder, Trustee Nick Avdis, Trustee Jag Bains, Trustee Tom Barandas, Trustee Chris Burns

Noes: None

Abstain: None

Absent: None

Action: Motion to approve Resolution No. 2022-07-04 adopting the Fiscal Year 2022/2023 Operation and Maintenance Assessment is approved

- 6.2. CERTIFICATION OF LEGAL PROCESS FOR SPECIAL ASSESSMENT: Review and Consider Adoption of Resolution No. 2022-07-05 Certifying to the County of Sutter the Validity of the Legal Process Used to Place Direct Charges (Special Assessment) on the Secured Tax Roll for Fiscal Year 2022/2023.

Moved/Second: Trustee Tom Barandas/Trustee Elena Lee Reeder

Ayes: Trustee Thom Gilbert, Trustee Elena Lee Reeder, Trustee Nick Avdis, Trustee Jag Bains, Trustee Tom Barandas, Trustee Chris Burns

Noes: None

Abstain: None

Absent: None

Action: Motion to approve Resolution No. 2022-07-05 adopting certification to the County of Sutter the Validity of the Legal Process to Place Direct Charges (Special Assessment) on the Secured Tax Roll for the Fiscal Year 2022/2023 is approved

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

### 7.1. BOARD ACTIVITY UPDATES:

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

- Executive Committee (Gilbert & Lee Reeder) June 29, 2022

## **8. CLOSED SESSION**

### 8.1. No Closed Sessions Items Scheduled.

## **9. ADJOURN**

Moved/Second: Trustee Nick Avdis/Trustee Chris Burns

Ayes: Trustee Thom Gilbert, Trustee Elena Lee Reeder, Trustee Nick Avdis, Trustee Jag Bains, Trustee Tom Barandas, Trustee Chris Burns

Noes: None

Abstain: None

Absent: None

Action: Motion to adjourn the meeting is approved.



## RECLAMATION DISTRICT 1000

DATE: AUGUST 12, 2022

AGENDA ITEM NO. 5.2

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TITLE: Treasurer's Report

SUBJECT: Approve Treasurer's Report for July 2022

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### 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 July 2022 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 July 2022 Treasurer's Report.

### ATTACHMENTS:

1. Treasurer's Report July 2022

### STAFF RESPONSIBLE FOR REPORT:

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

Date: 08/04/2022

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

Date: 08/04/2022

Reclamation District 1000  
Treasurer's Report  
July 2022

**Treasurer's Report for July 2022**

July 2022	Ending Balance @ 7/31/22
<b>Total Funds at 7/31/22</b>	<b>10,324,158.30</b>
Bank of the West - Checking*	306,013.51
Bank of the West - Money Market	105,465.72
Bank of the West FMAP	97,399.81
Sacramento County Treasurer	5,981,280.22
State Treasurer - Local Agency Investment Fund	1,649,500.31
City of Sacramento - Pool A	2,184,498.73

July 2022 - Operations and Maintenance Cash Flow	Money Market	FMAP	Operating Checking *	Combined O&M
<b>Beginning Balance at 7/1/22</b>	155,464.58	439,897.39	161,769.23	757,131.20
Transfers to money market from operating account	(450,000.00)	-	450,000.00	-
Transfers from LAIF to money market account	400,000.00	-	-	400,000.00
Transfers from FMAP to operating account	-	(342,500.00)	342,500.00	-
Current months receipts	-	-	102,695.89	102,695.89
Accounts Payable*	-	-	(594,485.27)	(594,485.27)
Monthly interest income	1.14	2.42	-	3.56
Payroll	-	-	(156,466.34)	(156,466.34)
<b>Ending Balance at 7/31/22</b>	<b>105,465.72</b>	<b>97,399.81</b>	<b>306,013.51</b>	<b>508,879.04</b>

\*See Attached Check Register

Current months receipts are made up of the following:

Refund of bank fee from Bank of the West	40.00
Reimbursement from Healthcare Trust	87,802.39
Greenbriar	1,253.50
Natomas Basin Conservancy	5,000.00
N.C.M.W.C	8,600.00
	<u>102,695.89</u>





## RECLAMATION DISTRICT 1000

DATE: AUGUST 12, 2022

AGENDA ITEM NO. 5.3

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TITLE: Expenditure Report

SUBJECT: Review and Accept Reports for July 2022

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### EXECUTIVE SUMMARY:

This Staff Report advises the Board of monthly expenditures and explains any expenses outside of the usual course of business. Staff recommends the Board review and accept the Expenditure Reports for July 2022.

#### 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: \$30,240 to Loewen Pump Maintenance for trash rake maintenance, \$20,428 to Nutrien Ag Solutions, Inc. for herbicides, and \$342,500 to Emerald Site Services, Inc for encroachment modification funded by the FMAP grant.

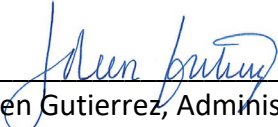
### RECOMMENDATION:

Staff recommends the Board review and accept the Expenditure Reports for July 2022.

### ATTACHMENTS:

1. July 2022 Expenditure Report

### STAFF RESPONSIBLE FOR REPORT:

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

Date: 08/04/2022

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

Date: 08/04/2022

# July 2022 Expenditure Report – O&M

Type	Date	Num	Name	Memo	Debit	Credit	Balance
<b>Cash and Investments</b>							<b>161,769.23</b>
<b>1011.00 · Bank of the West O&amp;M Checking</b>							<b>161,769.23</b>
General Journal	07/01/2022			Settlement of 6/30/22 accrued payroll		33,087.30	128,681.93
General Journal	07/01/2022			Settlement of 6/30/22 accrued payroll		14,507.21	114,174.72
Bill Pmt - Check	07/05/2022	EFT	Cal Pers			939.38	113,235.34
Check	07/08/2022	EFT	ADP			97.22	113,138.12
Bill Pmt - Check	07/11/2022	781782783	Cal Pers			10,281.50	102,856.62
Bill Pmt - Check	07/11/2022	19257276600	City of Sacramento	Inv 07052022		4.98	102,851.64
Bill Pmt - Check	07/11/2022	13210637281	Comcast	Acct 8155600381146169		241.60	102,610.04
Bill Pmt - Check	07/11/2022	2916876	Napa Auto Parts			166.33	102,443.71
Bill Pmt - Check	07/11/2022	80053192604	Waste Management of Sacramento			867.14	101,576.57
Bill Pmt - Check	07/11/2022	51270	4imprint, Inc.	Inv 10095533		2,610.89	98,965.68
Bill Pmt - Check	07/11/2022	51271	ACWA JPIA	Inv 0689224		1,786.41	97,179.27
Bill Pmt - Check	07/11/2022	51272	Airgas NCN	Inv 99898145759		435.29	96,743.98
Bill Pmt - Check	07/11/2022	51273	American Metals	Inv 655835		572.03	96,171.95
Bill Pmt - Check	07/11/2022	51274	AT&T	Inv 18421979		411.36	95,760.59
Bill Pmt - Check	07/11/2022	51275	Carson Landscape Industries	Inv 264377		820.00	94,940.59
Bill Pmt - Check	07/11/2022	51276	Cintas			483.91	94,456.68
Bill Pmt - Check	07/11/2022	51277	Denecochea Digital	Inv 69382		700.62	93,756.06
Bill Pmt - Check	07/11/2022	51278	Interstate Oil Company	Inv 588511		4,519.61	89,236.45
Bill Pmt - Check	07/11/2022	51279	Jani-King	Inv 7220156		711.95	88,524.50
Bill Pmt - Check	07/11/2022	51280	MBK Engineers Municipal Maintenance	Inv 22-05-4170		7,462.25	81,062.25
Bill Pmt - Check	07/11/2022	51281	Equipment	Inv 0171555		1,280.08	79,782.17
Bill Pmt - Check	07/11/2022	51282	Pape Machinery	Inv 13695783		134.78	79,647.39
Bill Pmt - Check	07/11/2022	51283	Placer Electric, Inc.			1,470.00	78,177.39
Bill Pmt - Check	07/11/2022	51284	Smile Business Products			314.55	77,862.84
Bill Pmt - Check	07/11/2022	51285	Streamline Supply Industrial Hardware	Inv A14C0AB-6-0020		200.00	77,662.84
Bill Pmt - Check	07/11/2022	51286	LLC	Inv 556300		27.39	77,635.45
Bill Pmt - Check	07/11/2022	51287	US Bank Corp			2,323.48	75,311.97
Bill Pmt - Check	07/11/2022	51288	Valley Hydraulics & Machine, Inc.	Inv 132263		76.49	75,235.48
Bill Pmt - Check	07/11/2022	51289	Valley Tire Center, Inc.			126.66	75,108.82
Bill Pmt - Check	07/11/2022	51290	US Bank Corp	Acct ending 1282		2,109.50	72,999.32
Payment	07/13/2022		Greenbriar		1,253.50		74,252.82
Payment	07/13/2022		The Natomas Basin Conservancy		5,000.00		79,252.82
Transfer	07/14/2022			Funds Transfer	150,000.00		229,252.82
Bill Pmt - Check	07/14/2022	2921113	Napa Auto Parts	Inv 253534		67.66	229,185.16
Bill Pmt - Check	07/14/2022	19503292089	PG&E	Acct 8886406823-9		18.54	229,166.62
Bill Pmt - Check	07/14/2022	71422	Sacramento County Utilities			227.40	228,939.22

Check	07/14/2022	EFT	Cal Pers			6,594.59	222,344.63
Bill Pmt -							
Check	07/14/2022	51300	Big Valley Divers, Inc.	Inv 070722		8,214.00	214,130.63
Bill Pmt -			Chavez Accountancy Corporation	Inv 5673		1,105.00	213,025.63
Check	07/14/2022	51299					
Bill Pmt -			LEHR	Inv SI75060		1,135.52	211,890.11
Check	07/14/2022	51298					
Bill Pmt -			Loewen Pump Maintenance	Inv 3244		30,240.00	181,650.11
Check	07/14/2022	51297					
Bill Pmt -			Nutrien Ag Solutions, Inc.	Inv 49027623		20,428.59	161,221.52
Check	07/14/2022	51296					
Bill Pmt -			Terrapin Technology Group	Inv 22-0976		855.14	160,366.38
Check	07/14/2022	51295					
Bill Pmt -			The Natomas Buzz	Inv 0129		1,150.00	159,216.38
Check	07/14/2022	51294					
Bill Pmt -			The Sacramento Bee	Inv 132005		543.10	158,673.28
Check	07/14/2022	51293					
Bill Pmt -			Valley Hydraulics & Machine, Inc.	Inv 132480		99.06	158,574.22
Check	07/14/2022	51292					
Bill Pmt -			Valley Tire Center, Inc.	Inv 91348		117.89	158,456.33
Check	07/14/2022	51291					
Check	07/14/2022	EFT	Cal Pers			3,816.28	154,640.05
Check	07/14/2022	EFT	Cal Pers			3,466.13	151,173.92
Transfer	07/18/2022			Funds Transfer	342,500.00		493,673.92
Bill Pmt -							
Check	07/19/2022	1002156650	Cal Pers	August 2022		21,645.67	472,028.25
Bill Pmt -			City of Sacramento -				
Check	07/19/2022	51301	Revenue Division	Inv YCTYMC00442		1,430.00	470,598.25
Bill Pmt -							
Check	07/19/2022	51302	Contour Sierra Aebi, LLC	Inv 4196		6,335.23	464,263.02
Bill Pmt -				VOID: Acct			
Check	07/19/2022	51303	Costco Wholesale	000111875520212	0.00		464,263.02
Bill Pmt -							
Check	07/19/2022	51304	Downey Brand LLP			10,551.00	453,712.02
Bill Pmt -							
Check	07/19/2022	51305	Emerald Site Services, Inc	Inv 23005		342,500.00	111,212.02
Bill Pmt -							
Check	07/19/2022	51306	Interstate Oil Company	Inv 0787955		293.08	110,918.94
Bill Pmt -							
Check	07/19/2022	51307	Kimball Midwest			2,401.64	108,517.30
Bill Pmt -							
Check	07/19/2022	51308	Mead & Hunt			17,508.00	91,009.30
Bill Pmt -							
Check	07/19/2022	51309	Smile Business Products	Inv 1053106		176.29	90,833.01
Bill Pmt -							
Check	07/19/2022	51310	Valley Tire Center, Inc.	Inv 90763		225.91	90,607.10
Bill Pmt -							
Check	07/19/2022	51311	Yolo County Public Works			2,426.50	88,180.60
Bill Pmt -							
Check	07/19/2022	51312	Costco Wholesale	Acct 000111875520212		180.00	88,000.60
General	07/19/2022			Monthly service charge		40.00	87,960.60
Journal				Monthly service			
General	07/19/2022			charge rebate	40.00		88,000.60
Journal							
General	07/19/2022			7/16/22 payroll activity		76,038.39	11,962.21
Journal							
General	07/19/2022			7/16/22 payroll activity		32,184.02	-20,221.81
Journal							
Transfer	07/20/2022			Funds Transfer	300,000.00		279,778.19
General							
Journal	07/20/2022			7/20/22 payroll activity		541.45	279,236.74
General							
Journal	07/20/2022			7/20/22 payroll activity		107.97	279,128.77
Bill Pmt -							
Check	07/21/2022	20249853901	City of Sacramento	Acct 2007944000		154.45	278,974.32
Bill Pmt -							
Check	07/21/2022	20249875963	City of Sacramento	Acct 5450844000		42.63	278,931.69
Bill Pmt -							
Check	07/21/2022	51313	4imprint, Inc.			1,333.26	277,598.43
Bill Pmt -							
Check	07/21/2022	51314	Matrix Consulting Group	Inv 22-63-1		3,980.00	273,618.43
Bill Pmt -							
Check	07/22/2022	EFT	Cal Pers			700.00	272,918.43
Bill Pmt -							
Check	07/26/2022	72622	Alhambra & Sierra Springs	Inv 21217024072322		28.83	272,889.60

Bill Pmt - Check	07/26/2022	2930451	Napa Auto Parts	Inv 256258	51.00	272,838.60	
Bill Pmt - Check	07/26/2022	1738214362	Verizon	Inv 9911063810	237.95	272,600.65	
Bill Pmt - Check	07/26/2022	51315	Cintas	Inv 4125482570	61.11	272,539.54	
Bill Pmt - Check	07/26/2022	51316	Kimball Midwest	Inv 100088436	672.01	271,867.53	
Bill Pmt - Check	07/26/2022	51317	Loewen Pump Maintenance	Inv 3247	6,620.00	265,247.53	
Bill Pmt - Check	07/26/2022	51318	MBK Engineers	Inv 22-06-4170	2,128.75	263,118.78	
Bill Pmt - Check	07/26/2022	51319	Occupational Health Centers of CA	Inv 76034023	102.00	263,016.78	
Bill Pmt - Check	07/26/2022	51320	Pape Machinery	Inv 13733532	1,020.49	261,996.29	
Bill Pmt - Check	07/26/2022	51321	SMUD	Acct 7000000317	31,727.30	230,268.99	
Bill Pmt - Check	07/26/2022	51322	Valley Tire Center, Inc.	Inv 91684	32.00	230,236.99	
Bill Pmt - Check	07/26/2022	51323	Woodland Motors	Inv 5071074	54.79	230,182.20	
Bill Pmt - Check	07/29/2022	51324	Allenstrategic	Inv 1722	20,386.28	209,795.92	
Payment	07/29/2022		RD 1000 Healthcare Trust		87,802.39	297,598.31	
Payment	07/29/2022		N.C.M.W.C.		8,600.00	306,198.31	
Check	07/29/2022	EFT	ADP		184.80	306,013.51	
Total 1011.00 · Bank of the West O&M Checking					895,195.89	750,951.61	306,013.51
Total Cash and Investments					895,195.89	750,951.61	306,013.51
<b>TOTAL</b>					<b>895,195.89</b>	<b>750,951.61</b>	<b>306,013.51</b>

#### Activity Summary

Transfers from money market account	450,000.00
Transfers from FMAP account	342,500.00
Reimbursement from Healthcare Trust	87,802.39
Current months receipts	14,853.50
Bank fee refund	40.00
Accounts payable disbursements	-594,485.27
Payroll disbursements	-156,466.34
Net activity	144,244.28



## RECLAMATION DISTRICT 1000

DATE: AUGUST 12, 2022

AGENDA ITEM NO. 5.4

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**TITLE: Budget to Actual Report**

**SUBJECT: Review and Accept Report for June and July 2022**

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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 closeout report for the month ending June 30, 2022. The most significant expenditures at year end under Administration are Legal Fees, Assessments/Property Taxes, and Public Relations. Significant expenses under Personnel are Group Insurance OPEB - ARC, OPEB/ARC (contributions toward retiree health), Payroll Taxes, and normal costs for Annuitant Health Care. Significant expenses under Operations are Fuel, Field Services, Equipment Rental, and Equipment Repair, Misc, and Utilities.

Attachment 2 provides a year-to-date report for the month ending July 31, 2022. The most significant expenditures at year end under Administration are Liability/Auto Insurance and memberships. Significant expenses under Personnel are Group Insurance and Continuing Education, OPEB/ARC voluntary contributions toward retiree health, Payroll Taxes, and Annuitant Health care. Significant expenses under Operations are Fuel, Field Services, Equipment Rental, and Equipment Repair.

### **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:**

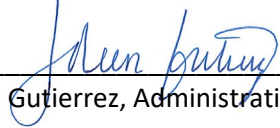
Staff recommends the Board review and accept the Budget to Actual Report for June and July 2022.

**TITLE: Budget to Actual Report**

**ATTACHMENTS:**

1. Budget to Actual Report June and July 2022

**STAFF RESPONSIBLE FOR REPORT:**

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

Date: 08/08/2022

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

Date: 08/08/2022

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

	<b>Year to Date July 1, 2021 to June 30, 2022</b>	<b>Budget</b>	<b>Percent of Budget</b>
<b>Operation &amp; Maintenance Income</b>			
Property Assessments	2,260,416	2,250,000	100.46%
Rents	22,388	24,000	93.28%
Interest Income	67,722	55,000	123.13%
SAFCA - O/M Assessment	1,421,000	1,400,000	101.50%
Misc Income	119,450	-	Not Budgeted
FMAP Grant	681,447	792,000	86.04%
Annuitant Trust Reimbursement	87,802	70,000	125.43%
Security Patrol Reimbursement	65,250	45,000	145.00%
<b>Total</b>	<b>4,725,475</b>	<b>4,636,000</b>	<b>101.93%</b>
<b>Restricted Fund</b>			
Metro Airpark Groundwater Pumping	25,716	25,000	102.86%
<b>Total Combined Income</b>	<b>4,751,191</b>	<b>4,661,000</b>	<b>101.94%</b>

**Administration, Operations and Maintenance - Expenses**

**Administration**

Government Fees/Permits	5,852	12,500	46.82%
Legal	86,929	65,000	133.74%
Liability/Auto Insurance	151,905	160,000	94.94%
Office Supplies	4,083	4,500	90.73%
Computer Costs	30,010	34,900	85.99%
Accounting/Audit	47,488	56,800	83.61%
Admin. Services	13,044	22,000	59.29%
Utilities (Phone/Water/Sewer)	14,149	16,400	86.27%
Mit. Land Expenses	4,995	5,300	94.25%
Administrative Consultants	73,696	114,500	64.36%
Assessment/Property Taxes (SAFCA - CAD)	15,051	8,500	177.07%
Admin - Misc./Other Expenses	1,958	2,800	69.93%
Memberships	35,106	39,700	88.43%
Office Maintenance & Repair	26,346	31,500	83.64%
Payroll Service	2,292	4,500	50.93%
Public Relations	104,269	49,000	212.79%
Small Office & Computer Equipment	5,466	10,000	54.66%
Election	4,570	10,000	45.70%
Conference/Travel/Professional Development	265	20,500	1.29%
<b>Sub Total</b>	<b>627,474</b>	<b>668,400</b>	<b>93.88%</b>

**Personnel/Labor**

Wages	1,155,745	1,139,323	101.44%
Group Insurance	117,401	105,084	111.72%
Worker's Compensation Insurance	20,754	31,000	66.95%
OPEB - ARC	168,672	83,751	201.40%
Dental/Vision/Life	20,001	23,000	86.96%
Payroll Taxes	96,926	86,589	111.94%
Pension	206,305	262,604	78.56%
Continuing Education	1,490	5,000	29.80%
Trustee Fees	33,955	35,000	97.01%
Annuitant Health Care	87,802	85,000	103.30%

<b>Sub Total</b>	<b>1,909,051</b>	<b>1,856,351</b>	<b>102.84%</b>
<b>Operations</b>			
Power	494,097	500,000	98.82%
Supplies/Materials	22,377	25,000	89.51%
Herbicide	154,159	240,000	64.23%
Fuel	91,777	40,000	229.44%
Field Services	193,045	91,000	212.14%
Field Operations Consultants	16,023	20,000	80.12%
Equipment Rental	7,960	5,000	159.20%
Refuse Collection	19,107	45,000	42.46%
Equipment Repair/Service	102,270	15,000	681.80%
Equipment Parts/Supplies	29,634	60,000	49.39%
Facility Repairs	541,810	527,000	102.81%
Shop Equipment (not vehicles)	762	5,000	15.24%
Field Equipment	1,292	20,000	6.46%
Misc/Other 2	725	500	145.00%
Utilities - Field	12,283	11,000	111.66%
Government Fees/Permits - Field	10,226	10,000	102.26%
FEMA Permits	-	1,500	0.00%
<b>Sub Total</b>	<b>1,697,547</b>	<b>1,616,000</b>	<b>105.05%</b>
<b>Equipment</b>			
Equipment	493,731	430,000	114.82%
<b>Sub Total</b>	<b>493,731</b>	<b>430,000</b>	
<b>Consulting/Contracts/Memberships</b>			
Engineering/Technical Consultants	191,895	182,500	105.15%
Security Patrol	93,600	80,000	117.00%
Temporary Admin	6,780	15,000	45.20%
<b>Sub Total</b>	<b>292,275</b>	<b>277,500</b>	<b>105.32%</b>
<b>FMAP Expenditures</b>			
LOI/SWIF (Consultants)	47,299	20,000	236.50%
Equipment	255,507	601,000	42.51%
Operations & Maintenance (Field)	425,551	162,850	261.31%
Administrative	-	8,150	0.00%
<b>Sub Total</b>	<b>728,357</b>	<b>792,000</b>	<b>91.96%</b>
<b>Total A, O &amp; M Expenses</b>	<b>5,748,435</b>	<b>5,640,251</b>	<b>101.92%</b>
<b>Capital Expenses</b>			
Capital Office Upgrades	6,334	30,000	21.11%
Capital RE Acquisition	-	50,000	0.00%
Capital Office Facility Repair	-	30,000	0.00%
Capital Facilities	61,454	1,250,000	4.92%
<b>Sub Total</b>	<b>67,788</b>	<b>1,360,000</b>	<b>4.98%</b>
<b>Total All Expenditures</b>	<b>5,816,223</b>	<b>7,000,251</b>	<b>83.09%</b>



**Reclamation District No. 1000  
Budget to Actual Comparison  
July 1, 2022 to July 31, 2022 (One Month Ending of Fiscal 2023)**

	<b>Year to Date July 1, 2022 to July 31, 2022</b>	<b>Budget</b>	<b>Percent of Budget</b>
<b>Operation &amp; Maintenance Income</b>			
Property Assessments	-	2,250,000	0.00%
Rents	-	24,000	0.00%
Interest Income	3	35,000	0.01%
SAFCA - O/M Assessment	-	1,421,000	0.00%
Misc Income	-	-	Not Budgeted
FMAP Grant	-	-	Not Budgeted
Annuitant Trust Reimbursement	-	-	Not Budgeted
Security Patrol Reimbursement	-	60,000	0.00%
<b>Total</b>	<b>3</b>	<b>3,790,000</b>	<b>0.00%</b>
<b>Restricted Fund</b>			
Metro Airpark Groundwater Pumping	-	25,000	0.00%
<b>Total Combined Income</b>	<b>3</b>	<b>3,815,000</b>	<b>0.00%</b>
<b>Administration, Operations and Maintenance - Expenses</b>			
<b>Administration</b>			
Government Fees/Permits	-	27,700	0.00%
Legal	-	77,500	0.00%
Liability/Auto Insurance	38,391	171,270	22.42%
Office Supplies	390	4,500	8.67%
Computer Costs	411	34,900	1.18%
Accounting/Audit	-	57,200	0.00%
Admin. Services	4,077	20,750	19.65%
Utilities (Phone/Water/Sewer)	703	16,900	4.16%
Mit. Land Expenses	-	6,000	0.00%
Administrative Consultants	-	38,800	0.00%
Assessment/Property Taxes (SAFCA - CAD)	-	8,500	0.00%
Admin - Misc./Other Expenses	-	2,800	0.00%
Memberships	10,570	39,700	26.62%
Office Maintenance & Repair	1,692	33,350	5.07%
Payroll Service	282	4,500	6.27%
Public Relations	5,094	74,000	6.88%
Small Office & Computer Equipment	574	10,000	5.74%
Election	-	100,500	0.00%
Conference/Travel/Professional Development	5	20,500	0.02%
<b>Sub Total</b>	<b>62,189</b>	<b>749,370</b>	<b>8.30%</b>
<b>Personnel/Labor</b>			
Wages	105,815	1,218,409	8.68%
Group Insurance	27,087	115,592	23.43%
Worker's Compensation Insurance	3,620	25,000	14.48%
OPEB - ARC	-	62,485	0.00%
Dental/Vision/Life	3,573	25,300	14.12%
Payroll Taxes	8,007	92,599	8.65%
Pension	10,281	278,922	3.69%
Continuing Education	1,800	5,000	36.00%
Trustee Fees	-	35,000	0.00%
Annuitant Health Care	14,385	108,127	13.30%
<b>Sub Total</b>	<b>174,568</b>	<b>1,966,434</b>	<b>8.88%</b>

**Operations**

Power	38	450,000	0.01%
Supplies/Materials	4,598	18,500	24.85%
Herbicide	20,429	225,000	9.08%
Fuel	10,279	80,000	12.85%
Field Services	2,978	267,000	1.12%
Field Operations Consultants	-	15,000	0.00%
Equipment Rental	-	5,000	0.00%
Refuse Collection	867	30,000	2.89%
Equipment Repair/Service	314	25,000	1.26%
Equipment Parts/Supplies	2,866	50,000	5.73%
Facility Repairs	44,013	595,000	7.40%
Shop Equipment (not vehicles)	-	12,500	0.00%
Field Equipment	-	40,000	0.00%
Misc/Other 2	22	500	4.40%
Utilities - Field	892	11,000	8.11%
Government Fees/Permits - Field	-	9,500	0.00%

<b>Sub Total</b>	<b>87,296</b>	<b>1,834,000</b>	<b>4.76%</b>
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**Equipment**

Equipment	-	-	Not budgeted
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<b>Sub Total</b>	<b>-</b>	<b>-</b>	
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**Consulting/Contracts/Memberships**

Engineering/Technical Consultants	-	176,400	0.00%
Security Patrol	-	175,000	0.00%
Temporary Admin	600	-	Not budgeted

<b>Sub Total</b>	<b>600</b>	<b>351,400</b>	<b>0.17%</b>
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**FMAP Expenditures**

LOI/SWIF (Consultants)	-	20,000	0.00%
Equipment	-	-	Not budgeted
Operations & Maintenance (Field)	68,500	409,400	16.73%
Administrative	-	10,000	0.00%

<b>Sub Total</b>	<b>68,500</b>	<b>439,400</b>	<b>15.59%</b>
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**Total A, O & M Expenses**

<b>393,153</b>	<b>5,340,604</b>	<b>7.36%</b>
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**Capital Expenses**

Capital Office Upgrades	-	-	Not budgeted
Capital RE Acquisition	-	-	Not budgeted
Capital Office Facility Repair	-	75,000	0.00%
Capital Facilities	-	2,920,000	0.00%

<b>Sub Total</b>	<b>-</b>	<b>2,995,000</b>	<b>0.00%</b>
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**Total All Expenditures**

<b>393,153</b>	<b>8,335,604</b>	<b>4.72%</b>
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## RECLAMATION DISTRICT 1000

DATE: AUGUST 12, 2022

AGENDA ITEM NO. 5.5

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TITLE: **Assembly Bill 361**

SUBJECT: **Review and Consider Adoption of Resolution No. 2022-08-01**

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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. 2022-08-01

**ATTACHMENTS:**

1. Resolution No. 2022-08-01

**STAFF RESPONSIBLE FOR REPORT:**



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Kevin L. King, General Manager

Date: 08/04/2022



**RECLAMATION DISTRICT NO. 1000**  
**RESOLUTION NO. 2022-08-01**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF RECLAMATION DISTRICT NO. 1000  
PROCLAIMING A LOCAL EMERGENCY PERSISTS, RE-RATIFYING THE COVID-19 STATE OF  
EMERGENCY, AND RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF RECLAMATION  
DISTRICT NO. 1000 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 12<sup>th</sup> day of August 2022, 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**, the Board of Trustees previously adopted a Resolution, number 2022-07-01 on July 8, 2022, finding that the requisite conditions exist for the District to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

**WHEREAS**, such conditions persist 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

**WHEREAS**, as a consequence of the local emergency persisting, the Board of Trustees does hereby find that the District shall continue to 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. Affirmation that Local Emergency Exists. The Board has reconsidered the conditions of the state of emergency and proclaims that a local emergency persists throughout the District because the high risk of transmissibility of COVID-19 continues to pose an imminent risk to the safety of persons in the District.

Section 3. Re-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) September 12, 2022, 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.



**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 12<sup>th</sup> day of August 2022, 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 2022-08-01 was duly adopted by the Board of Trustees of Reclamation District No. 1000 at the regular meeting held on the 12<sup>th</sup> day of August 2022 and made a part of the minutes thereof.

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Joleen Gutierrez, District Secretary



## RECLAMATION DISTRICT 1000

DATE: AUGUST 12, 2022

AGENDA ITEM NO. 5.6

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**TITLE:** Critical Infrastructure Cleanup

**SUBJECT:** Review and Consider Adoption of Resolution No. 2022-08-02 – Authorizing the Enforcement of Chapter 8.140 of Sacramento City Code Upon District Property and Facilities

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**EXECUTIVE SUMMARY:**

On February 25, 2020, the Sacramento City Council adopted Ordinance No. 2020-0009, which added Chapter 8.140 to the Sacramento City Code for the protection of critical infrastructure and wildfire risk areas in the interests of public health, safety, and welfare. Chapter 8.140 restricts, among other activities, camping, obstructing, or storing personal property on or near locations designated as critical infrastructure. On July 20, 2021, the Sacramento City Council adopted a resolution designating certain locations as Critical Infrastructure subject to the protections of the Ordinance. Those facilities included, for example, District-maintained or operated facilities such as levees, rivers and creeks, dewatering stations, and drainage canals. In July of 2022, the City requested that the District adopt a resolution confirming the application of the Ordinance on District-owned properties. The resolution proposed by the City does not impose new duties or obligations on the District but would facilitate the City's response to any complaint filed by the District pertaining to encampments or accumulation of personal property on District flood control infrastructure.

**RECOMMENDATION:**

Staff recommends the Board review and consider adoption of Resolution No. 2022-08-02 - Authorizing the Enforcement of Chapter 8.140 of Sacramento City Code Upon District Property and Facilities.

**ATTACHMENTS:**

1. Resolution No. 2022-08-02

**STAFF RESPONSIBLE FOR REPORT:**

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Kevin L. King, General Manager

Date: 08/08/2022



RECLAMATION DISTRICT NO. 1000  
RESOLUTION NO. 2022-08-02

**A RESOLUTION OF THE BOARD OF TRUSTEES OF RECLAMATION DISTRICT NO. 1000  
AUTHORIZING THE ENFORCEMENT OF CHAPTER 8.140 OF THE SACRAMENTO CITY CODE  
UPON RECLAMATION DISTRICT PROPERTY AND FACILITIES**

At a regular meeting of the Board of Trustees of Reclamation District No. 1000 held at the District Office on the 12<sup>th</sup> day of August 2022, the following resolution was approved and adopted:

**WHEREAS**, Reclamation District No. 1000 (District) has experienced an increasing number of incidents caused by activities of unauthorized encampments along its levees and other areas defined by the City as “critical infrastructure”; and

**WHEREAS**, the presence of encampments on District-owned and maintained property has in various locations resulted in the interruption of maintenance and operations and the destruction of property, thereby creating a significant risk to the safety of the flood control system, District employees, and residents; and

**WHEREAS**, the city council of a charter city has broad powers in enacting ordinances to maintain the public health, safety, and welfare within its jurisdiction and may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not specifically preempted by State law; and

**WHEREAS**, on February 25, 2020, the Sacramento City Council adopted Ordinance No. 2020-0009, which added Chapter 8.140 to the Sacramento City Code for the protection of critical infrastructure and wildfire risk areas in the interests of public health, safety, and welfare; and

**WHEREAS**, on July 20, 2021, the Sacramento City Council adopted a Resolution Approving the City Manager’s Designation of Specified Locations as Critical Infrastructure for Purposes of Chapter 8.140 of the City Code, which included District-maintained or operated facilities such as levees, rivers and creeks, dewatering stations, and drainage canals; and

**WHEREAS**, the enforcement of Chapter 8.140 of the Sacramento City Code upon District property and facilities is consistent with the mission of the District to construct, maintain, repair and operate all levees, pumps, channels, conduits, pipes, ditches, canals, and all other necessary improvements that may be required to repair, maintain and complete the same as set forth in Reclamation District Act (Water Code § 50000).

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

Section 1. Enforcement of Chapter 8.140 of the Sacramento City Code upon District property and facilities will advance the mission of the District to operate and maintain its levees and associated improvements to control and dispose of storm and flood waters..

Section 2. City of Sacramento personnel are authorized to enforce Chapter 8.140 upon eligible District property and facilities located within the City of Sacramento and designated as critical infrastructure by the City Manager and approved as such by resolution of the City Council.

**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 12<sup>th</sup> day of August 2022, by the following vote, to wit:

AYES: Trustees:

NOES: Trustees:

ABSTAIN: Trustees:

RECUSE: Trustees:

ABSENT: Trustees:

---

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 2022-08-02 was duly adopted by the Board of Trustees of Reclamation District No. 1000 at the regular meeting held on the 12<sup>th</sup> day of August 2022 and made a part of the minutes thereof.

---

Joleen Gutierrez, District Secretary



## RECLAMATION DISTRICT 1000

DATE: AUGUST 12, 2022

AGENDA ITEM NO. 5.7

---

**TITLE:** Conflict of Interest Waivers

**SUBJECT:** Review and Consider Authorizing the General Manager to Approve Conflict of Interest Waivers

---

### **EXECUTIVE SUMMARY:**

Due to the relatively small local legal community, it is not uncommon for the District's General or Special Counsel to occasionally run up against legal conflicts of interest that preclude counsel from providing services to the District, without the District providing a waiver. In most cases, such waivers are logical to grant, and waiting for a Board meeting to approve the waiver risks slowing down the transaction or agreement being developed. This agenda item creates the ability for the Board to decide whether to delegate authority to the General Manager to approve such waivers. On controversial waiver requests, the General Manager would still be able to bring the item to the Board for consideration. For any waiver granted by the General Manager, the General Manager would be required to report the approved waiver to the Board at the next Board meeting, as required by the recommended action below.

### **BACKGROUND:**

Attorneys are bound by the ethical rules promulgated by the California Supreme Court. One such rule precludes an attorney from representing a client in a matter adverse to another client of the firm, without a knowing written waiver by both clients. The rule makes sense in ensuring that attorneys are loyally representing their clients and do not have split allegiances, and that clients knowing approve any other arrangement. By way of example where such waiver makes sense, Downey Brand serves as General Counsel for RD 1000, a position it has held since 2019. Downey Brand was recently asked by RD 1000 to review a package of real property interests to be transferred to RD 1000 from the Sacramento Area Flood Control Agency (SAFCA) associated with SAFCA's Natomas Levee Improvement Project. That package also includes the transfer of various property interests to and from Natomas Central Mutual Water Company (NCMWC) associated with various water supply facilities within the footprint of the Natomas Levee Improvement Project. Because Downey Brand serves as General Counsel to RD 1000 and as Special Counsel to NCMWC to unrelated issues, it would be a conflict of interest for Downey Brand to advise either party on these real property interests. However, because Downey Brand has not assisted NCMWC regarding these real property transfers, Downey Brand could advise RD 1000 if both parties were to provide written conflict of interest waivers.

Granting Downey Brand permission to work on these real property transfers is cost effective, because Downey Brand already acts as General Counsel to the District. In addition, the attorneys that represent the District and would be working on this transaction, do not do work for NCMWC. And as noted above, Downey Brand is not working on these real estate issues for NCMWC. In

**TITLE: Conflict of Interest Waivers**

such a case, Downey Brand would need to bring the request to the Board, absent a delegation of authority. The recommended action would delegate to the General Manager to approve conflict of interest waivers in circumstances such as this so that each waiver does not need to come to the Board, and potential delay work on the affected project.

**RECOMMENDATION:**

Staff recommends the Board review and consider delegating to the General Manager the ability for the General Manager to approve conflict of interest requests from General or Special Counsel, with the condition that the General Manager report each such delegation at the next Board meeting.

**ATTACHMENTS:**

None

**STAFF RESPONSIBLE FOR REPORT:**



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Kevin L. King, General Manager

Date: 08/04/2022





**RECLAMATION DISTRICT 1000**

**DATE: AUGUST 12, 2022**

**AGENDA ITEM NO. 5.8**

**TITLE: Declaration of Surplus Assets and Authorization for Disposal**

**SUBJECT: Review and Consider Declaration of Surplus Assets and Authorize the General Manager to Dispose of Assets in 2022.**

**EXECUTIVE SUMMARY:**

The District, on occasion, needs to dispose of surplus assets, which include but are not limited to vehicles and equipment. In order to dispose of assets, the Board of Trustees must determine the assets are surplus and authorize disposal. As presented in Table 1 below, staff recommends the Board consider declaring the assets listed as surplus and disposing of said assets in 2022.

**Table 1 - 2022 Surplus Assets**

Year	Type	Make	Model	Hours/Mileage	Reason for Replacement
2014	SUV	Chevrolet	Tahoe	114,976	Mileage/ Maintenance costs
2006	4X4 P/U	Chevrolet	2500	61,994	Mileage/Maintenance costs
2004	Excavator	Hitachi	200 LC	5136.34	Mileage/Maintenance costs
1997	Trailer	Trail King	MG	N/A	Mileage/Maintenance costs

**RECOMMENDATION:**

Staff recommends the Board review and consider declaration of the assets listed in Table 1 as surplus and authorize the General Manager to dispose of said assets in 2022.

**FINANCIAL IMPACT:**

Potential Revenue of \$15,000.

**ATTACHMENTS:**

1. None.

**STAFF RESPONSIBLE FOR REPORT:**




---

Kevin L. King, General Manager

Date: 08/05/2022



## RECLAMATION DISTRICT 1000

DATE: AUGUST 12, 2022

AGENDA ITEM NO. 5.9

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**TITLE:** Sacramento & San Joaquin Drainage District Abatement Pilot Program

**SUBJECT:** Review and Consider Authorizing the General Manager to Execute Agreement with Sacramento and San Joaquin Drainage District.

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**EXECUTIVE SUMMARY:**

Review and Consider Authorizing the General Manager to Execute Agreement with Sacramento and San Joaquin Drainage District (SSJDD). SSJDD staff presented the program to the Board of Trustees at the July 8, 2022 Regular Board Meeting.

**RECOMMENDATION:**

Staff recommends the Board review and consider Authorizing the General Manager to Execute Agreement with Sacramento and San Joaquin Drainage District (Attachment 1)

**ATTACHMENTS:**

1. Sacramento & San Joaquin Drainage District Abatement Pilot Program Agreement

**STAFF RESPONSIBLE FOR REPORT:**

---

Kevin L. King, General Manager

Date: 08/08/2022

## SSJDD Abatement Pilot Program

### Background:

- The Central Valley Flood Protection Board (Board) is responsible for property, held in fee by the Sacramento and San Joaquin Drainage District (SSJDD) within the Central Valley, which includes maintenance, damages and debris accumulation as the result of human occupation (maintenance, on SSJDD property is typically outside the duties and responsibilities of the local flood maintainer).
- The Board has secured limited funding to assist local agencies where flood maintenance is severely impeded by debris and human activity on levees and in waterways on SSJDD properties. Additionally, there may be funding for vegetation management, erosion control, restoration, and fencing which will be identified in the contract process.

### Proposal:

- The local government agency will hire the appropriate contractor/subcontractor for abatement services on the SSJDD property.
- The Board will provide reimbursement through a specified contract within SSJDD counties to remove, handle, and legally dispose of all trash, debris, and hazardous waste left behind, as well as vegetation maintenance and/or installation of approved physical barriers, if approved.
  - Specific work and timelines will be outlined in each contract with a detailed scope of work within the Board's Abatement Program.

### Goals: July 2022 - June 30, 2023:

- To create a contract between the Board and the local government agency within the SSJDD to abate, handle, and legally dispose of all trash, debris, and hazardous waste left behind. The contract will:
  - ensure public safety through site access for flood maintenance and inspections.
  - ensure the protection of the flood control system and wildlife habitat.
- The local governmental agency will ensure all federal, State, and local regulations are met regarding removal and disposal of debris and items from the SSJDD property, including:
  - hiring or directing their resources or contractor/subcontractor to perform the abatement.
  - ensuring proper disposal of all debris, including hazardous waste.

### Contact Information:

- For project specific questions, please reach out to Andrea Buckley, Environmental Services and Land Management, at [andrea.buckley@cvflood.ca.gov](mailto:andrea.buckley@cvflood.ca.gov) and please copy our Contract Analyst, Delta Hunt at [detta.hunt@cvflood.ca.gov](mailto:detta.hunt@cvflood.ca.gov)

# Central Valley Flood Protection Board



## Sacramento and San Joaquin Drainage District Property Abatement Program

Andrea Buckley,  
Environmental Services and Land Management, 2022

## Sacramento and San Joaquin Drainage District Property Abatement Program

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**MAP**

**Sacramento and San Joaquin Drainage District Property**

**\*\*INSERT County Map**

## Program Narrative

### BACKGROUND

The Central Valley Flood Protection Board (Board) is the State regulatory agency responsible for ensuring appropriate standards are met for the construction, maintenance, and protection of the flood control system that protects life, property, infrastructure, and wildlife habitat in California's vast and diverse Central Valley from the devastating effects of flooding.

As the owners of more than 9,441 parcels (over approximately 27,000 acres), many located along rivers and streams, the Board has ongoing responsibilities to ensure proper maintenance on property under its jurisdiction. Most of the costs associated with Sacramento and San Joaquin Drainage District (SSJDD) property maintenance preservation needs can be scheduled based on periodic inspections and assessments. However, there is a portion of the State's unsheltered population living in encampments adjacent to our rivers and waterways, resulting in unplanned maintenance and abatement.

On January 8, 2020, Governor Newsom issued Executive Order N-23-20 calling upon all State agencies to work together with local governments to identify and assist with the ongoing homeless crisis. In areas where flood maintenance is severely impeded by illegal dumping, debris, and hazardous waste including but not limited to trash, furniture, clothing, and biological and environmentally regulated hazardous waste as a result of human activity on levees and in waterways, the Board is committed to working with local agencies to assist in the remediation of these hazards.

### STATEMENT OF NEED

Throughout the SSJDD properties, which are owned and managed by the Board, there are several areas where flood maintenance is severely impeded by the illegal dumping of material and debris. Recent charges have resulted from administrative fees and fines, removal of vehicles/large debris, construction grading to restore the structural integrity of the levee, disposal fees, vegetation management, biohazard remediation, animal control, law enforcement oversight, health and social services, and installation of physical barriers and deterrents, such as gates, fencing, and signage. The Board is responsible for property held in fee, including damages and debris accumulation as the result of human occupation. Maintenance on SSJDD property is typically outside the duties and responsibilities of the local flood maintainer. This program seeks to implement and manage resource agreements with cities and counties in the Central Valley for abatement of existing hazardous conditions on SSJDD property.

### METHODOLOGY

To provide reimbursement to counties or other local governmental agencies to remove, handle, and legally dispose of all trash, debris, and hazardous waste left behind on SSJDD properties. This shall include, but is not limited to, the cleanup, removal, transport, legal disposal, vegetation management, installation of approved physical barriers, and ground surface restoration. This does not include funding for noticing, resource education, social or mental health services and the collection and storage of personal articles, which are the responsibility of the local governmental agency.

## STRATEGIC OBJECTIVES

- 1) Prevent damage to the operational safety of the levees, waterways, flood control structures, and the natural environment by the cleaning up of materials and debris placed on SSJDD property.
- 2) Work with local governmental agencies to remove debris, trash, hazardous waste, vegetation management that impede regular maintenance and inspections.
- 2) Secure the optimal operational capacity of flood control facilities during high water events by keeping the upstream drainage free from trash and debris.
- 3) Provide safe and legal access for staff to conduct all inspection activities for permitting, identifying repairs, and needed maintenance to secure flood control system integrity.
- 4) Respect the rights and concerns of unhoused populations that reside on the SSJDD property.
- 5) Demonstrate good property stewardship of the SSJDD property.

## BEST PRACTICES

Many cities and counties are committed to providing unhoused assistance in their jurisdictions. Local governments are most knowledgeable about the specific homelessness-related challenges facing their communities and are well-positioned to implement a combination of strategies to address these issues.

To ensure federal, State, and local regulations are met regarding noticing and removal of debris and items from an SSJDD property, the local government ordinances, protocols and policies should be implemented, including:

- Educating the public about available resources for individuals experiencing homelessness, such as referrals to shelter and transportation.
- Ensure “Notice to Vacate” (NOV) signs are posted, in accordance with local ordinances, protocols and policies.
- Ensure removal and storage of personal property and valuables will be handled in accordance with local ordinances and policies.

## PERFORMANCE GOALS / CRITERIA FOR SUCCESS

1. Ensure public safety through site access for flood maintenance and inspections by working with local governmental agencies to keep flood control facilities, levees, tributaries, bypasses, overflow channels, and basins, free from trash, debris, and hazardous waste.



2. Ensure trash, debris, hazardous waste, and all other personal articles are removed according to federal, State, and local governmental regulations, ordinances, and policies.
3. Ensure necessary vegetation maintenance and/or installation of approved physical barriers.
4. Ensure compliance with all applicable State and federal regulations for worker and public safety.
5. Ensure all federal, State and local regulations pertaining to lawful management and hauling of biological waste and hazardous material to a disposal site or treatment facility licensed by the California Environmental Protection Agency, and the Department of Toxic Substances Control are met. Additionally, that the Department of Industrial Relations and applicable Centers for Disease Control and Prevention (CDC) guidelines are being met.
6. Ensure the protection of the flood control system and wildlife habitat.

**APPLICATION COVER PAGE**

---

Name of Applicant Organization *(Legal name as it will appear on the contract)*

---

Mailing Address *(Street address, P.O. Box, City, State, Zip Code)*

---

FEIN (Federal Entity Identification) Number:

---

**Person authorized to act as the primary contact for matters regarding this application:**

---

Printed Name *(First, Last)*:

Title:

---

Telephone number:

Fax number:

Email address, if applicable

( )

( )

---

**Signature of Authorized Representative**

**Date:**

---

**Person authorized to obligate this firm in matters regarding the resulting contract:**

---

Printed Name *(First, Last)*:

Title:

---

Telephone number:

Fax number:

Email address, if applicable

( )

( )

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**Signature of Authorized Representative**

**Date:**

## APPLICANT ASSURANCES

The applicant certifies that the following statements are true as applied to the applicant and all subcontractors, if any:

1. The applicant is accountable for the content of the Scope of Work (SOW) and will provide program oversight of all subcontractors, (if any).
2. Abatement activities conducted by contractor or subcontractors, (if any), are only for SSJDD property held in fee interest and managed by the Board.
3. Invoicing for program activities is reasonable and necessary to accomplish The Board's goals and objectives and are strictly limited to clean-up trash, debris and hazardous waste.
4. All trash, debris, hazardous waste, and all other personal articles are removed according to federal, State, and local governmental regulations, ordinances, and policies.
5. The applicant will follow, at the applicant expense, all federal, State, and local regulations regarding "Notice to Vacate" signs, education regarding resources to individuals experiencing homelessness, and removal and storage of personal property and valuables from the clean-up site.
6. The applicant will be in compliance with all applicable State and federal regulations for worker and public safety.
7. All federal, State and local regulations pertaining to lawful management and hauling of biological waste and hazardous material to a disposal site or treatment facility licensed by the California Environmental Protection Agency, the Department of Toxic Substances Control, Department of Industrial Relations (<https://www.dir.ca.gov/title8/5192.htm>), and the Center for Disease Control and Prevention (CDC) guidelines are met.
8. The contractor and all subcontractors shall be responsible for obtaining and maintaining current, all applicable State and local licenses, registrations, permits, and certifications during the performance period of this agreement.
9. Subcontractor(s), (if any), will have all necessary licenses, permits, and/or certifications to accomplish its portion of the work.
10. Ensure a competitive bidding process is used to secure subcontracting services.
11. Obtain a Resolution: A county, city, district, or other local public body must provide the Board with a copy of a Resolution, from the local governing body which by law has authority to enter into an agreement, authorizing execution of the agreement.

<b>Signature of Authorized Representative</b>	<b>Date:</b>

**SUBMISSION CHECKLIST**

Application Cover Page	<input type="checkbox"/>
Narrative on how Agency will complete the Scope of Work including work that will be performed by Subcontractors	<input type="checkbox"/>
Staff Classifications/Duty Statements/hourly rates	<input type="checkbox"/>
Applying Agency Map of locations of SSJDD Property	<input type="checkbox"/>
Applying Agency Cost Sheet Summary and Detail Year 1	<input type="checkbox"/>
Applying Agency Cost Sheet Summary and Detail Year 2	<input type="checkbox"/>
Applying Agency Cost Sheet Summary and Detail Year 2	<input type="checkbox"/>
Agency description of Best Practices for unhoused individuals or equivalent documentation	<input type="checkbox"/>
Information/documentation on Subcontracting agencies and Subcontractor Performance Standards	<input type="checkbox"/>
A RESOLUTION from the local governing body	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>

## **SAMPLE DOCUMENTS AND ATTACHMENTS**

### Attachment 1 – Sample Scope of Work

#### **SCOPE OF WORK**

##### **1. Background**

The purpose of this agreement is to address the abatement of illegal dumping and hauling away of materials and debris located on property owned by the Sacramento and San Joaquin Drainage District (SSJDD), which is managed and controlled by the Board.

The <county/city> will follow local requirements to coordinate and provide outreach services for unhoused individuals at county expense, and engage a specially trained, independent contractor who is experienced, and competent to remediate any threats to public health, safety, and welfare present at the clean-up site, at the Board's expense.

##### **2. Introduction**

In January 2020, Governor Newsom issued Executive Order N-23-20 calling upon all State agencies to work together with local governments to identify and assist with the ongoing unhoused crisis in the State.

A portion of the State's unhoused population live in adjacent to rivers and waterways. Throughout, SSJDD properties there are several areas where flood maintenance has been severely impeded by the illegal dumping of materials and debris placed on SSJDD property.

It is critical to the operational safety of the levees, waterways, flood control structures, and the natural environment in the county where this agreement is in place to address the need for abatement in order to prevent damage to the SSJDD properties, surrounding areas, and the environment on property held by the SSJDD county.

##### **3. Location of Services**

SSJDD property held in fee interest, managed by the Board, in XXXXXX County.

##### **4. Contract Managers**

The contract managers during the term of this agreement will be:

Central Valley Flood Protection Board		Contractor	
Contract Coordinator		Contract Representative	
Name:	Detta Hunt	Name:	
Address:	3310 El Camino Avenue, Suite 170 Sacramento, California 95821	Address:	
Phone:	(916) 480-5395	Phone:	
Email:	Detta.Hunt@CVFlood.ca.gov	Email:	
Contract Manager		Contract Manager	
Name:	Andrea Buckley	Name:	
Phone:	(916) 574-0332	Phone:	(916) 212-3783
Cell:		Address:	
Address:	3310 El Camino Avenue, Suite 170 Sacramento, California 95821		
Email:	Andrea.Buckley@CVFlood.ca.gov		

The contract manager can be changed by written notice to the other party.

**5. Contractor’s Tasks and Responsibilities**

1. The county will provide all labor and expertise for surveying, documenting, clean-up, collecting, removal, and disposal services involving clean-up abatement actions on the Board’s on an as-needed basis per county/city guidelines, standards, and operating procedures (Attachment 2) for abatement.
2. The county/city anticipates abatement annually.
3. The county/city or the subcontract agency will provide personnel trained to identify and protect themselves from hazards encountered during the clean-up and will:
  - a. Remove and dispose of all debris, including makeshift shelters and tents.
  - b. Remove abandoned vehicles, recreational vehicles or boats.
  - c. Safely remove & decontaminate all biohazards including feces, urine, vomit, food, and spoiled food.
  - d. Remove and properly dispose of all sharps, illegal drugs, and paraphernalia, infectious diseases decontamination including Hepatitis A, HIV, MRSA, Tuberculosis, and any other identified infectious virus, parasite, or bacteria.
  - e. Decontaminate and clean area of chemicals, pollutants, and any other identified substance to ensure health, safety, and water quality.

**6. Deliverables**

**A. <County/City>**

1. The county/city will provide the Board an emailed report defining their investigation findings (preliminary report) and recommended actions to remedy the site. The Board must approve the corresponding Work Order (Attachment 1) within ten (10) business days prior to the start of any work for removal, abatement, or mitigation on the SSJDD property.
2. The county/city will not commence services prior to the written approval by the Board's contract manager.
3. No payment will be due or made for any work performed prior to the approval from the Board's contract manager. The approval must include:
  - a. Date of request
  - b. Preliminary Report and recommendations (attached)
  - c. Requester's name and contact information/
  - d. Scope of services / description of the work to be performed and the project deliverables
  - e. Estimated quantity of waste, debris, personnel, and equipment
  - f. Estimated fees for disposal
  - g. Estimated costs for towing and vehicle removal
  - h. Location of work (GPS coordinates and/or assessor's parcel number)
  - i. Dates of service, project schedule, and due dates
  - j. Total estimated costs
4. The county/city or subcontracting agency will remove and legally dispose of all debris and materials present in worksites on the Board's properties per county/city guidelines, standards, and operating procedures (Attachment XX). This will include the cleanup, removal, transport, and legal disposal of all debris, trash, vehicles, furniture, clothing, biological, environmentally regulated, hazardous, and non-hazardous waste, and all other personal articles particular to these sites, including confined spaces. Biological waste is any material that contains or has been contaminated by a biohazardous agent (risk to human health or the environment) and includes syringes, needles, blood, vomit, and feces.
5. If the county/city fails to satisfactorily complete a deliverable according to the schedule set forth in a work order, no payment will be made until the deliverable has been satisfactorily completed.
6. The county/city will maintain a complete project file including before and after photo documentation for each work order performed under this agreement. This file will be made available to the Board's contract manager during normal work hours and will be emailed to the Board upon completion of work under the work order.
7. The county/city will follow their county/city guidelines, standards, and operating procedures (Attachment XX), to provide the necessary labor and equipment to complete the debris and waste removal within the time stipulated in each work order.
8. The county/city will review, inspect, and direct abatement services as outlined and completed through this agreement.
9. The county/city direct billable work hours, for inspection, oversight, and animal services, will start when county/city staff arrives and starts work at the worksite and will provide certified time sheets/statements clearly indicating time spent at the worksite.

10. The county/city and/or their independent contractor shall provide the following:

- a. Provide itemized invoices from sub-contracting agencies/vendors detailing the labor classification, time and materials (including trucking services, fees, and consumable materials), for sub-contracting agencies and vendors.
- b. Provide disposal and recycling receipts from the approved disposal site. These disposal receipts shall include the date of service, cubic yards of trash, name of the legal disposal dumpsite with the signature of disposal site's employee receiving the trash.
- c. Provide towing and disposal receipts for abandoned vehicles and vehicle parts.

11. All disposal sites will meet county/city standards (Attachment XX)

**B. Sub-Contract Agencies:**

1. The county/city is to ensure that subcontractors are responsible for obtaining and maintaining current, all applicable State and local licenses, registrations, permits, certifications, and insurance during term of this agreement.
2. The county/city is to ensure that subcontractors will follow county/city guidelines, standards, and operating procedures (Attachment XX), and applicable Centers for Disease Control and Prevention (CDC) guidelines.

**7. Tasks and Responsibilities**

**A. The Board's Responsibilities**

1. The Board is responsible for the authorization of permits, and allows the county/city, its contractors, vendors, and other providers to coordinate and provide homeless outreach services for the occupants of the homeless encampment.
2. The Board has the discretion to stop or prevent work being conducted on SSJDD property(ies) contemplated by this Agreement at any time.
3. The Board will approve work orders within ten (10) business days to ensure each work order is complete, the location is on the Board property, and that it sets forth specific, measurable, attainable, realistic requirements, and time-bound deliverables.
4. The Board will assign qualified personnel to monitor the required work, on an as-needed basis, in coordination with the county/city contract manager.
5. The Board contract manager or designee will coordinate the Board's work-related matters and Board's operations under this agreement.



**B. Invoicing and Payment**

1. For services satisfactorily rendered and approved by the Board contract manager, and upon receipt and approval of invoices, the Board agrees to compensate the county/city in accordance with Exhibit B. Incomplete or disputed invoices will be returned to the county/city, unpaid, for correction.
2. Invoices will be submitted showing the work order for each billable hour increment. When work orders are assigned, the appropriate work order element(s) will be identified by the Board contract manager.
3. Each invoice will include:
  - a) Contract number
  - b) Invoice number
  - c) Date(s) of service
  - d) Location of service
  - e) Number of hours by classifications
  - f) Hourly rates
  - g) Receipts for materials, supplies, and fees
  - h) Work Order description/title
  - i) Detailed invoices from sub-contractor/vendors
  - j) Each invoice shall be submitted by signed hardcopy and electronically to the contract coordinator
  - k) Each invoice shall be submitted by electronic copy to the contract manager
  - l) Final Report

Attachment 2 – Sample Cost Sheet

Abatement Services for SSJDD Properties owned by the Central Valley Flood Protection Board			
Costs for <Dates>			
DESCRIPTION OF EXPENSE	Rate	Projected hours	Total Costs
<b>A. Personnel Expenses</b>			
Inspection and oversight (job-site)			\$
Animal Services (job-site)			\$
<b>Total Personnel Expenses</b>			<b>\$</b>
<b>B. Sub-contracting Services (by Subcontractor)</b>			
Abatement			\$
Excavator			\$
Loader			\$
Labor			\$
Towing (rate is based on projected miles)			\$
<b>Total Sub-contracting Services</b>			<b>\$</b>
<b>C. Other Expenses</b>			
Disposal Fees (rate is based per ton/load/etc.)			\$
Equipment Rentals			\$
<b>Total Other Expenses</b>			<b>\$</b>
<b>Expenses</b>			
<b>Personnel and Sub contractors (A+B)</b>			<b>\$</b>
<b>Approved Indirect Rate not to exceed 10% (applied to A+B)</b>			<b>\$</b>
<b>Other Expenses (C)</b>			<b>\$</b>
<b>Total Expenses</b>			<b>\$</b>

## EXAMPLE – BEST PRACTICES

### Contractor Performance Standards

[Contractor] shall perform the following tasks on behalf of the county/city:

1. Upon contact from a representative from the county's/city Community Response Team ("CRT") or equivalent, within 24 hours, [Contractor] shall cause a biohazard remediation technician to accompany members of the CRT to the homeless encampment site while they perform an initial inspection of the homeless encampment and notify CRT members of any hazards or biohazards that must be avoided during this initial inspection.
  - A. Any hazard or biohazard that may jeopardize the health or safety of the CRT members or their ability to inspect the homeless encampment, as determined by the CRT or [Contractor], may be removed, sterilized, or disinfected by [Contractor] immediately, after [Contractor] adequately documents the hazard or biohazard with video or photographic time-stamped images.
  - B. [Contractor] shall assess the conditions of the homeless encampment site and within five (5) business days after this initial visit, provide the CRT with an estimate for the clean-up of the homeless encampment site.
2. Upon notification from CRT that a homeless encampment has been designated by the CRT for closure for health, safety, and cleaning measures, [Contractor] shall coordinate a date and time with the CRT to return to the homeless encampment site with the County Sheriff's Department and a subset of CRT members to perform the following services:
  - A. Posting of the 72 Hour Notice to Vacate (NOV).
    - i. The NOV will be completed by the CRT and provided to [Contractor] for posting. [Contractor] shall not amend, modify, or in any way alter the appearance of the NOV or the information within the NOV.
    - ii. The Notice to Vacate shall be conspicuously posted in/on multiple locations of the homeless encampment site. If identifiable, posting shall occur at points of ingress/egress. Posting can include but not limited to: (1) physically handing the NOV to the unsheltered occupants of the homeless encampment; (2) affixing the NOV to temporary shelters located within the homeless encampment; (3) utilizing wooden ground stakes and affixing the NOV to such stakes; and/or (4) affixing the NOV to existing fencing and/or structures so long as such posting will not result in damage.

- iii. All copies of the NOV shall be enclosed in sheet protectors to protect against weather conditions.
  - iv. [Contractor] shall obtain video or photographic time-stamped images of all posted NOV posted at the homeless encampment site.
  - v. Upon completing the posting of the NOV, the [Contractor] shall immediately notify the assigned representative from the CRT that the posting of the NOV has been completed and documented.
- B. In coordination with the CRT, at the time that the NOV is posted, the [Contractor] may elect to leave a quantity of litterbags for use by the occupants of the homeless encampment.
- C. On the scheduled date of closure or abatement as identified by the NOV previously posted by the [Contractor], upon coordination with the CRT, [Contractor] shall return to the homeless encampment site and perform the following:
- i. After law enforcement has performed an initial sweep of the homeless encampment, advised persons on scene not to interfere with the cleanup operation, and determined that the scene is safe; [Contractor] shall video or obtain photographic time-stamped images of the general conditions of the homeless encampment, as well as the abandoned items that may remain. To the extent that [Contractor] can decipher individual temporary shelters within the homeless encampment, [Contractor] shall document (video/photograph) the abandoned items associated with each individual shelter separately to enable the county/city to identify which abandoned items may belong to the individual.
  - ii. Items of apparent value remaining on the homeless encampment site shall be collected and inventoried per Attachment 1 hereto. [Contractor] shall utilize best safety practices during the collection and inventory process and perform a reasonable inspection of the items that may remain. [Contractor] is not expected to search under suspected hazardous cover. [Contractor] shall transport/transfer collected items stored in individual storage containers to the county's/city designated storage facility and deposit the individual storage containers into the storage facility as directed by the CRT.
  - iii. Items abandoned that are of no apparent value per Attachment 1 or are clearly trash shall be disposed of by the [Contractor].
  - iv. Video or photographic time-stamped images shall be made of the site after [Contractor] has completed the clean-up.

- D [Contractor] shall remove all junk, trash or litter and biohazards located on the homeless encampment site including, but not limited to, hypodermic needles, human and animal waste (urine and feces), pests, rodents, and environmental debris that amounts to a fire hazard.
- E. Posting of the Notice of Collected Property (“Notice of Collection”) if/when items of apparent value have been collected and stored.

## Additional Sample Contract Exhibits

### Attachment 3 – Additional Sample Contracting Exhibits

#### EXHIBIT B BUDGET DETAIL AND PAYMENT PROVISIONS PUBLIC ENTITIES

##### A. INVOICING AND PAYMENT

Contractor shall submit three copies of the invoice to the State only after receiving written notice of satisfactory completion or acceptance of work by the Contract Manager. The State will not accept an invoice for work that has not been approved and will return the invoice as a disputed invoice to the Contractor.

Invoices shall be submitted no more often than monthly, in arrears, bearing the contract number.

Contractor must submit three copies of each invoice to the following address in order to expedite approval and payment:

Accounting Office Contracts Payable Unit  
P.O. Box 942836 Sacramento, California 94236-0001  
and  
detta.hunt@cvflood.ca.gov

Undisputed invoices shall be paid within 45 days of the date received by the Accounting Office.

##### B. BUDGET CONTINGENCY CLAUSE

It is mutually agreed that if the Budget Act of the current year and/or any subsequent years covered under this Agreement does not appropriate sufficient funds for the program, this Agreement shall be of no further force and effect. In this event, the State shall have no liability to pay any funds whatsoever to Contractor or to furnish any other considerations under this Agreement and Contractor shall not be obligated to perform any provisions of this Agreement.

If funding for any fiscal year is reduced or deleted by the Budget Act for purposes of this program, the State shall have the option to either: cancel this Agreement with no liability occurring to the State or offer an Agreement Amendment to Contractor to reflect the reduced amount.

EXHIBIT D  
Special Terms and Conditions  
(Local Public Entities - Payables)

1. RESOLUTION OF DISPUTES: In the event of a dispute, Contractor shall file a "Notice of Dispute" with the Director or the Director's Designee within ten (10) days of discovery of the problem. The State and Contractor shall then attempt to negotiate a resolution of such claim and, if appropriate, process an amendment to implement the terms of any such resolution. If the State and Contractor are unable to resolve the dispute, the decision of the Deputy Director of Business Operations shall be final, unless appealed to a court of competent jurisdiction.

In the event of a dispute, the language contained within this agreement shall prevail over any other language including that of the bid proposal.

2. PAYMENT RETENTION CLAUSE: Ten percent of any progress payments that may be provided for under this contract shall be withheld per Public Contract Code Section 10346 pending satisfactory completion of all services under the contract.

3. RENEWAL OF CCC: Contractor shall renew the Contractor Certification Clauses or successor documents every (3) years or as changes occur, whichever occurs sooner.

4. AGENCY LIABILITY: The Contractor warrants by execution of this Agreement, that no person or selling agency has been employed or retained to solicit or secure this Agreement upon agreement or understanding for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees or bona fide established commercial or selling agencies maintained by the Contractor for the purpose of securing business. For breach or violation of this warranty, the State shall, in addition to other remedies provided by law, have the right to annul this Agreement without liability, paying only for the value of the work actually performed, or otherwise recover the full amount of such commission, percentage, brokerage, or contingent fee.

5. POTENTIAL SUBCONTRACTORS: Nothing contained in this Agreement or otherwise shall create any contractual relation between the State and any subcontractors, and no subcontract shall relieve the Contractor of its responsibilities and obligations hereunder. The Contractor agrees to be as fully responsible to the State for the acts and omissions of its subcontractors and of persons either directly or indirectly employed by any of them as it is for the acts and omissions of persons directly employed by the Contractor. The Contractor's obligation to pay its subcontractors is an independent obligation from the State's obligation to make payments to the Contractor. As a result, the State shall have no obligation to pay or enforce the payment of any moneys to any subcontractor.

6. SUBCONTRACTING: "Should it be necessary to subcontract for supplemental services or specialists, the Contractor shall obtain prior written consent from the Board. If the subcontracts total more than \$50,000 or 25% of the total contract, whichever is less, then the Contractor must certify that the subcontractor has been selected by the Contractor pursuant to a bidding process requiring at least three bids from responsible bidders or pursuant to the procedures set forth in Government Code Section 4525 et seq., as applicable. If Contractor is unable to obtain three competitive bids or three Statement of

Qualifications, Contractor shall submit a written explanation to the Board. The Board will then decide whether to seek authorization to allow Contractor to proceed with the proposed subcontract. Contractors shall assure that all administrative fees for subcontracts are reasonable considering the services being provided and the oversight required. Contractor shall only pay overhead charges on the first \$25,000 for each subcontract."

7. **COMPUTER SOFTWARE:** For contracts in which software usage is an essential element of performance under this Agreement, the Contractor certifies that it has appropriate systems and controls in place to ensure that state funds will not be used in the performance of this contract for the acquisition, operation or maintenance of computer software in violation of copyright laws.
8. **REPORT OF RECYCLED CONTENT CERTIFICATION:** In accordance with Public Contract Code Sections 12200-12217, et seq. and 12153-12156, et seq. the contractor must complete and return the form DWR 9557, Recycled Content Certification, for each required products to the Department at the conclusion of the services specified in this contract. Form DWR 9557 is attached to this Exhibit and made a part of this contract by this reference.
9. **REIMBURSEMENT CLAUSE:** If applicable, travel and per diem expenses to be reimbursed under this contract shall be at the same rates the State provides for unrepresented employees in accordance with the provisions of Title 2, Chapter 3, of the California Code of Regulations. Contractor's designated headquarters for the purpose of computing such expenses shall be: n/a.
10. **TERMINATION CLAUSE:** The State may terminate this contract without cause upon 30 days advance written notice. The Contractor shall be reimbursed for all reasonable expenses incurred up to the date of termination.
11. **CONTRACTOR COOPERATION DURING INVESTIGATION:** Contractor agrees to cooperate fully in any investigation conducted by or for the Board or DWR regarding unsatisfactory work or allegedly unlawful conduct by the Board employees or the Board contractors. The word "cooperate" includes but is not limited to, in a timely manner, making Contractor staff available for interview and Contractor records and documents available for review.
12. **CONFLICT OF INTEREST:**
  - a. **Current and Former State Employees:** Contractor should be aware of the following provisions regarding current or former state employees. If Contractor has any questions on the status of any person rendering services or involved with the Agreement, the awarding agency must be contacted immediately for clarification.
    - (1) **Current State Employees:** (PCC §10410)
      - (a) No officer or employee shall engage in any employment, activity or enterprise from which the officer or employee receives compensation or has a financial interest and which is sponsored or funded by any state agency, unless the employment, activity or enterprise is required as a condition of regular state employment.



(b) No officer or employee shall contract on his or her own behalf as an independent contractor with any state agency to provide goods or services.

(2) Former State Employees: (PCC §10411)

(a) For the two-year period from the date he or she left state employment, no former state officer or employee may enter into a contract in which he or she engaged in any of the negotiations, transactions, planning, arrangements or any part of the decision-making process relevant to the contract while employed in any capacity by any state agency.

(b) For the twelve-month period from the date he or she left state employment, no former state officer or employee may enter into a contract with any state agency if he or she was employed by that state agency in a policy-making position in the same general subject area as the proposed contract within the 12-month period prior to his or her leaving state service.

b. Penalty for Violation:

(a) If the Contractor violates any provisions of above paragraphs, such action by Contractor shall render this Agreement void. (PCC §10420)

c. Members of Boards and Commissions:

(a) Members of boards and commissions are exempt from this section if they do not receive payment other than payment of each meeting of the board or commission, payment for preparatory time and payment for per diem. (PCC §10430 (e))

d. Representational Conflicts of Interest:

The Contractor must disclose to the Board Program Manager any activities by contractor or subcontractor personnel involving representation of parties, or provision of consultation services to parties, who are adversarial to the Board. The Board may immediately terminate this contract if the contractor fails to disclose the information required by this section. The Board may immediately terminate this contract if any conflicts of interest cannot be reconciled with the performance of services under this contract.

e. Financial Interest in Contracts:

Contractor should also be aware of the following provisions of Government Code §1090:

"Members of the Legislature, state, county district, judicial district, and city officers or employees shall not be financially interested in any contract made by them in their official capacity, or by anybody or board of which they are members. Nor shall state, county, district, judicial district, and city officers or employees be purchasers at any sale or vendors at any purchase made by them in their official capacity."

f. Prohibition for Consulting Services Contracts:

For consulting services contracts (see PCC §10335.5), the Contractor and any subcontractors (except for subcontractors who provide services amounting to 10 percent or less of the contract price) may not submit a bid/SOQ, or be awarded a contract, for the provision of services, procurement of goods or supplies or any other related action which is required, suggested, or otherwise deemed appropriate in the end product of such a consulting services contract (see PCC §10365.5).

13. **COMMERCIAL DRIVER MEAL PERIOD AND REST PERIOD:** To comply with Supreme Court case *Dynamex Operations West, Inc. v. Superior Court* (2018) 4 Cal.5th 903, Contractor shall ensure that commercial drivers employed or subcontracted for under this contract shall receive meal periods and rest periods commensurate with those required by Department of Industrial Relations Wage Order 9, sections 11 and 12: <https://www.dir.ca.gov/IWC/IWCArticle9.pdf>.

14. **ORDER OF PRECEDENCE:** In the event of any inconsistency between the terms, specifications, provisions or attachments which constitute this Contract, the following order of precedence shall apply:

- a) The General Terms and Conditions;
- b) The Std. 213;
- c) The Scope of Work;
- d) Any other incorporated attachments in the Contract by reference



## RECLAMATION DISTRICT 1000

DATE: AUGUST 12, 2022

AGENDA ITEM NO. 7.1.1

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TITLE: Committee Meeting Minutes

SUBJECT: Committee Meeting Minutes since the July Board Meeting

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### EXECUTIVE SUMMARY:

#### Executive Committee Meeting – August 3, 2022

A meeting of the Reclamation District No. 1000 Executive Committee was held on Wednesday, August 3, 2022, at 8:00 a.m. via GoToMeeting and Conference Call. In attendance were Trustees Gilbert and 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 August 12, 2022, Board of Trustees meeting. The Committee reviewed the agenda and approved.

With no further business on the Executive Committee Agenda, meeting adjourned at 8:32 a.m.

### ATTACHMENTS:

1. None

### STAFF RESPONSIBLE FOR REPORT:

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Kevin L. King, General Manager

Date: 08/04/2022