



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

1633 GARDEN HIGHWAY  
SACRAMENTO, CA 95833

**FRIDAY, JULY 8, 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**

- 2.1. Sacramento & San Joaquin Drainage District Abatement Pilot Program: Andrea Buckley (CVFPB)

**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 June 2022 Board Meeting.
- 4.2. OPERATIONS MANAGER'S REPORT: Update on activities since the June 2022 Board Meeting.
- 4.3. DISTRICT COUNSEL'S REPORT: Update on activities since the June 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 June 10, 2022 Regular Board Meeting and June 29, 2022 Special 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.
- 5.7. AUTHORIZATION TO INVEST IN LOCAL AGENCY INVESTMENT FUND: Review and Consider Adoption of Resolution No. 2022-07-03 Authorizing Officers to Invest District Funds in the Local Agency Investment Fund.

**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.
- 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.

**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
- 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**

- 8.1. No Closed Sessions Items Scheduled.

**9. ADJOURN**



**RECLAMATION DISTRICT 1000**

**DATE: JULY 8, 2022**

**AGENDA ITEM NO. 2.1**

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

**SUBJECT: Presentation by Andrea Buckley (Central Valley Flood Protection Board)**

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**EXECUTIVE SUMMARY:**

Central Valley Flood Protection Board's Andrea Buckley, to present the Sacramento & San Joaquin Drainage District Abatement Pilot Program.

**ATTACHMENTS:**

1. Sacramento & San Joaquin Drainage District Abatement Pilot Program

**STAFF RESPONSIBLE FOR REPORT:**

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Kevin L. King, General Manager

Date: 07/02/2022

## 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 / CRITERA 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**

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

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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

( )

( )

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**Signature of Authorized Representative**

**Date:**

---

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

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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: JULY 8, 2022

AGENDA ITEM NO. 4.1

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

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

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### EXECUTIVE SUMMARY:

This Staff Report is intended to report the noteworthy activities and events of the District. Noteworthy activity from June 2022 is included below. Noteworthy activity from June 2022 included continued coordination on Natomas Levee Improvement Project with the United States Army Corps of Engineers, SAFCA and others; Weekly Meetings with Outreach Team; Coordination with NBS, et al. on Phase 2.2 Comprehensive Financial Plan; Responding to and Providing Information for Garden Highway Vegetation Modification Project; Processing Encroachment Permit Applications; Responding to and Reviewing Information from Developers; Coordination with City of Sacramento, et al. on Natomas Basin Interior Levee Re-Certification; and Replacement of chains and guides at Pumping Plant 1B. In summary, the District had a productive and successful month. Our key activities and achievements are presented below:

### BACKGROUND:

#### 1. Administration Services

##### a. Human Resources

- i. No Update.

##### b. Comprehensive Financial Plan

- i. Staff Presented the Phase 2.2 Technical Report to the Board of Trustees on May 13, 2022. Staff continues to work on outreach regarding the proposed fee and has scheduled numerous meetings kicking off in June 2022.
- ii. 4Natomas.org launched on June 1, 2022. This website is being used as the landing point for all information relative to the District's work on the potential property related fee which the Board of Trustee will consider this fall.

##### c. Fiscal Year 2022-2023 Budget

- Fiscal Year 2022-2023 Budget was adopted by the Board of Trustees on June 10, 2022.

##### d. Strategic Communication Services

- i. GM King and Staff continue to work with Allen Strategic on a weekly basis for the various Outreach and Education Programs of import to the District.

**2. District Operations**

a. Routine Operations & Maintenance:

- i. District Crews continue to perform routine maintenance and operations of the District's infrastructure. See Agenda Item 4.2 for information regarding activities performed in June 2022.

**3. 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 is underway on building the Plant 8 replica model used to diagnose and fix the cavitation issues. We expect to have design drawings and formal test plan from the modeling team that will be shared within the next few weeks.

**4. Natomas Levee Improvement Projects**

The The Corps continues to work with the State and SAFCA on borrow for the project. Sites being studied and tested include the Sacramento Regional Sanitation District treatment plant stockpile; Port of West Sacramento; and the Brookfield property in Sutter County adjacent to the PGCC south of Howsley Road which could provide sufficient borrow for the remainder of the Natomas Project. SAFCA was not able to negotiate terms for using borrow from the Sutter Point development. The Corps has changed the borrow site for completing Reach B to include material from the Port of West Sacramento since material from the Lower American River sites are now being reused on-site and are no longer available for Natomas. The Corps is evaluating needs for each Reach and available sources to minimize delays and maximize efficiency.

a. Reach A

- i. The Contract was awarded in September 2021 to Ahtna-Great Lakes (joint venture) for the base contract levee work. The contractor is completing their pre-construction submittals. Start of construction is delayed due to utility relocation delays. Construction will last for three years.
- ii. Work at Plants 1A and 1B are options for Reach A contract. The District and SAFCA approved the agreement allowing for the Corps to modify the pump plants and ensure Plant 1A and 1B are operational during the flood season throughout the project and partial operation of Plant 1B during the irrigation season for rice drainage throughout the project. The Corps has sent a contract modification to their contractor to incorporate these pumping plant outage restrictions.

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

- iii. SAFCA/State continue coordinating with the Corps on SMUD, AT&T and PGE relocations which are underway but have delayed the start of construction.
- b. Reach B
  - i. Construction continued on Reach B including relocation of the Riverside Canal and replacement of other Natomas Water Company facilities. The Corps is working on logistics to acquire borrow material from the Port of Sacramento.
  - ii. Outfall, discharge pipes, pumps and electrical replacement has been completed. Plant 3 was tested this past month, however issues with the motor control timers were discovered, additional testing has been scheduled on 5 July 2022. This will need to be addressed before the plant is fully operational. San Juan Road closure is expected to remain through August 2022.
  - iii. Construction at the I-5 window crossing the Sacramento River south of Bayou Road which began in 2021, has entered a second season and is scheduled to be complete by November 2022. RD 1000 has issued temporary use permit to the contractor.
- c. Reach C
  - i. Complete.
- d. Reach D
  - i. The reconstruction of Pumping Plant 4, discharge pipes and outfall structure has entered month 16. The plant will be non-operational this flood season as the electrical protection equipment procurement has been delayed. The Corps design team is currently working with PG&E to expedite permanent power connection. Completion target date of Plant 4 is September 2022. Emergency generation discussions with the Corps are ongoing, in the event permanent power is not available during this year's flood season.
  - ii. The Corps is working on the package to turn the previously completed levee improvements in Reach D over to the non-federal sponsors (and RD 1000) though the District has effectively taken over the O&M of the levee.
- e. Reach E
  - i. The State, SAFCA and RD 1000 continue to work with the design team to resolve issues as the Corps works on the 100% plans which have been delayed several months until July. The proposed borrow site is the Kaufman property adjacent to the project. Right of way acquisition is close to being completed allowing for contract award in November 2022 with construction in 2023 and 2024.

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

- ii. SAFCA has all the property acquisitions in escrow except for one. This includes the full acquisition of the Brookfield property which could yield sufficient borrow for the remainder of the Natomas project. SAFCA is coordinating with PG&E for the relocation of the utility poles which is scheduled to be completed in 2022.
- f. Reach F
- i. The Corps submitted the 95% plans which are currently being reviewed by the State, SAFCA and RD 1000.
  - ii. State and SAFCA continue working with the Corps on key issues affecting design; particularly the proposed takes on properties with existing structures, the work near Pumping Plant No. 6, relocate or design around WAPA tower, and a borrow source. A portion of the borrow may come from the Kaufmann site sharing with Reach E. There is a deficit of 250,000 cy needed to complete Reach F and G; the team is looking at the Brookfield property for the remaining borrow.
  - iii. Critical issues include right of way acquisition (some which require relocations); WAPA tower (lead time for relocation more than a year); utility relocations and borrow source. Based on potential right of way acquisition delays, the Corps is revising their schedule to delay construction until 2025 with completion as late as 2027. SAFCA is trying to reduce the right of way acquisition time to allow construction to commence sooner.
- g. Reach G
- i. Reach G notes are the same as Reach F notes above.
- h. Reach H
- i. The Corps is processing the contract modification to complete the fence relocations, patrol road and I-80 berm. SAFCA continues acquisition of rights needed to complete patrol road and fence relocations. This project will continue through 2022 as these contract modifications are negotiated and rights of way acquired. Paving has been completed from the Arden/Garden Connector to Pump Plant #8.
- i. Reach I
- i. Construction of the cutoff wall has been completed and project finalization and turnover to SAFCA and the District is in progress. A final construction report has been submitted for SAFCA and the District to review.
  - ii. Design for the Reach I Contract 2 to construct a patrol / maintenance road and perform levee slope flattening has been completed. SAFCA is working on real estate acquisition. Tree removal resume in late 2022. Levee construction is scheduled to be complete in 2023.



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

j. Other Projects

- i. Plant 5 replacement—The Corps is negotiating with Stantec/Kleinfelder team for the Plant 5 design scope of work. The District provided input on the design scope to be compatible with our other pump plants.
- ii. Highway 99 Window – HDR Engineers are doing the design for the closure of the Highway 99 crossing gap at the Natomas Cross Canal. 95% plans were reviewed in May 2022 with no significant issues identified. Caltrans is now engaged with the project and provided their comments on the proposed lane closures to allow the cutoff wall constructed across the travel lanes but concur in general with the proposal. The schedule is to award the contract in June 2023 with construction in 2023 and possibly 2024.

**5. Miscellaneous**

a. DWR Flood Maintenance Assistance Program (FMAP)

- i. Staff submitted Grant application for FMAP 23/24 on June 2, 2022.

b. Sacramento Area Flood Control Agency (SAFCA)

- i. Board Meeting – June 16, 2022 (Attachment No. 1)

c. CSDA Take Action Brief June 2022

- i. CSDA's Take Action Brief for June 2022 (Attachment No.2).

d. District General Election 2022

- i. Informational Postcard with General Election Details and Timelines to be mailed out to all Property Owners by July 18, 2022.

e. Media

- i. CBS 13 Interview – June 29, 2022  
<https://sacramento.cbslocal.com/2022/06/29/levee-safety-sac-river-boat-fire/>

**ATTACHMENTS:**

1. SAFCA Board Meeting – June 16, 2022
2. CSDA Take Action Brief – June 2022

**STAFF RESPONSIBLE FOR REPORT:**

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

Date: 07/02/2022



## **Board of Directors Action Summary of June 16, 2022 - 3:00 PM**

### **WEBEX MEETING**

**Directors/Alternates Present:** Avdis, Harris, Holloway, Jennings, Kennedy, Nottoli, Lee Reeder, Hedges, Nava, Shah

**Directors Absent:** Ashby, Conant, Desmond

#### **ROLL CALL**

#### **PUBLIC COMMENTS**

#### **CONSENT MATTERS**

Motion by Director Holloway and seconded by Director Harris to approve Resolution Nos. 2022-057; 2022-058; 2022-059; 2022-060; 2022-061; 2022-062; 2022-063; 2022-064; 2022-065; 2022-066; 2022-067; 2022-068; 2022-069; 2022-070; 2022-071; 2022-072; and 2022-073 of Consent Matters. No members of the public requested to speak.

AYES: Avdis, Harris, Holloway, Jennings, Kennedy, Lee Reeder, Hedges, Nava

NOES: (None)

ABSTAIN: (None)

ABSENT: Ashby, Conant, Desmond, Nottoli, Shah

RECUSAL: (None)

1. Resolution No. 2022-057 Proclaiming a Local Emergency Persists, Re-Ratifying the COVID-19 State of Emergency, and Re-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 May 19, 2022 (Tayyeb)
3. Resolution No. 2022-058 - Setting a Public Hearing for the Purpose of Approving SAFCA's Operations & Maintenance Assessment District No. 1 Fiscal Year 2022-23 Assessment Roll and Setting the Assessment Rate (Campbell)
4. Resolution No. 2022-059 - Authorizing the Executive Director to Execute a Consulting Services Contract with Mick Klasson, CFM for Grant Writing and Environmental Planning Services (Saucier)
5. Resolution No. 2022-060 - Authorizing the Executive Director to Prepare and Submit a Grant Application and Related Materials and Enter into an Agreement for the Cache Creek Settling Basin Sediment Management and Borrow Plan (Bardini)
6. Resolution No. 2022-061 - Authorizing the Executive Director to Execute Amendment No. 1 to Contract No. 1562 with T&R Riparian Restore for Landscape Maintenance Services Required for Habitat Mitigation Sites Located in Natomas, Sacramento and Sutter Counties (Saucier)
7. Resolution No. 2022-062 - Authorizing the Executive Director to Execute a Contract with MBK Engineers for General Engineering Consulting Services (Ghelfi)
8. Resolution No. 2022-063 - Clarifying the Executive Director's Delegated Authority for Approving Construction Contract Change Orders (Johnson)
9. Resolution No. 2022-064 - Authorizing the Executive Director to Execute an Amended Cost-Sharing Agreement with the Natomas Central Mutual Water Company Regarding the Riverside Pumping Plant Reconstruction Project (Bassett)
10. Resolution No. 2022-065 - Authorizing the Executive Director to Execute Amendment No. 7 to Contract No. 1466 with Parsons Government Services Inc.

for Project Scheduling Development and Analysis Support Services Related to American River Common Features 2016 Projects (Campbell)

11. Resolutions - Authorizing the Executive Director to Amend Legal Services Contracts (Goldberg)
  - A. Resolution No. 2022-066 - Downey Brand, LLP - Amendment No. 4 to Contract No. 1403
  - B. Resolution No. 2022-067 - Shute, Mihaly & Weinberger, LLP - Amendment No. 4 to Contract No. 1404
12. Resolution No. 2022-068 - Amending the Executive Director's Delegated Authority for a Facility Relocation Agreement with Lumen Technologies, Inc. Related to the Sacramento Weir Widening Project (Campbell)
13. Resolutions - Authorizing the Executive Director to Amend Consulting Services Contracts for Flood Risk Management Planning Services on an As-Needed Basis to Support Execution of SAFCA's Programs and Projects (Bardini)
  - A. Resolution No. 2022-069 - cbec, inc., eco-engineering, Amendment No. 6 to Contract No. 1452
  - B. Resolution No. 2022-070 - HDR Engineering, Inc., Amendment No. 6 to Contract No. 1454
  - C. Resolution No. 2022-071 - Larsen Wurzel & Associates, Inc., Amendment No. 5 to Contract No. 1458
14. Resolution No. 2022-072 - Approving Contract Documents and Authorizing the Executive Director to Advertise for Bids for Four Job Order Contracts - Contract Nos. SAFCA JOC-009, JOC-010, JOC-011, and JOC-012 (Campbell)
15. Resolution No. 2022-073- Authorizing the Executive Director to Execute Amendment No. 2 to Contract No. 1423 with Wood Rodgers, Inc. for Engineering Design Services Related to the Natomas Levee Improvement Project (Bassett)

## **PUBLIC HEARING**

16. Resolution No. 2022-074 - Adopting the Recommended Fiscal Year 2022-23 Budget (Campbell)

Presentation by Jason Campbell. Chairman Kennedy opened the Public Hearing. No members of the public requested to speak, and no questions were submitted via email. Chairman Kennedy closed the Public Hearing. Motion by Director Harris and seconded by Director Desmond to approve Resolution No. 2022-074.

AYES: Avdis, Desmond, Harris, Holloway, Jennings, Kennedy, Nottoli, Lee Reeder, Hedges, Nava

NOES: (None)

ABSTAIN: (None)

ABSENT: Ashby, Conant, Shah

RECUSAL: (None)

## **EXECUTIVE DIRECTOR'S REPORT**

17. Information - Executive Director's Report for June 16, 2022 (Johnson)

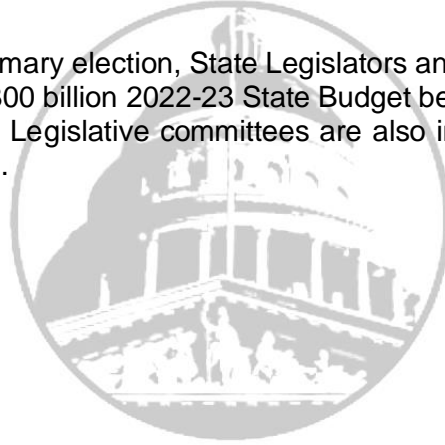
## **ADJOURN**

Respectfully submitted,  
Lyndee Russell



## June 2022

Following the June 7 statewide primary election, State Legislators and Governor Gavin Newsom are working to hash out the final details of a \$300 billion 2022-23 State Budget before Independence Day and the month-long Legislative Summer Recess. Legislative committees are also in full swing with all bills facing a July 1 deadline to clear policy committee.



### Inside this edition of the Take Action Brief:

- New Revenue Opportunity for Underfunded Fire Protection Districts.....2
- Special Districts Increase LAFCO Representation to 32 Counties.....3
- CSDA Seeks Parity in Union Organizing Legislation.....4
- Federal Disaster Mitigation Funding for Vulnerable Communities.....5
- One-Fourth of State Legislature Expected to Turnover in November.....6

### Contact a local CSDA representative near you!

Chris Norden  
 Dane Wadlé  
 Colleen Haley  
 Cole Karr  
 Charlotte Holifield  
 Chris Palmer

Northern Network  
 Sierra Network  
 Bay Area Network  
 Central Network  
 Coastal Network  
 Southern Network

[chrisn@csda.net](mailto:chrisn@csda.net)  
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[charlotteh@csda.net](mailto:charlotteh@csda.net)  
[chrisp@csda.net](mailto:chrisp@csda.net)



## ➤ REVENUE, FINANCES, AND TAXATION

*CSDA's long range policy priority on revenue, finances, and taxation is to ensure adequate funding for special districts' safe and reliable core local service delivery. Protect special districts' resources from the shift or diversion of revenues without the consent of the affected districts. Promote the financial independence of special districts and afford them access to revenue opportunities equal to that of other types of local agencies.*

### New Revenue Opportunity for Underfunded Fire Protection Districts

Senate Bill 450 (Hertzberg) aims to establish the means for administering the distribution of the funding within the [Special District Fire Response Fund](#), a subaccount within the California Fire Response Fund, established as a result of the passage of Proposition 19 (2020). Recent amendment language added a new section to the bill, providing specified instructions to the California Office of Emergency Services (Cal OES) that would affect district eligibility and application procedures.

Recall that, as a result of the passage of Prop. 19, all homeowners who are over 55 (or who meet other qualifications) are eligible for property tax savings when they move (only inherited properties used as primary homes or farms would be eligible for property tax savings).

#### **For the funding amount allocated to the Special District Fire Response Fund:**

- Fifty percent of the amount will be used to fund fire suppression staffing in underfunded special districts that provide fire protection services, were formed after July 1, 1978, and employ full-time or full-time-equivalent station-based personnel who are immediately available to comprise at least 50 percent of an initial full alarm assignment.
- Twenty-five percent will be used to fund fire suppression staffing in special districts that provide fire protection services, were formed before July 1, 1978, are underfunded due to a disproportionately low share of property tax revenue and an increase in service level demands since July 1, 1978, and employ full-time or full-time-equivalent station-based personnel who are immediately available to comprise at least half of an initial full alarm assignment.
- Twenty-five percent will be used to fund fire suppression staffing in underfunded special districts that provide fire protection services and employ full-time or full-time-equivalent station-based personnel who are immediately available to comprise at least 30 percent but less than 50 percent of an initial full alarm assignment.

#### **In establishing whether a district qualifies as “underfunded,” the Legislature weighs a number of factors in a descending order of priority:**

1. The degree to which the special district's property tax revenue is insufficient to sustain adequate fire suppression, as measured against the population density, size of the service area, and number of taxpayers within the boundaries of the special district.
2. Whether the special district, upon formation, received a property tax allocation in accordance with Chapter 282 of the Statutes of 1979 (Assembly Bill 8).
3. The last factor in the priority list for consideration is geographic diversity.

SB 450 would establish Cal OES, in coordination with the board of directors of the [FIREScope Program](#), as the administrator of the Special District Fire Response Fund. The two entities would be tasked with developing a standard application form and timeline to be used by special districts that provide fire protection services to apply for grants from the Special District Fire Response Fund.

CSDA recently adopted a “Support” position on Senate Bill 450 and will continue to monitor the legislation and provide members with further updates on this topic as additional information becomes available. **Alpine**



## ➤ GOVERNANCE AND ACCOUNTABILITY

*Enhance special districts' ability to govern as independent, local government bodies in an open and accessible manner. Encourage best practices that avoid burdensome, costly, redundant or one-size-fits all approaches. Protect meaningful public participation in local agency formations, dissolutions, and reorganizations, and ensure local services meet the unique needs, priorities, and preferences of each community*

### Special Districts Increase LAFCO Representation to 32 Counties

On May 17, the Alpine County Local Agency Formation Commission (LAFCO) formally appointed two individuals to represent the three special districts in the County. One of CSDA's priorities is to help districts secure LAFCO representation. Alpine joins Tuolumne County as the most recent counties to seat special districts. Tuolumne LAFCO approved district representation in 2020. Statewide, special districts are now represented on 32 out of 58 Commissions.

The benefits of securing representation are significant. Where represented, special districts sit on this regional body as a co-equal partner with their county and city peers. Special districts are also granted a direct voice in decisions governing boundary changes, consolidations, annexations, formations, dissolutions, service extensions and other LAFCO actions.

Even if special districts do not anticipate an organizational or boundary change in the near future, LAFCOs affect every independent special district because they are charged with the preparation and approval of Spheres of Influence and Municipal Service Reviews that are typically conducted for every special district every five years.

Independent special districts in Alpine County voted to appoint Bob Epstein and Douglas Mitarotonda from the Kirkwood Meadows Public Utility District to the regular seats on the Commission. Lewis Ames from the Markleeville Public Utility District will serve as the alternate.

This Alpine LAFCO action completes a process started in 2019. Three years ago, the special districts in the county began discussions on obtaining two seats on the Commission. Additional meetings were held to discuss the process and allocate the cost share among districts. The discussions continued with existing Commissioners and LAFCO staff. The districts then initiated the process outlined in state law to obtain Commission representation.

The seating of special districts on LAFCO demonstrates that special districts can effectively collaborate with their local government peers and enhances the stature of LAFCOs as the appropriate forum to review and oversee the necessary questions that inevitably arise between two or more public agency service providers at the local level. Absent a local process where special districts have a seat at the table and the residents are given a meaningful voice, the State Legislature will often fill the void.

The process in Alpine County would not have been completed without the dedication and persistence of local special district representatives as well as LAFCO Commissioners and staff. CSDA thanks these participants for their work.





## ➤ HUMAN RESOURCES AND PERSONNEL

CSDA's Long Range Policy Priority regarding Human Resources and Personnel is to promote policies related to hiring, management, and benefits and retirement that afford flexibility, contain costs, and enhance the ability to recruit and retain diverse, highly qualified, and career-minded employees to public service. As public agency employers, support policies that foster productive relationships between management and employees, both represented and non-represented. Oppose policies that would undermine the integrity of the collective bargaining process and the best interests of the public.

### CSDA Seeks Parity in Union Organizing Legislation

CSDA is actively engaged with a coalition of public agency employers advocating an "Oppose Unless Amended" position on Senate Bill 931 (Leyva) related to union organizing. Under existing law, Government Code Section 3550 provides:

*A public employer shall not deter or discourage public employees or applicants to be public employees from becoming or remaining members of an employee organization, or from authorizing representation by an employee organization, or from authorizing dues or fee deductions to an employee organization.*

SB 931 would give standing to an employee organization (e.g., a union) that is subject to the jurisdiction of the Public Employment Relations Board (PERB) to bring a claim before the board alleging that a public employer violated Section 3550. Upon a finding that the public employer violated Section 3550, the employer shall be subject to a penalty of \$1,000 per affected employee, not to exceed \$100,000 in aggregate, to be paid to the state's General Fund.

SB 931 would provide attorneys' fees and costs to the employee organization if it is the prevailing party, except in limited circumstances. However, similar attorneys' fees are not permitted to be awarded to the employer if the employer is the prevailing party. The bill does not permit PERB to award attorneys' fees and costs for any proceedings before the board that challenge the dismissal of an unfair practice charge by the board's Office of the General Counsel. SB 931 also grants PERB non-reciprocal attorneys' fees and costs if it is the prevailing party in related litigation, as specified.

CSDA does not condone nor support anti-union activity. However, because Section 3550 is a relatively new code section with few interpretive decisions on point, and due to the potentially significant penalties and non-reciprocal attorneys' fees and costs associated with SB 931, which could cause severe financial damage to special districts, CSDA has joined a broad coalition of public agency employers opposing SB 931 unless it is amended.

Specifically, CSDA and its coalition partners are seeking substantive parity between the penalty provisions of SB 931 and SB 270 (Durazo), which was signed into law last year and will be operative July 1, 2022, and which provides PERB with authority to impose penalties for certain violations of Government Code Section 3558. Those penalties are capped at \$10,000 and are based upon consideration of various factors, including:

- (1) The public employer's annual budget.
- (2) The severity of the violation.
- (3) Any prior history of violations by the public employer.

The coalition is also seeking an amendment to SB 931 which will require a notice, including the facts and theory supporting the alleged violation, prior to bringing a claim before PERB under the bill's provisions.

Please contact Aaron Avery for additional information at [aarona@csda.net](mailto:aarona@csda.net).



## ➤ INFRASTRUCTURE, INNOVATION, AND INVESTMENT

CSDA's long range policy principal regarding infrastructure, innovation, and investment is to encourage prudent planning for investment and maintenance of innovative long-term infrastructure. CSDA supports the development of fiscal tools and incentives to assist special districts in their efforts to meet California's changing demands, ensuring the efficient and effective delivery of core local services.

### Federal Disaster Mitigation Funding for Vulnerable Communities

The National Special Districts Coalition (NSDC), of which CSDA is a founding member, is supporting legislation to boost FEMA hazard mitigation project funding in some of the nation's most hazard-prone communities.

The *Community Disaster Resilience Zones (CDRZ) Act* works within the [Robert T. Stafford Disaster Relief and Emergency Assistance Act](#), commonly referred to as the "Stafford Act," to codify the Federal Emergency Management Agency's (FEMA) [National Risk Index for Natural Hazards](#). The index is a relatively new tool that scores each county and census tract based on potential economic losses, social vulnerability, and general community resilience to a range of 18 natural hazards.

The federal legislation would require FEMA to update the National Risk Index tool every five years and leverage the data to designate the 50 most-risk adverse census tracts in each state, and no less than 1 percent of a state's census tracts, as "Community Disaster Resilience Zones." The CDRZ Act would allow enhanced federal cost-share above the standard 75 percent for FEMA-funded mitigation projects and would authorize financial aid and technical assistance to local governments seeking project funds.

Senator Gary Peters, D-Mich., sponsors the original Senate version of the bill and chairs the Senate Committee on Homeland Security and Government Affairs, which is the Senate committee of jurisdiction. The Committee passed [S. 3876](#) on March 30 with an amendment to cap the enhanced federal cost share for qualified mitigation projects at 80 percent. Congresswoman Sharice Davids, D-Kan., sponsors the House version. The House Committee on Transportation and Infrastructure passed [H.R. 7242](#) on April 28 with an amendment to consider impacts of algal blooms as a factor in designating Community Disaster Resilience Zones.

NSDC co-signed a 27-member [coalition letter](#) in support of the CDRZ Act. As of June 14, both versions of the bill await further action before the full House and Senate, with high probability of passage before the end of the 117<sup>th</sup> Congress.

Although no formal call to action is in place for the legislation at this time, districts in [designated-high risk census tracts](#) with plans to execute mitigation projects are encouraged to [contact their member of Congress](#), [Senator Dianne Feinstein](#), and [Senator Alex Padilla](#) to share the importance of the CDRZ Act and the potential positive impact the program could have on the district and its community.

Contact Cole Karr, NSDC and CSDA Federal Advocacy Coordinator, for questions and more information at [colek@nationalspecialdistricts.org](mailto:colek@nationalspecialdistricts.org).



## ➤ ELECTION RESULTS

### One-Fourth of State Legislature Expected to Turnover in November

Based on preliminary results from the June 7 statewide primary election, California voters will elect at least 24 new State Assemblymembers and 10 new State Senators in November. This represents 30 percent of the Assembly and 25 percent of the Senate respectively.

#### It's Time to Build Relationships with New Lawmakers

Given the significant turnover expected in State and U.S. Capitols, CSDA encourages special district leaders to reach out to candidates early and often to begin building relationships with the individuals seeking to represent them in the Sacramento and Washington D.C.

Use CSDA's [Special Districts Map](#) to determine which legislative districts overlap with your special district. The online tool allows users to surface the new State Assembly, State Senate, and U.S. Congressional Districts over the top of special district boundary lines.

**Below is a list of the top two vote-getters in State Assembly, State Senate, and U.S. Congressional districts that do not have an incumbent and are guaranteed to see a new lawmaker elected in November:**

*\*Vote percentages listed are preliminary figures as published by the [California Secretary of State](#) on June 9. Note that the top vote-getter is not necessarily the favorite to win election in November as many of these races saw multiple candidates from the same party split the vote. In most cases such votes will likely transfer to the same party in the general election. Therefore, a better indicator is to review which party's candidates collectively tallied the most votes at the June primary election.*

#### State Assembly:

District #	Top Vote Percentage	Top Two Vote Percentage	Too Close to Call: Within 5% of Top 2
5	Rebecca L Chenoweth - D 41.40%	Joe Patterson - R 34.20%	
10	Stephanie Nguyen - D 33%	Eric Guerra - D 26.80%	Eric M. Rigard - R 26.70%
12	Damon Connolly - D 38.60%	Sara Aminzadeh - D 35.40%	
13	Carlos Villapudua - D 56.90%	Veronica Vargas - D 28%	
20	Liz Ortega - D 31.10%	Shawn Kumagai - D 25%	Joseph Grcar (R ) 23.10%
21	Diane Papan - D 44.70%	Mark Gilham (R ) 21.40%	Giselle Hale - D 16.50%
22	Juan Alanis (R ) 32.10%	Jessica Self - D 28.10%	Chad M Condit - D 24.70%
27	Esmeralda Soria - D 42.00%	Mark Nicholas Pazin - R 33.20%	



# TAKE ACTION BRIEF

<b>28</b>	Gail Pellerin - D 34.20%	Liz Lawler - R 30.60%	Rob Rennie - D 25.40%
<b>30</b>	Dawn Addis - D 43.40%	Vicki Nohrden - R 33.40%	
<b>35</b>	Leticia Perez - D 58.20%	Jasmeet Bains - D 41.80%	
<b>37</b>	Gregg Hart - D 58.40%	Mike Stoker - R 38%	
<b>39</b>	Paul Andre Marsh - R 38.50%	Juan Carillo - D 30.20%	
<b>51</b>	Rick Chavez Zbur - D 62%	Louis Adramson 38%	
<b>60</b>	Hector Diaz-Nava - R 37.40%	Corey A Jackson - D 27.70%	Esther Portillo - D 22.10%
<b>61</b>	Robert Pullen-Miles- D 37.30%	Tina Simone McKinnor - D 29.60%	
<b>63</b>	Fauzia Rizvi - D 42.70%	Bill Essayli - R 29.80%	Clint Lorimore - R 27.50%
<b>64</b>	Raul Ortiz, Jr. - R 36.10%	Blanca Pacheco - D 23.20%	
<b>68</b>	Avelino Valencia - D 49.10%	Mike Tardif - R 24.30%	
<b>69</b>	Josh Lowenthal - D 44.50%	Al Austin II - D 26.40%	
<b>70</b>	Diedre Thu-Ha Nguyen - D 38.50%	Tri Ta - R 22.20%	
<b>71</b>	Matt Rahn - R 52.20%	Kate Sanchez - R 47.80%	
<b>72</b>	Judi Mancuso - D 43.50%	Diane Dixon - R 42.30%	
<b>80</b>	Georgette Gomez - D 35%	David Alvarez - D 31.90%	

**State Senate:**

District #	Top Vote Percentage	Top Two Vote Percentage	Too Close to Call: Within 5% of Top 2
<b>4</b>	Tim Robertson - D 23.40%	Marie Alvarado-Gil - D 20.10%	George Radanovich- R 17.00%
<b>6</b>	Paula Villescaz - D 46.00%	Roger Niello - R 40.40%	



# TAKE ACTION BRIEF

<b>8</b>	Dave Jones - D 45.80%	Angelique Ashby 42.10%	
<b>10</b>	Lily Mei - D 35.40%	Aisha Wahab - D 25.20%	Paul J Pimentel - R 22.40%
<b>18</b>	Steve Padilla - D 61.90%	Alejandro Galicia - R 38.10%	
<b>20</b>	Daniel Hertzberg - D 31.80%	Ely De La Cruz Ayao - R 29.50%	Caroline Menjivar - D 24.90%
<b>28</b>	Lola Smallwood-Cuevas - D 38.90%	Cheryl C. Turner - D 31.40%	
<b>32</b>	Kelly Seyarto - R 59.60%	Brian Nash - D 40.40%	
<b>36</b>	Janet Nguyen - R 56.90%	Kim Carr - D 43.10%	
<b>38</b>	Matt Gunderson - R 45.30%	Catherine Blakespear - D 43.90%	



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## ➤ OTHER WAYS TO TAKE ACTION

### Member Resources

**Register Now for Early Bird Pricing for the CSDA Annual Conference & Exhibitor Showcase!**

*Monday, August 22 – Thursday, August 25, 2022*  
*JW Marriott Desert Springs Resort & Spa*

Register Here: <https://www.csdanet.org/annualconference/home>

Scholarships available [here](#).

### Join Today

Contact Eric Spencer, Member Services Specialist, at [erics@csda.net](mailto:erics@csda.net) or 877.924.2732 for a summary of benefits, dues schedule, and any questions.

### Get Involved

Join an Expert Feedback Team to provide CSDA staff with invaluable insights on policy issues. Visit [csdanet.org/get-involved](https://www.csdanet.org/get-involved) one of the following teams:

- Revenue
- Environment
- Formation and Reorganization
- Human Resources and Personnel
- Governance
- Public Works and Facilities

### Stay Informed

In addition to the many ways you can **TAKE ACTION** with CSDA's advocacy efforts, CSDA offers a variety of tools to keep you up-to-date and assist you in your district's legislative and public outreach. Make sure you're reading these resources:

- CSDA's weekly e-Newsletter
- Districts in the News
- CSDA's CA Special District Magazine

Email [updates@csda.net](mailto:updates@csda.net) for help accessing these additional member resources.



## RECLAMATION DISTRICT 1000

DATE: JULY 8, 2022

AGENDA ITEM NO. 4.2

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TITLE: Operations Manager's Report – July 2022

SUBJECT: Update on Activities Since the June 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 June 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 currently in progress. The vegetation removal/modification project is expected to be complete next week. District staff performed First Aid/CPR and AED training.

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:

None.

### ATTACHMENTS:

1. Operations Manager's Report Data Sheet

### STAFF RESPONSIBLE FOR REPORT:

Gabriel J. Holleman, Operations Manager

Date: 07/01/2022

Kevin L. King, General Manager

Date: 07/01/2022



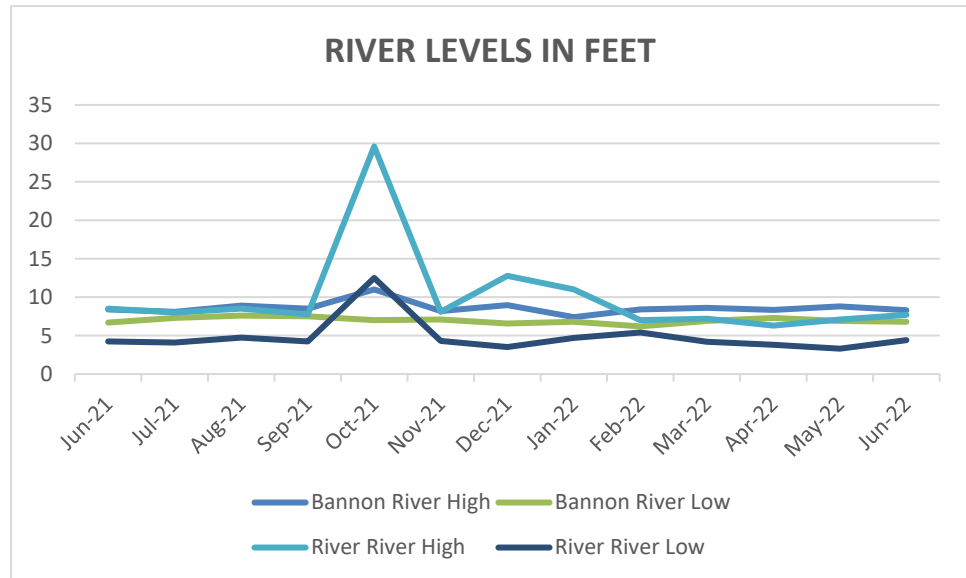
# Operations Manager's Report June 2022

AGENDA ITEM 4.2  
ATTACHMENT NO. 1

**River Levels:**

**Bannon** H: 8.3'  
L: 6.8'

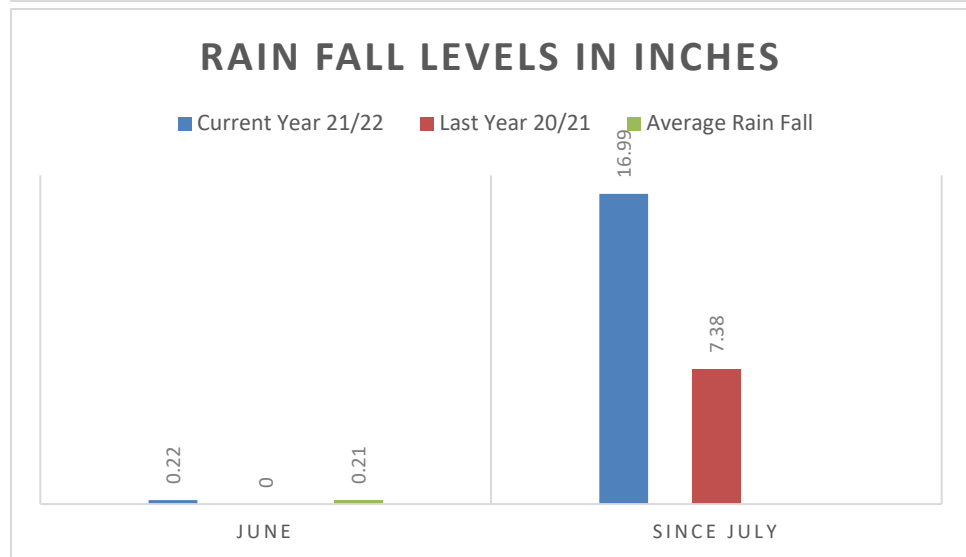
**River** H: 7.7'  
L: 4.4'



**Rain Fall Totals:**

June 2022  
Rain Totals = .22"  
June Average = .21"

Rain Totals Since  
July 1, 2021 = 16.99"



**Safety Topics for the Month of June**

- Portable Fire Extinguishers – Make Sure They Remain Ready for Use
- Portable Fire Extinguishers – Do's and Don'ts
- Fire Protection – Understanding Categories of Flammable Liquids
- Emergency Preparation – Maintaining Safe Exit Routes

**District Requests Received**

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



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

RD 1000 Field Crew	*Field Hours Worked	Activity
	423	Mowing
	156	Equipment Maintenance/Repairs
	148	Pumping Plant Maintenance
	128	Weed Control
	110	Garbage
	44	Grounds Maintenance

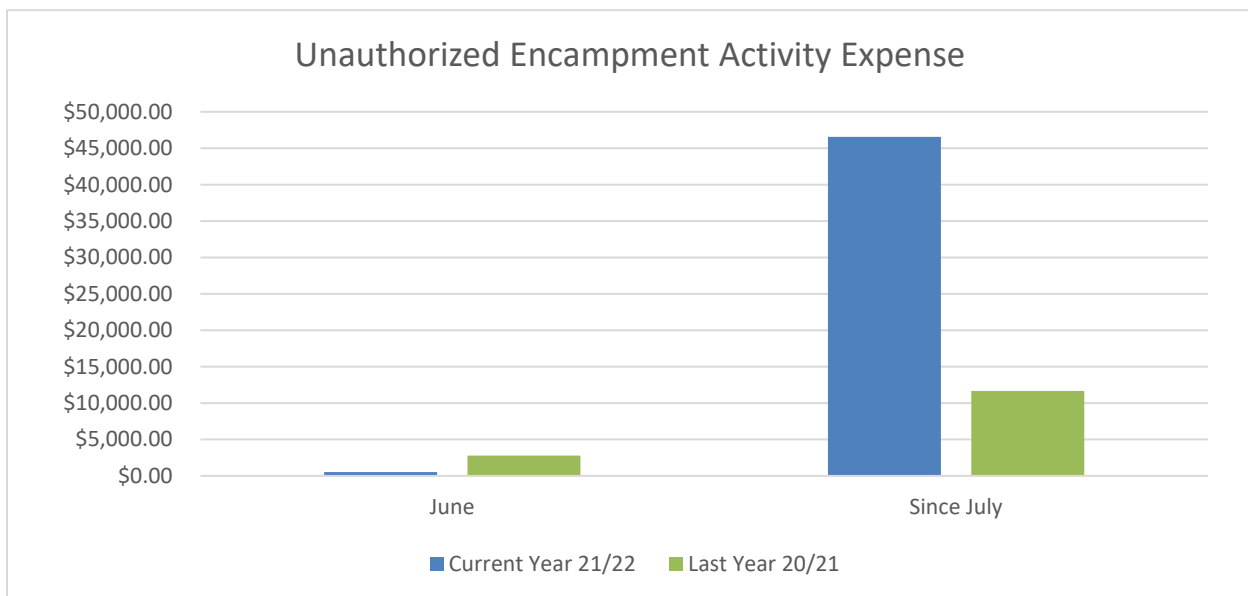
\*Hours worked do not include the Operations Manager's time.

### Pumping

There were no pumping activities in the month of June.

**Unauthorized Encampment Activity** During the month of June, the District spent a total of 16 hours on unauthorized encampment related work with a total cost to the District of \$519.68. This total includes labor and quipment costs.

**Unauthorized Encampment Activity – Year to Date** This fiscal year to date the District has spent a total of 561 crew hours on unauthorized encampment activity for a total cost to the district of \$46,552.53. This total includes labor,\* equipment costs.





## Operations Manager's Report June 2022

### 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 is underway on building the Plant 8 replica model used to diagnose and fix the cavitation issues. We expect to have design drawings and formal test plan from the modeling team that will be shared within the next few weeks.
- 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 currently underway.

### 2. Developmental Project Updates

#### a. MAP

- i. Model is currently in review

#### b. Greenbriar

- i. Greenbriar – Ongoing coordination related to the Lone Tree Canal road elevation increase, currently reviewing change order costs.

#### c. Cove

- i. Coordinating with developer as it relates to the soils testing data near the culvert pipe replacement through the levee.

#### d. Upper West Side

- i. 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

- i. Continued coordination efforts with the City of Sacramento regarding the replacement of Sump 102 (Lower NEMDC).

#### f. Sutter Pointe

- i. Mass grading plan has been reviewed. Meeting has been requested as it relates to the pump station, force main and outfall.

- g. Misc. Caltrans
  - i. Coordinating efforts ongoing with the planned work at San Juan (EDC).
- h. Elkhorn Blvd/Powerline
  - i. B plans for Elkhorn extension have been reviewed and comments submitted.
- i. SMUD levee crossing at Swabbies
  - i. Permit reviewed and endorsed. Will monitor activities when construction begins.
- j. Anton Dev Co Fong Ranch Road
  - ii. Met with City Parks and Rec to review drainage for the new park.
- k. Panhandle
  - i. Reviewed and commented on tentative map showing RD1000 ditches to be removed. Drainage study is being prepared.
- l. Northpointe Industrial Park
  - i. Reviewed and commented on setbacks from levee with landscaping and permanent excavations. Revised plans received on 6/20.
- m. Ninos Parkway Trail – B Drain
  - i. Bridge at B drain. Plans received 06/22/2022, currently under review.
- n. 920 San Juan Road
  - i. Reviewing NOI. Drainage study requested
- o. NorthLake Development
  - i. Drawings currently under review.
- p. MAP Schnitzer
  - i. 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)



06/01/2022 - 06/30/2022

Crew 1	June 1 - 8	June 9 - 16	June 17 - 23	June 24 - 30
<b>Beto Gutierrez</b>				
Truck # 57	<ul style="list-style-type: none"> <li>* Utilized water truck for fire suppression during mowing activities.</li> <li>* First Aid/CPR/AED Training</li> <li>* Sprayed aquatic vegetation along the E Drain</li> <li>* Sprayed aquatic vegetation in Zone F</li> </ul>	<ul style="list-style-type: none"> <li>* Sprayed aquatic vegetation in Zone F.</li> <li>* Debris removal at PP#2</li> <li>* Hauled scrap metal to recycler and cleaned up Corp Yard</li> <li>* Vegetation removal at 6645 Garden Hwy</li> </ul>	<ul style="list-style-type: none"> <li>* Garbage removal throughout the District</li> <li>* Sprayed aquatic vegetation in Zone F.</li> <li>* Hauled scrap metal to recycler and cleaned up Corp Yard</li> </ul>	<ul style="list-style-type: none"> <li>* Sprayed aquatic vegetation in Zone E, H &amp; K.</li> </ul>
<b>Crew 2</b>	<b>June 1 - 8</b>	<b>June 9 - 16</b>	<b>June 17 - 23</b>	<b>June 24 - 30</b>
<b>John Chilton</b>				
Truck # 56	<ul style="list-style-type: none"> <li>* Mowing activities in Zone E &amp; K</li> <li>* First Aid/CPR/AED Training</li> <li>* Garbage removal throughout the District</li> </ul>	<ul style="list-style-type: none"> <li>* Garbage removal throughout the District</li> <li>* Debris removal at PP#2</li> <li>* Mowing activities in Zone B</li> <li>* Vegetation removal at 6645 Garden Hwy</li> </ul>	<ul style="list-style-type: none"> <li>* Performed trash rack repairs at PP#1B</li> <li>* Mowing activities along Garden Hwy from I-5 to Northgate Blvd</li> <li>* Garbage removal throughout the District</li> </ul>	<ul style="list-style-type: none"> <li>* Garbage removal throughout the District</li> <li>* Mowing activities in Zone H &amp; K</li> </ul>
<b>Crew 3</b>	<b>June 1 - 8</b>	<b>June 9 - 16</b>	<b>June 17 - 23</b>	<b>June 24 - 30</b>
<b>Taylor Tikalski</b>				
Truck # 55	<ul style="list-style-type: none"> <li>* Mowing activities in Zone H &amp; K</li> <li>* First Aid/CPR/AED Training</li> </ul>	<ul style="list-style-type: none"> <li>* Garbage removal throughout the District</li> <li>* Debris removal at PP#2</li> <li>* Mowing activities in Zone H</li> <li>* Hauled scrap metal to recycler and cleaned up Corp Yard</li> <li>* Vegetation removal at 6645 Garden Hwy</li> </ul>	<ul style="list-style-type: none"> <li>* Mowing activities along Garden Hwy from I-5 to Northgate Blvd</li> <li>* Garbage removal throughout the District</li> </ul>	<ul style="list-style-type: none"> <li>* Garbage removal throughout the District</li> <li>* Mowing activities in Zone C &amp; B</li> </ul>
<b>Crew 4</b>	<b>June 1 - 8</b>	<b>June 9 - 16</b>	<b>June 17 - 23</b>	<b>June 24 - 30</b>
<b>Bryan Hall</b>				
Truck # 69	<ul style="list-style-type: none"> <li>* First Aid/CPR/AED Training</li> <li>* Fleet equipment repairs</li> </ul>	<ul style="list-style-type: none"> <li>* Fleet equipment repairs</li> </ul>	<ul style="list-style-type: none"> <li>* Fleet equipment repairs</li> </ul>	<ul style="list-style-type: none"> <li>* Fleet equipment repairs</li> </ul>
<b>Crew 5</b>	<b>June 1 - 8</b>	<b>June 9 - 16</b>	<b>June 17 - 23</b>	<b>June 24 - 30</b>
<b>Ray Lewis</b>				
Truck: #58	<ul style="list-style-type: none"> <li>* Mowing activities in Zone E &amp; H</li> <li>* First Aid/CPR/AED Training</li> <li>* Garbage removal throughout the District</li> </ul>	<ul style="list-style-type: none"> <li>* Garbage removal throughout the District</li> <li>* Debris removal at PP#2</li> <li>* Mowing activities in Zone H</li> <li>* Vegetation removal at 6645 Garden Hwy</li> </ul>	<ul style="list-style-type: none"> <li>* Mowing activities along Garden Hwy from I-5 to Northgate Blvd</li> <li>* Garbage removal throughout the District</li> </ul>	<ul style="list-style-type: none"> <li>* Garbage removal throughout the District</li> <li>* Mowing activities in Zone C &amp; B</li> </ul>
<b>Crew 6</b>	<b>June 1 - 8</b>	<b>June 9 - 16</b>	<b>June 17 - 23</b>	<b>June 24 - 30</b>
<b>Michael Rhoads</b>				
Truck: #59	<ul style="list-style-type: none"> <li>* First Aid/CPR/AED Training</li> <li>* Sprayed aquatic vegetation in Zone G</li> <li>* Replaced pump hour meters at PP#1B &amp; PP#3</li> </ul>	<ul style="list-style-type: none"> <li>* Sprayed aquatic vegetation in Zone G</li> <li>* Debris removal at PP#2</li> <li>* Performed trash rack repairs at PP#1B</li> <li>* Vegetation removal at 6645 Garden Hwy</li> </ul>	<ul style="list-style-type: none"> <li>* Performed trash rack repairs at PP#1B</li> </ul>	<ul style="list-style-type: none"> <li>* Garbage removal throughout the District</li> <li>* Performed trash rack repairs at PP#1B</li> </ul>
<b>Crew 7</b>	<b>June 1 - 8</b>	<b>June 9 - 16</b>	<b>June 17 - 23</b>	<b>June 24 - 30</b>
<b>Mark Jenkins</b>				
Truck #60	<ul style="list-style-type: none"> <li>* Mowing activities in Zone H &amp; K</li> <li>* First Aid/CPR/AED Training</li> <li>* Garbage removal throughout the District</li> </ul>	<ul style="list-style-type: none"> <li>* Garbage removal throughout the District</li> <li>* Debris removal at PP#2</li> <li>* Mowing activities in Zone H</li> <li>* Performed trash rack repairs at PP#1B</li> <li>* Vegetation removal at 6645 Garden Hwy</li> </ul>	<ul style="list-style-type: none"> <li>* Garbage removal throughout the District</li> <li>* Performed trash rack repairs at PP#1B</li> <li>* Mowing activities in Zone B</li> </ul>	<ul style="list-style-type: none"> <li>* Garbage removal throughout the District</li> <li>* Mowing activities in Zone C &amp; B</li> </ul>



## RECLAMATION DISTRICT 1000

DATE: JULY 8, 2022

AGENDA ITEM NO. 4.3

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TITLE: District Counsel's Report – July 2022

SUBJECT: Update on Activities Since the June 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 June 2022.

**ATTACHMENTS:**

None

**STAFF RESPONSIBLE FOR REPORT:**

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Kevin L. King, General Manager

Date: 07/01/2022



## RECLAMATION DISTRICT 1000

DATE: JULY 8, 2022

AGENDA ITEM NO. 5.1

---

**TITLE:** Approval of Minutes

**SUBJECT:** Approval of Minutes from June 10, 2022 Regular Board Meeting and June 29, 2022 Special Board Meeting

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**EXECUTIVE SUMMARY:**

This staff report serves as the official record of the Board of Trustees monthly meetings. This document details meeting participants, proof of items discussed, summaries of board meeting discussion, and the Board's actions. Staff recommends Board approval of meeting minutes from the following Board Meetings:

- June 10, 2022 Regular Board Meeting (Attachment No. 1)
- June 29, 2022 Special Board Meeting (Attachment No. 2)

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:**

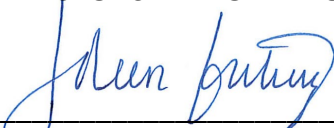
Staff recommends the Board approve the Minutes from the following Board Meeting:

- June 10, 2022 Regular Board Meeting (Attachment No. 1)
- June 29, 2022 Special Board Meeting (Attachment No. 2)

**ATTACHMENTS:**

1. June 10, 2022 Regular Board Meeting
2. June 29, 2022 Special Board Meeting

**STAFF RESPONSIBLE FOR REPORT:**

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

Date: 07/01/2022

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

Date: 07/01/2022



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

**JUNE 10, 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 Jag Bains; Trustee Tom Barandas; Trustee Chris Burns; and General Counsel Scott Shapiro; General Counsel Rebecca Smith; General Manager Kevin King; Operations Manager Gabe Holleman, Administrative Services Manager Joleen Gutierrez, and Operations Supervisor Tony Del Castillo.

**1. PRELIMINARY**

1.1. Call Meeting to Order: Board President Thom Gilbert called the meeting to order.

1.2. Roll Call: Board Secretary Gutierrez called the roll.

Trustees Present: Thom Gilbert, Elena Lee Reeder, Jag Bains, Tom Barandas, Chris Burns

Trustees Absent: Nick Avdis

1.3. Approval of Agenda

Moved/Second: Trustee Chris Burns/Trustee Jag Bains

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

Noes: None

Abstain: None

Absent: Nick Avdis

Action: Motion to approve the June 10, 2022 Board Meeting Agenda is approved.

1.4. Pledge of Allegiance: Trustee Thom Gilbert 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. 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.*

There were no public comments made.

#### **4. INFORMATIONAL ITEMS**

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

General Manager Kevin King gave a verbal update of District activities. A full copy of his report was included in the June 10, 2022 Board Packet.

Trustee Chris Burns inquired about the status of the Rosin Ct. property and whether the City has responded to the District's sent lease deal points. GM King made it known that he has not heard back from the City's Planning Department.

##### **4.2. OPERATIONS MANAGER'S REPORT: Update on activities since the May 2022 Board Meeting.**

There were no questions or comments made.

##### **4.3. DISTRICT COUNSEL'S REPORT: Update on activities since the May 2022 Board Meeting.**

Counsel Rebecca Smith gave a verbal update of her District related work in May 2022. She spent time on vegetation modification, public records requests, and the district's upcoming election.

#### **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 for public discussion.

Moved/Second: Trustee Chris Burns/Trustee Elena Lee Reeder

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

Noes: None

Abstain: None

Absent: Nick Avdis

Action: Motion to approve Consent Calendar Items Item 5.1-5.7 is approved.

##### **5.1. APPROVAL OF MINUTES: Approval of Minutes from the May 13, 2022 Regular Board Meeting.**

##### **5.2. TREASURER'S REPORT: Approve Treasurer's Report for May 2022.**

##### **5.3. EXPENDITURE REPORT: Review and Accept Report for May 2022.**

##### **5.4. BUDGET TO ACTUAL REPORT: Review and Accept Report for May 2022.**

##### **5.5. ASSEMBLY BILL 361: Review and Consider Adoption of Resolution No. 2022-06-01 – 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. ANNUAL BANKING AUTHORIZATION (SACRAMENTO COUNTY): Review and Consider Adoption of Resolution No. 2022-06-02 – Re-Authorizing Officers and Trustees as Signatories to the Operations and Maintenance Funds held by Sacramento County Treasurer.**

##### **5.7. GRANT OF EASEMENT DEED: Review and Consider Adoption of Resolution No. 2022-06-03 – Authorizing the General Manager to Grant Easement Deed to Sacramento Municipal Utility District.**



## 6. SCHEDULED ITEMS

- 6.1. FISCAL YEAR 2022/2023 BUDGET: Review and Consider Adoption of Resolution No. 2022-06-04 – Adopting Fiscal Year 2022/2023 Budget.

GM King presented the FY 22-23 Fiscal Year Budget and recommended adoption of Resolution 2022-06-04 to approve the FY 22-23 Budget.

Moved/Second: Trustee Elena Lee Reeder, Trustee Chris Burns

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

Noes: None

Abstain: None

Absent: Trustee Nick Avdis

Action: Motion to adopt Resolution No. 2022-06-06 adopting the Fiscal Year 2022/2023 Budget is approved.

- 6.2. OFFICIAL PAY RATE SCHEDULE FOR FISCAL YEAR 2022/2023: Review and Consider Adoption of Resolution No. 2022-06-05 – Adopting Official Pay Rate Schedule for Fiscal Year 2022/2023.

GM King presented the FY 22-23 Fiscal Year Official Pay Rate Schedule. General Manager King and District Counsel Smith made know that a 4.0% Cost of Living Increase had been added to the wages from Fiscal Year 2021/2022 and is reflected in the updated wage table for Fiscal Year 2022/2023. The Cost of Living increase was applied for all District Positions, including the General Manager per the General Managers contract approved previously by the Board of Trustees. Staff recommended adoption of Resolution 2022-06-05 to approve the FY 22-23 Official Pay Rate Schedule.

Moved/Second: Trustee Thom Gilbert, Trustee Elena Lee Reeder

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

Noes: Trustee Chris Burns

Abstain: None

Absent: Trustee Nick Avdis

Action: Motion to adopt Resolution No. 2022-06-05 adopting the Official Pay Rate Schedule for Fiscal Year 2022/2023 is approved.

- 6.3. APPOINTMENT OF TRUSTEE: Review and Consider Appointment of Trustee for Vacant Board of Trustee Position.

GM Kevin King stated on May 31, 2022 Trustee Debra G. Jones vacated her Assessment seat position on the RD1000 Board of Trustees. The Board of Trustees of the District has the option to appoint an individual to the vacated position per California Government Code Section 1780 (b), (d)(1), (d)(2). GM King made known the District's Legal Committee met on May 19, 2022 and recommended notifying the County Board of Supervisors to appoint an individual to fill the vacancy in lieu of the District making the appointment. Without discussion, this item was moved.

Moved/Second: Trustee Elena Lee Reeder/Chris Burns

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

Noes: None

Abstain: None

Absent: Trustee Nick Avdis

Action: Motion to notify the County Board of Supervisors to appoint an individual to fill the Assessment Seat Trustee vacancy in lieu of the District making the appointment 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

- Legal Committee (Avdis & Gilbert) May 19, 2022
- Executive Committee (Gilbert & Lee Reeder) June 1, 2022

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

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

#### 7.1.3. Trustee Comments

- Board President Gilbert named Trustee Barandas as an alternate for the SAFCA Board of Directors to fill the vacancy created by the resignation of former Trustee Jones. Other committee assignments will be considered once the vacated Trustee position has been filled.

## **8. CLOSED SESSION**

8.1. No Closed Sessions Items Scheduled.

## **9. ADJOURN**

Moved/Second: Trustee Chris Burns/Trustee Thom Gilbert

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

Noes: None

Abstain: None

Absent: Trustee Nick Avdis

Action: Motion to adjourn the meeting is approved.



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

**JUNE 29, 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 Tom Barandas; Trustee Chris Burns; and Trustee Nick Avdis; General Manager Kevin King; Operations Manager Gabe Holleman, and 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: Board Secretary Gutierrez called the roll.

Trustees Present: Thom Gilbert, Elena Lee Reeder, Nick Avdis, Tom Barandas, Chris Burns

Trustees Absent: Jag Bains

1.3. Approval of Agenda

Moved/Second: Trustee Chris Burns/Trustee Nick Avdis

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

Noes: None

Abstain: None

Absent: Jag Bains

Action: Motion to approve the June 29, 2022 Board Meeting Agenda is approved.

1.4. Pledge of Allegiance: Trustee Thom Gilbert 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. 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.*

There were no public comments made.

#### **4. SCHEDULED ITEMS**

- 4.1. ASSEMBLY BILL 361: Review and Consider Adoption of Resolution No. 2022-06-06 – 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.

Moved/Second: Trustee Chris Burns/Trustee Nick Avdis

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

Noes: None

Abstain: None

Absent: Trustee Jag Bains

Action: Motion to adopt Resolution No. 2022-06-06 - 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 is approved.

After this item a quorum of the Board was no longer established at 8:06 am, Trustees Burns, Avdis and Barandas left the meeting. The Executive Committee continued with the remaining item.

- 4.2. Review and Discuss Agenda for July 8, 2022 Regular Board of Trustees Meeting.

General Manager King provided the Esecutive Committee with the proposed agenda for the July 8, 2022 Regular Board of Trustees Meeting. General Manager King reviewed feedback from the committee and will post the Agenda for the July 8, 2022 Board of Trustees Meeting.

#### **5. CLOSED SESSION**

- 5.1. No Closed Sessions Items Scheduled.

#### **6. ADJOURN**

- 6.1. With no further business on the agenda, the meeting was adjourned at 8:45 am.



## RECLAMATION DISTRICT 1000

DATE: JULY 8, 2022

AGENDA ITEM NO. 5.2

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**TITLE:** Treasurer's Report

**SUBJECT:** Approve Treasurer's Report for June 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 June 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 June 2022 Treasurer's Report.

**ATTACHMENTS:**

1. Treasurer's Report June 2022

**STAFF RESPONSIBLE FOR REPORT:**

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

Date: 07/01/2022

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

Date: 07/01/2022

Treasurer's Report for June 2022

June 2022	Ending Balance @ 6/30/22
<b>Total Funds at 6/30/22</b>	<b>11,186,592.50</b>
Bank of the West - Checking*	419,889.76
Bank of the West - Money Market	55,463.69
Bank of the West FMAP	439,893.77
Sacramento County Treasurer	5,941,073.63
State Treasurer - Local Agency Investment Fund	2,145,772.92
City of Sacramento - Pool A	2,184,498.73

June 2022 - Operations and Maintenance Cash Flow	Money Market	FMAP	Operating Checking *	Combined O&M
<b>Beginning Balance at 6/1/22</b>	55,463.69	439,893.77	406,223.16	901,580.62
Transfers to money market from operating account	(200,000.00)	-	200,000.00	-
Transfers from LAIF to money market account	200,000.00	-	-	200,000.00
Current months receipts	-	-	40,638.95	40,638.95
Accounts Payable*	-	-	(128,542.00)	(128,542.00)
Payroll	-	-	(98,430.35)	(98,430.35)
<b>Ending Balance at 6/30/22</b>	<b>55,463.69</b>	<b>439,893.77</b>	<b>419,889.76</b>	<b>915,247.22</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
Employee reimbursement	18.91
TSI Engineering deposit	10,000.00
Cal Card rebate	96.23
Scrap metal sales	401.81
Insurance proceeds for backhoe loss	30,082.00
	<u>40,638.95</u>



## RECLAMATION DISTRICT 1000

DATE: JULY 8, 2022

AGENDA ITEM NO. 5.3

---

TITLE: Expenditure Report

SUBJECT: Review and Accept Reports for June 2022

---

### 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 June 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: \$16,494 to Allen Strategic for a ongoing public outreach, \$16,292 to Downey Brand for legal services, and \$10,013 to Interstate Oil Company for fuel.

### RECOMMENDATION:

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

### ATTACHMENTS:

1. June 2022 Expenditure Report

### STAFF RESPONSIBLE FOR REPORT:

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Joleen Gutierrez, Administrative Services Manager

Date: 07/01/2022

---

Kevin L. King, General Manager

Date: 07/01/2022

## June 2022 Expenditure Report – O&M

AGENDA ITEM 5.3  
ATTACHMENT NO. 1

Type	Date	Num	Name	Memo	Debit	Credit	Balance
<b>Cash and Investments</b>							<b>406,223.16</b>
							<b>406,223.16</b>
Check	06/01/2022	EFT	Cal Pers			939.38	405,283.78
Bill Pmt							
-Check	06/02/2022	51226	ACWA JPIA	Inv 0687689 dental/vision coverage		1,786.41	403,497.37
General							
Journal	06/02/2022			6/2/22 payroll activity		54,795.87	348,701.50
Bill Pmt				VOID: Inv. 21-44#34 Final Ind Cost			
-Check	06/06/2022	51224	Matrix Consulting Group	Alloc Plan	0.00		348,701.50
Bill Pmt							
-Check	06/06/2022	51225	Matrix Consulting Group	Inv. 21-44#34 Final Ind Cost Alloc Plan		2,200.00	346,501.50
Bill Pmt							
-Check	06/06/2022	51227	Allenstrategic	Inv # 1734 - May hours		16,494.61	330,006.89
Payment	06/06/2022		Employee		18.91		330,025.80
General							
Journal	06/06/2022			Deposit from TSI Engineering for Natomas Reach Project	10,000.00		340,025.80
Check	06/10/2022	EFT	ADP			99.47	339,926.33
Bill Pmt							
-Check	06/14/2022	16545199876	City of Sacramento	Acct 7029676079		4.98	339,921.35
Bill Pmt							
-Check	06/14/2022	13021069511	Comcast	Acct 8155600381146169		241.60	339,679.75
Bill Pmt							
-Check	06/14/2022	2897246	Napa Auto Parts			212.96	339,466.79
Bill Pmt			Waste Management of				
-Check	06/14/2022	80051289013	Sacramento	Inv 3374408-0050-2		659.33	338,807.46
Bill Pmt							
-Check	06/14/2022	51228	Airgas NCN	Inv 9989104180		406.12	338,401.34
Bill Pmt							
-Check	06/14/2022	51229	AT&T	Inv 18286532		412.83	337,988.51
Bill Pmt			Blankinship & Associates,				
-Check	06/14/2022	51230	Inc.	Inv 8138		2,523.30	335,465.21
Bill Pmt			Brookman Protection				
-Check	06/14/2022	51231	Services, Inc.	Inv 22-049		7,200.00	328,265.21
Bill Pmt			Carson Landscape				
-Check	06/14/2022	51232	Industries	Inv 263255		820.00	327,445.21
Bill Pmt			Chavez Accountancy				
-Check	06/14/2022	51233	Corporation	Inv 5627		1,572.50	325,872.71
Bill Pmt							
-Check	06/14/2022	51234	Cintas			216.91	325,655.80
Bill Pmt			County of Sacramento -				
-Check	06/14/2022	51235	Municipal Servces	Inv 68098		527.45	325,128.35
Bill Pmt							
-Check	06/14/2022	51236	Dossier Systems	Inv 116827		902.01	324,226.34
Bill Pmt			Green Light Termite and				
-Check	06/14/2022	51237	Pest	Inv 012417149		85.00	324,141.34
Bill Pmt							
-Check	06/14/2022	51238	J Franko Electric			2,262.71	321,878.63
Bill Pmt							
-Check	06/14/2022	51239	Jani-King	Inv 6220156		711.95	321,166.68
Bill Pmt			Municipal Maintenance				
-Check	06/14/2022	51240	Equipment	Inv 0170254		102.49	321,064.19
Bill Pmt			Occupational Health				
-Check	06/14/2022	51241	Centers of CA	Inv 75001187		41.00	321,023.19
Bill Pmt							
-Check	06/14/2022	51242	Smile Business Products	Inv 1041439		155.25	320,867.94
Bill Pmt							
-Check	06/14/2022	51243	Streamline	Inv A14C0AB6-0019		200.00	320,667.94
Bill Pmt							
-Check	06/14/2022	51244	US Bank Corp			4,499.45	316,168.49
Bill Pmt							
-Check	06/14/2022	51245	West Yost Associates	Inv 2049322		3,243.60	312,924.89
Bill Pmt							
-Check	06/14/2022	EFT	PG&E			53.14	312,871.75
Bill Pmt							
-Check	06/16/2022	51246	Stratton Agency	Inv 19032		339.00	312,532.75
General							
Journal	06/16/2022			6/15/22 payroll		43,634.48	268,898.27
Bill Pmt			Alhambra & Sierra				
-Check	06/21/2022	62222	Springs	Inv 6169212061722		116.26	268,782.01



Bill Pmt								
-Check	06/21/2022	1002134355	Cal Pers	July 2022			21,626.68	247,155.33
Bill Pmt								
-Check	06/21/2022	17358287147	City of Sacramento	Acct 5450844000			45.11	247,110.22
Bill Pmt								
-Check	06/21/2022	2904467	Napa Auto Parts				338.72	246,771.50
Bill Pmt								
-Check	06/21/2022	60078161614	The Home Depot				225.17	246,546.33
Bill Pmt								
-Check	06/21/2022	17358252743	City of Sacramento	Acct 2007944000			153.29	246,393.04
Bill Pmt								
-Check	06/21/2022	1689611605	Verizon	Inv 9908749357			283.81	246,109.23
Bill Pmt								
-Check	06/21/2022	51247	Cintas				834.29	245,274.94
Bill Pmt								
-Check	06/21/2022	51248	Contour Sierra Aebi, LLC	4188			4,287.07	240,987.87
Bill Pmt								
-Check	06/21/2022	51249	Downey Brand LLP				16,292.00	224,695.87
Bill Pmt								
-Check	06/21/2022	51250	Interstate Oil Company	Inv 587620			10,013.62	214,682.25
Bill Pmt								
-Check	06/21/2022	51251	J Franko Electric	Inv 22097			3,444.69	211,237.56
Bill Pmt								
-Check	06/21/2022	51252	Pape Machinery				305.31	210,932.25
Bill Pmt								
-Check	06/21/2022	51253	Security & Asset Management, LP	Inv 521675			3,663.42	207,268.83
Bill Pmt								
-Check	06/21/2022	51254	Smile Business Products	Inv 1046441			160.26	207,108.57
Bill Pmt								
-Check	06/21/2022	51255	Terrapin Technology Group	Inv 22-0802			780.14	206,328.43
Bill Pmt								
-Check	06/21/2022	51256	Valley Tire Center, Inc.	Inv 89853			257.99	206,070.44
Check	06/21/2022	EFT	Cal Pers				1,400.00	204,670.44
General Journal								
General Journal	06/21/2022		Bank of the West	Bank service charge			40.00	204,630.44
General Journal	06/21/2022		Bank of the West	Bank service charge rebate	40.00			204,670.44
Check	06/21/2022	EFT	Cal Pers				3,466.13	201,204.31
Check	06/21/2022	EFT	Cal Pers				3,816.28	197,388.03
Check	06/21/2022	EFT	Cal Pers				6,594.59	190,793.44
Transfer	06/23/2022			Funds Transfer	200,000.00			390,793.44
General Journal	06/23/2022			Cal Card rebate	96.23			390,889.67
General Journal	06/23/2022		Sims Metal Management	Scrap metal sales	401.81			391,291.48
General Journal	06/23/2022			Proceeds from insurance company for backhoe loss	30,082.00			421,373.48
Check	06/24/2022	EFT	ADP				83.72	421,289.76
Check	06/28/2022	EFT	Cal Pers				1,400.00	419,889.76
							<u>240,638.95</u>	<u>226,972.35</u>
							<u>240,638.95</u>	<u>226,972.35</u>
<b>TOTAL</b>							<b><u>240,638.95</u></b>	<b><u>226,972.35</u></b>
							<b><u>419,889.76</u></b>	<b><u>419,889.76</u></b>

#### Activity Summary

Transfers from money market account	200,000.00
Current months receipts	40,598.95
Bank fee refund	40.00
Accounts payable disbursements	-128,542.00
Payroll disbursements	-98,430.35
Net activity	<u>13,666.60</u>



**RECLAMATION DISTRICT 1000**

**DATE: JULY 8, 2022**

**AGENDA ITEM NO. 5.4**

**TITLE: Budget to Actual Report**

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

**EXECUTIVE SUMMARY:**

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

Attachment 1 provides a year-to-date report for the month ending June 30, 2022. The most significant expenditures at year end under Administration are Legal, Insurance, Property Tax Assessments and Public Relations. Significant expenses under Personnel are Group Insurance, 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.

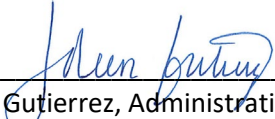
**RECOMMENDATION:**

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

**ATTACHMENTS:**

1. Budget to Actual Report June 2022

**STAFF RESPONSIBLE FOR REPORT:**

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

Date: 07/01/2022

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

Date: 07/01/2022

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

	Year to Date July 1, 2021 to June 30, 2022	Budget	Percent of Budget
<b>Operation &amp; Maintenance Income</b>			
Property Assessments	2,223,515	2,250,000	98.82%
Rents	16,791	24,000	69.96%
Interest Income	39,696	55,000	72.17%
SAFCA - O/M Assessment	1,421,000	1,400,000	101.50%
Misc Income	37,840	-	Not Budgeted
FMAP Grant	387,682	792,000	48.95%
Annuitant Trust Reimbursement	-	70,000	0.00%
Security Patrol Reimbursement	51,650	45,000	114.78%
<b>Total</b>	<b>4,178,174</b>	<b>4,636,000</b>	<b>90.12%</b>
<b>Restricted Fund</b>			
Metro Airpark Groundwater Pumping	25,716	25,000	102.86%
<b>Total Combined Income</b>	<b>4,203,890</b>	<b>4,661,000</b>	<b>90.19%</b>

**Administration, Operations and Maintenance - Expenses**

**Administration**

Government Fees/Permits	4,422	12,500	35.38%
Legal	76,378	65,000	117.50%
Liability/Auto Insurance	151,905	160,000	94.94%
Office Supplies	3,773	4,500	83.84%
Computer Costs	28,535	34,900	81.76%
Accounting/Audit	46,383	56,800	81.66%
Admin. Services	12,238	22,000	55.63%
Utilities (Phone/Water/Sewer)	13,505	16,400	82.35%
Mit. Land Expenses	4,995	5,300	94.25%
Administrative Consultants	66,716	114,500	58.27%
Assessment/Property Taxes (SAFCA - CAD)	13,471	8,500	158.48%
Admin - Misc./Other Expenses	1,834	2,800	65.50%
Memberships	35,106	39,700	88.43%
Office Maintenance & Repair	25,617	31,500	81.32%
Payroll Service	2,292	4,500	50.93%
Public Relations	82,565	49,000	168.50%
Small Office & Computer Equipment	4,705	10,000	47.05%
Election	4,570	10,000	45.70%
Conference/Travel/Professional Development	260	20,500	1.27%
<b>Sub Total</b>	<b>579,270</b>	<b>668,400</b>	<b>86.67%</b>

**Personnel/Labor**

Wages	1,109,500	1,139,323	97.38%
Group Insurance	119,201	105,084	113.43%
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	93,226	86,589	107.66%
Pension	197,568	262,604	75.23%
Continuing Education	1,490	5,000	29.80%
Trustee Fees	31,255	35,000	89.30%
Annuitant Health Care	87,802	85,000	103.30%

<b>Sub Total</b>	<b>1,849,469</b>	<b>1,856,351</b>	<b>99.63%</b>
<b>Operations</b>			
Power	462,351	500,000	92.47%
Supplies/Materials	21,942	25,000	87.77%
Herbicide	154,159	240,000	64.23%
Fuel	91,484	40,000	228.71%
Field Services	193,030	91,000	212.12%
Field Operations Consultants	16,023	20,000	80.12%
Equipment Rental	7,960	5,000	159.20%
Refuse Collection	16,681	45,000	37.07%
Equipment Repair/Service	94,473	15,000	629.82%
Equipment Parts/Supplies	29,482	60,000	49.14%
Facility Repairs	515,821	527,000	97.88%
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	11,848	11,000	107.71%
Government Fees/Permits - Field	10,226	10,000	102.26%
FEMA Permits	-	1,500	0.00%
<b>Sub Total</b>	<b>1,628,259</b>	<b>1,616,000</b>	<b>100.76%</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	172,336	182,500	94.43%
Security Patrol	86,400	80,000	108.00%
Temporary Admin	6,240	15,000	41.60%
<b>Sub Total</b>	<b>264,976</b>	<b>277,500</b>	<b>95.49%</b>
<b>FMAP Expenditures</b>			
LOI/SWIF (Consultants)	43,922	20,000	219.61%
Equipment	255,507	601,000	42.51%
Operations & Maintenance (Field)	151,551	162,850	93.06%
Administrative	-	8,150	0.00%
<b>Sub Total</b>	<b>450,980</b>	<b>792,000</b>	<b>56.94%</b>
<b>Total A, O &amp; M Expenses</b>	<b>5,266,685</b>	<b>5,640,251</b>	<b>93.38%</b>
<b>Capital Expenses</b>			
Capital Office Upgrades	4,864	30,000	16.21%
Capital RE Acquisition	-	50,000	0.00%
Capital Office Facility Repair	-	30,000	0.00%
Capital Facilities	60,723	1,250,000	4.86%
<b>Sub Total</b>	<b>65,587</b>	<b>1,360,000</b>	<b>4.82%</b>
<b>Total All Expenditures</b>	<b>5,332,272</b>	<b>7,000,251</b>	<b>76.17%</b>



## RECLAMATION DISTRICT 1000

DATE: JULY 8, 2022

AGENDA ITEM NO. 5.5

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TITLE: Assembly Bill 361

SUBJECT: Review and Consider Adoption of Resolution No. 2022-07-01

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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. 2022-07-01

**ATTACHMENTS:**

1. Resolution No. 2022-07-01

**STAFF RESPONSIBLE FOR REPORT:**



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Kevin L. King, General Manager

Date: 07/02/2022





**RECLAMATION DISTRICT NO. 1000**  
**RESOLUTION NO. 2022-07-01**

**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 8<sup>th</sup> day of July 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 2022-06-06 on June 29, 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) August 8, 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 8<sup>th</sup> day of July 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 2022-07-01 was duly adopted by the Board of Trustees of Reclamation District No. 1000 at the regular meeting held on the 8<sup>th</sup> day of July 2022 and made a part of the minutes thereof.

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Joleen Gutierrez, District Secretary



## RECLAMATION DISTRICT 1000

DATE: JULY 8, 2022

AGENDA ITEM NO. 5.6

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**TITLE:** Cost Allocation Plan

**SUBJECT:** Review and Consider Adoption of Resolution 2022-07-02, District's Cost Allocation Plan and Implementation of Full Cost and OMB Compliant Rates.

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### EXECUTIVE SUMMARY:

Reclamation District No. 1000 (RD 1000; District) adopted a Cost Allocation Plan in December 2021. The Board further directed that the Full Cost and OMB Compliant Rates be reviewed and updated on an annual basis. Exhibit "A" of Attachment No. 1 provides the updated rates to be considered for Fiscal Year 2022/2023.

### RECOMMENDATION:

Staff recommends the Board of Trustees Review and Consider Adoption of Resolution 2022-07-02, District's Cost Allocation Plan and Implementation of Full Cost and OMB Compliant Rates to be effective for Fiscal Year 2022/2023 as provided in Exhibit "A" of Resolution No. 2022-07-02.

### ATTACHMENTS:

1. Resolution 2022-07-02 – Cost Allocation Plan and Implementation of Full Cost and OMB Compliant Rates for Fiscal Year 2022/2023

### STAFF RESPONSIBLE FOR REPORT:

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Kevin L. King, General Manager

Date: 07/02/2022



RECLAMATION DISTRICT NO. 1000  
RESOLUTION NO. 2022-07-02

**A RESOLUTION OF THE BOARD OF TRUSTEES OF RECLAMATION DISTRICT NO. 1000  
ADOPTING THE DISTRICT'S COST ALLOCATION PLAN AND  
IMPLEMENTATION OF FULL COST AND OMB COMPLIANT RATES FOR FISCAL YEAR 2022/2023**

At a regular meeting of the Board of Trustees of Reclamation District No. 1000 held at the District Office on the 8<sup>th</sup> day of July 2022, the following resolution was approved and adopted:

**WHEREAS**, the Reclamation District No. 1000's (District) mission is flood protection for the Natomas Basin providing for the public's health and safety by operating and maintaining the levees, and the District's canals and pump stations; and

**WHEREAS**, the Board of Trustees (Board) of the District recognizes the importance of providing flood protection in a safe, efficient and responsible manner; and

**WHEREAS**, it is appropriate and necessary to employ staff to achieve the goals and objectives of the District; and

**WHEREAS**, the establishment and adoption of a Cost Allocation Plan and Implementation of Full Cost and OMB Compliant Rates is necessary; and

**WHEREAS**, the Board has been presented with, reviewed, and considered the Cost Allocation Plan and Implementation of Full Cost and OMB Compliant Rates for Fiscal Year 2022/2023 and considers the proposed rates as necessary and appropriate for Fiscal Year 2022/2023.

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

1. The facts contained in the recitals above are true and correct, and the Board so finds and determines.
2. The Reclamation District No. 1000 Cost Allocation Plan and Implementation of Full Cost and OMB Compliant Rates for Fiscal Year 2022/2023 is hereby adopted as presented, and as attached hereto as Exhibit "A".
3. The Cost Allocation Plan and Implementation of Full Cost and OMB Compliant Rates will become effective on July 1, 2022.

**BE IT FURTHER RESOLVED THAT:** The General Manager and Administrative Services Manager are responsible for adherence to this resolution.

**ON A MOTION BY** Trustee \_\_\_\_\_, seconded by Trustee \_\_\_\_\_, the foregoing resolution was passed and adopted by the Board of Trustees of Reclamation District No. 1000, this 8<sup>th</sup> day of July 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 2022-07-02 was duly adopted by the Board of Trustees of Reclamation District No. 1000 at the regular meeting held on the 8<sup>th</sup> day of July 2022 and made a part of the minutes thereof.

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Joleen Gutierrez, District Secretary





June 28, 2022

**To: Kevin King, General Manager**  
**From: Courtney Ramos, Vice President, Matrix Consulting Group**

**SUBJECT: RESULTS OF FY 2021 INDIRECT COST RATES**

In July of 2021, Reclamation District No. 1000 (District) contracted with the Matrix Consulting Group to develop an Indirect Cost Rate Proposal and Full Cost and OMB Compliant Indirect rates. As the District is in a new Fiscal Year, it has requested that the Indirect rates be updated to account for current salaries, benefits, and operating costs. The following memo provides a brief overview of the background and methodology used to calculate FY21 rates as well as a summary of the rates.

## 1 Purpose

The primary objective of a Cost Allocation Plan is to determine the indirect costs associated with District Operations. The Matrix Consulting Group worked with the District to develop two different types of Cost Plans: Full Cost and Federal Office of Management and Budget (OMB) 2 CFR Part 200 Compliant. The primary difference between a Full Cost and OMB Compliant Cost plan is the types of costs that can be considered "indirect". Costs associated with litigation, legislative or lobbying, or marketing must be disallowed in an OMB Compliant Cost Plan, whereas these costs can be included in a Full Cost Plan.

The purpose of the Full Cost Plan is to recover costs from private developer or consulting projects, and the OMB Compliant Cost Plan is used to recover costs from State and / or Federal projects. The results of these plans are indirect rates.

The Indirect Cost Rates developed for the District are calculated based upon indirect costs established in the Indirect Cost Rate Workbooks (provided under separate cover). These workbooks were compiled in accordance with Generally Accepted Accounting Principles. The OMB Compliant indirect rate is based on the methods of indirect cost allocation defined by Super Circular 2 CFR Part 200.

## 2 Methodology

Indirect Cost Rates are a mechanism for fairly and equitably determining what proportions of organizational administration costs projects should bear. An Indirect Cost Rate represents the ratio between the total indirect costs and benefitting direct costs, after excluding unallowable, extraordinary, or distorting expenditures.

The first step in developing an Indirect Cost Rate is to identify costs as indirect or direct. Indirect costs are those that benefit the District as a whole, such as salaries associated with the Administrative Services Manager, or technology server expenditures. Direct costs are those that solely benefit a project or program, such as security patrols contracts or temporary staff. In order for an Indirect Cost Rate to be applicable towards state or federal grants, it must comply with OMB Super Circular guidelines.

The project team reviewed all District expenditures and classified them as direct or indirect, as well as identified any unallowable or disallowed expenditures.

Once costs have been identified as either indirect or direct, they are then converted into rates. The conversion of dollar amounts to rates is done by taking the total indirect costs associated with a project or service and dividing it by a rate base. The base being utilized depends on the item that the rate will be applied towards. If the rate is being applied towards total direct costs then the base will be total direct expenditures, if it is being applied towards total personnel costs then the rate base will be direct personnel costs<sup>1</sup>.

In order to provide the District with flexibility in recovering indirect costs, two rates were developed:

- 1. Total Expenditures Rate:** This indirect rate can be used to account for indirect costs by being applied to the total expenditures (Personnel + Non-Personnel) of the project. This rate is developed by taking total indirect costs and dividing it by total direct District expenditures.
- 2. Personnel (Salary and Benefits) Rate:** This indirect rate is only applicable to the total salary and benefits associated with a specific project, in order to account for indirect costs. This rate is developed by taking total indirect costs and dividing it by the total direct staff (i.e., Flood Operations Specialist, Equipment Maintenance Specialist, Foreman, etc.) salary and benefits costs.

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<sup>1</sup> Direct personnel costs account for all FY2021 non-administrative personnel (i.e., Flood Operations Specialist, Project Manager, etc.) salary and benefit expenditures.

The Indirect Cost Rates developed utilize the indirect costs identified and calculated from Indirect Cost Rate Workbooks (provided under separate cover), and result in four Indirect Cost Rates based on either the total direct allowable expenditures or the total direct salaries and benefits.

These are **final indirect rates** and are based on actual expenditures. Final Indirect Rates are applied to a specific period only and are based on allowable actual expenditures. In this case, FY2021 actual expenditures were applied for use of the indirect rates in FY2023.

Rates calculated for FY2021 are based on the same methodology as rates calculated for FY2020.

### 3 Summary of Results

Four indirect rates were developed for the District to use in order to recover indirect costs. Two expenditure rates were developed using Full Cost and OMB indirect calculations, and two salary and benefit rates were developed using Full Cost and OMB indirect calculations. The following subsections summarize the Indirect Cost Rate calculations:

#### 1 Total Expenditures Indirect Rates

Two rates were calculated based on the total expenditures, one **Full Cost** rate that includes all indirect costs and one **OMB** cost rate that includes all applicable indirect costs excluding unallowable costs in accordance with OMB guidelines.

$$\frac{\text{FY21 Full Cost Indirect Costs}}{\text{FY21 Full Cost Direct Allowable Expenses}} = \frac{\$1,024,714}{\$2,397,548} = 42.74\%$$

$$\frac{\text{FY21 OMB Indirect Costs}}{\text{FY21 OMB Direct Allowable Expenses}} = \frac{\$936,797}{\$2,397,548} = 39.07\%$$

In FY21, approximately \$1.02 million of actual expenditures were identified as indirect costs for the Full Cost rate, while \$936,000 were identified as allowable indirect operating costs in accordance with OMB guidelines. The indirect rate base is direct project expenditure costs, which reflect FY21 actual expenditures. The full cost indirect rate can be applied to expenditures relating to private developer or consulting projects in order to determine proportionate indirect costs. The OMB indirect rate would be charged against State or Federal projects.

## 2 Personnel (Salary and Benefits) Indirect Rates

Similar to the rates above, two rates were calculated based on personnel (total salary and benefits) costs, one **Full Cost** rate that includes all indirect costs and one **OMB** cost rate that includes all indirect costs excluding unallowable costs in accordance with OMB guidelines.

$$\frac{\text{FY21 Full Cost Indirect Costs}}{\text{FY21 Full Cost Direct Salaries \& Benefits}} = \frac{\$1,024,714}{\$1,096,518} = 93.45\%$$

$$\frac{\text{FY21 OMB Indirect Costs}}{\text{FY21 OMB Direct Salaries \& Benefits}} = \frac{\$936,797}{\$1,096,518} = 85.43\%$$

The same indirect costs as in the previous subsection are applied here but are now divided by the total direct salary and benefit costs for District personnel. Direct staff refers to any non-administrative staff and includes positions likes Flood Operations Specialists, Equipment Maintenance Specialist, Foreman, and Project Manager. The Full Cost rate would be applied to hourly rates for District staff who work on private developer or consulting projects. The OMB Compliant rate would be applied to hourly rates for District staff who work on State or Federal projects.

## 4 Application of Indirect Rates

As discussed, the District has developed four different types of indirect cost rates. The following subsections discuss the application of these rates and discuss how each rate can be applied.

### 1 Total Expenditures Indirect Rate

The OMB Expenditure rate of 39.07% and the Full Cost Expenditure rate of 42.74% should be applied to total project costs in order to recover indirect costs for overseeing and managing projects. These rates would be applied to the total personnel and operating expenditures of each project. This type of rate is most useful if there is no staff time being billed to a project, but rather a pass-through project that the District is overseeing and managing.

For example, if a project is budgeted at \$100,000 and allows the Full Cost rate of 42.74%, the total indirect costs for the project would be \$42,740, and the total costs for the project including indirect overhead would be \$142,740.

The Full Cost indirect rate can be applied to private developer or consulting project expenditures in order to determine proportionate indirect costs. The OMB indirect rate would be applicable to State or Federal projects that require an OMB Compliant rate.

## 2 Personnel (Salary and Benefits) Indirect Rate

As discussed, the personnel (salary and benefits) rate is based upon direct salaries and benefit, and as such can only be applied to salaries and benefits. The OMB Salary and Benefits rate of 85.43% and the Full Cost Salary and Benefits rate of 93.45% should be applied to the hourly rate for direct hours billed to a project to calculate the fully burdened hourly rate per staff position. To demonstrate the application of these rates, the project team took the District's current hourly rates (salary and benefits) and applied the OMB and Full Cost rates. The results of this analysis are outlined in the following table:

<b>Position</b>	<b>Base Salary &amp; Benefit Hourly Rate<sup>2</sup></b>	<b>FY21 OMB Fully Burdened Hourly Rate</b>	<b>FY21 Full Cost Fully Burdened Hourly Rate</b>
Project Manager/Engineer	\$137	\$254	\$265
Operations Manager	\$121	\$224	\$233
Operations Supervisor	\$86	\$160	\$167
Lead Operations Specialist	\$68	\$126	\$132
Lead Operations Specialist	\$59	\$109	\$114
Flood Operations Specialist II	\$59	\$110	\$115
Equipment Maintenance Specialist	\$64	\$118	\$123
Flood Operations Specialist II	\$50	\$93	\$97
Flood Operations Specialist I	\$40	\$74	\$77
Flood Operations Specialist I	\$48	\$89	\$92

The Full Cost Fully Burdened Hourly Rate should be used when billing staff time to private developer or consulting projects. The OMB Compliant Fully Burdened Rate should be used when billing staff time to State or Federal projects which require OMB Compliant rates.

<sup>2</sup> Base Salary and Benefit Hourly Rates accounts for positional salaries and benefits, as well as net available hours. Net Available Hours consider holiday, vacation, and sick leave, and were calculated at 1,824 out of 2,080.



## RECLAMATION DISTRICT 1000

DATE: JULY 8, 2022

AGENDA ITEM NO. 5.7

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**TITLE:** Authorization to Invest in Local Agency Investment Fund (LAIF)

**SUBJECT:** Review and Consider Adoption of Resolution No. 2022-07-03 Authorizing Officers to Invest District Funds in the Local Agency Investment Fund.

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**EXECUTIVE SUMMARY:**

Reclamation District No. 1000 is required to adopt and file a Resolution with the Local Agency Investment Fund (LAIF), authorizing District Officers to order the deposit or withdrawal of monies in the Local Agency Investment Fund.

**BACKGROUND:**

Government Code Section 16429.1 created a Local Agency Investment Fund in the State Treasury for the deposit of money of a local agency for investment by the State Treasurer. Historically the Board has authorized participation in LAIF and the deposit and withdrawal of RD 1000 monies in LAIF by designated District Officers.

**RECOMMENDATION:**

Staff recommends the Board of Trustees adopt Resolution 2022-07-03 Authorizing Officers to Invest District Funds in the Local Agency Investment Fund.

**FINANCIAL IMPACT:**

None.

**ATTACHMENTS:**

1. Resolution No. 2022-07-03 Authorizing Officers to Invest District Funds in the Local Agency Investment Fund.

**STAFF RESPONSIBLE FOR REPORT:**

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

Date: 07/01/2022

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

Date: 07/02/2022



RECLAMATION DISTRICT NO. 1000  
RESOLUTION NO. 2022-07-03

**A RESOLUTION OF THE BOARD OF TRUSTEES OF RECLAMATION DISTRICT NO. 1000  
AUTHORIZING OFFICERS TO INVEST FUNDS IN LOCAL AGENCY INVESTMENT FUND**

At a regular meeting of the Board of Trustees of Reclamation District No. 1000 held at the District Office on the 8<sup>th</sup> day of July 2022, the following resolution was approved and adopted:

**WHEREAS**, pursuant to Chapter 630 of the Statutes of 1976 Section 16429.1 was added to the California Government Code to create a Local Agency Investment Fund in the State Treasury for the deposit of money of a local agency for purposes of investment by the State Treasurer; and

**WHEREAS**, the Trustees do hereby find that the deposit and withdrawal of money in the Local Agency Investment Fund in accordance with the provisions of Section 16429.1 of the Government Code for purposes of investment as stated therein as in the best interest of the Reclamation District.

**NOW, THEREFORE BE IT RESOLVED THAT:** The Board of Trustees do hereby authorize the deposit and withdrawal of Reclamation District No. 1000 monies in the Local Agency Investment Fund in the State Treasury in accordance with the provisions of Section 16429.1 of Government code for the purpose of investment as stated therein.

**BE IT FURTHER RESOLVED THAT:** The following two officers or their successors in office shall be authorized to order the deposit or withdrawal of monies in the Local Agency Investment Fund:

Joleen Gutierrez

Administrative Service Manager

Kevin L. King

General Manager

**ON A MOTION BY** Trustee \_\_\_\_\_, seconded by Trustee \_\_\_\_\_, the foregoing resolution was passed and adopted by the Board of Trustees of Reclamation District No. 1000, this 8<sup>th</sup> day of July 2022, by the following vote, to wit:

AYES: Trustees:

NOES: Trustees:

ABSTAIN: Trustees:

RECUSE: Trustees:

ABSENT: Trustees:

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Thomas 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 2022-07-03 was duly adopted by the Board of Trustees of Reclamation District No. 1000 at the regular meeting held on the 8<sup>th</sup> of July 2022 and made a part of the minutes thereof.

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Joleen Gutierrez, District Secretary



## RECLAMATION DISTRICT 1000

DATE: JULY 8, 2022

AGENDA ITEM NO. 6.1

**TITLE: Public Hearing: Adoption of Fiscal Year 2022/2023 Operation & Maintenance Assessment**

**SUBJECT: Review and Consider Adoption of Resolution No. 2022-07-04 Authorizing Levying of Operations and Maintenance Assessment for Fiscal Year 2022/2023.**

### EXECUTIVE SUMMARY:

This staff report has been prepared for the Reclamation District No. 1000 (RD 1000; District) Board of Trustees to review and consider adoption of Resolution No. 2022-07-04 (Attachment 1) authorizing levying of Operations and Maintenance Assessment (O&M Assessment) for the Fiscal Year 2022/2023. In order to raise funds necessary for the operation and maintenance of the District, it is necessary and prudent to set an assessment rate each fiscal year, and levy said assessment. For Fiscal Year 2022/2023, staff recommends the Board set the rate at \$0.75 per \$100 of assessed value (no change from Fiscal Year 2021/2022). The Assessment Report can be found on the District's website at the following link:

<https://www.rd1000.org/files/2ea53cf3d/RD+1000+Annual+Report+May+22.pdf>

For the District to levy an assessment for Fiscal Year 2022/2023, the following is required:

1. Publish and Post Notice of a Public Hearing regarding intent to set an assessment rate and levy said assessment.
2. Hold a Public Hearing.
3. Consider Public Comment from the Public Hearing and then consider adoption of a resolution authorizing the levying of an O&M Assessment for Fiscal Year 2021/2022.

On June 23, 2022 and June 30, 2022, the District published in the Sacramento Bee the Notice of Public Hearing (Attachment 2). As of July 1, 2022, the District had not received any comments from the public regarding the assessment.

The July 8, 2022 Board of Trustees Meeting will serve as the Public Hearing on the O&M Assessment. The following is a recommended process for the Public Hearing:

1. Staff Presentation
2. Open Public Hearing
3. Receive Public Comment
4. Close Public Hearing
5. Consider Public Comment, and then consider adoption of Resolution No. 2022-07-04 authorizing the levying of O&M Assessment for Fiscal Year 2022/2023

**TITLE: Public Hearing: Adoption of Fiscal Year 2022/2023 O&M Assessment**

**RECOMMENDATION:**

Pending public comment, staff recommends the Board adopt Resolution No. 2022-07-04 Authorizing Levying of Operations and Maintenance Assessment for Fiscal 2022/2023.

**ATTACHMENTS:**

1. Resolution No. 2022-07-04 Authorizing Levying of Operations and Maintenance Assessment for Fiscal Year 2022/2023.
2. Public Notice – Sacramento Bee

**STAFF RESPONSIBLE FOR REPORT:**



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Kevin L. King, General Manager

Date: 07/02/2022



**RECLAMATION DISTRICT NO. 1000**  
**RESOLUTION NO. 2022-07-04**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF RECLAMATION DISTRICT NO. 1000**  
**AUTHORIZING LEVYING OPERATIONS AND MAINTENANCE ASSESSMENT**  
**FISCAL YEAR 2022/2023**

At a regular meeting of the Board of Trustees of Reclamation District No. 1000 held at the District Office on the 8<sup>th</sup> day of July 2022, the following resolution was approved and adopted:

**BE IT RESOLVED AND ORDERED** that it is necessary to raise the sum of two million three hundred seventy thousand, seven hundred fifty-three thousand, dollars and twelve cents (\$2,370,753.12) for maintenance, repair, and operation of the District reclamation works and the payment of incidental expenses of the District, and that in order to raise said sum the Board of Trustees of RECLAMATION DISTRICT NO. 1000 hereby levies an operation and maintenance assessment in said amount and fixes the rate of assessment at seventy-five cents (\$.75) on each One Hundred Dollars (\$100.00) of assessed valuation as shown on the Operation and Maintenance Assessment Roll of said RECLAMATION DISTRICT NO. 1000 heretofore prepared and approved by the Board of Supervisors of the County of Sacramento, with a minimum assessment of Twenty-five Dollars (\$25.00) per parcel;

**BE IT FURTHER RESOLVED AND ORDERED** that a Supplement to said Assessment Roll be prepared and filed with the County Treasurer of Sacramento County with a copy filed with the County Treasurer of Sutter County, California, setting forth the assessed value (hereby adjusted to reflect changes in land use as of July 09, 2022, pursuant to Water Code Section 51346.5 and reapportioned to reflect division of parcels as of July 09, 2022, pursuant to Water Code Section 51892.5) the rate and the total assessment for each tract of land, in accordance with the provisions hereinabove set forth and that said Supplement, when so filed, be deemed a part of the original Operation and Maintenance Assessment Roll without the necessity of actually inserting the rate and total assessment in said Roll; that a copy of the Resolution, duly certified by the Secretary of this District, be also filed in the offices of such County Treasurer;

**BE IT FURTHER RESOLVED AND ORDERED** that said assessment so levied shall be payable in two (2) installments; the first to be due and payable upon receipt of the County Property Tax Bill and delinquent on December 10, 2022, and the second to be due and payable on receipt of the County Property Tax Bill and delinquent on April 10, 2023, both of which are to be paid to and collected by the Tax Collector in the county in which the parcel is located and placed in the District's Operation and Maintenance Fund maintained by the Sacramento County Treasurer in the manner provided by law;

**BE IT FURTHER RESOLVED AND ORDERED** that if any of said installment shall remain unpaid on its delinquency date as above established, then the said installment will be delinquent and shall bear interest from the date of the delinquency at the rate of one percent (1%) per month and a ten percent (10%) penalty will be added thereto and collected for the use of the District;

**BE IT FURTHER RESOLVED AND ORDERED** that a notice of this levy of assessment be given as hereinafter provided and be entered in these Minutes in substantially the following form, to with:

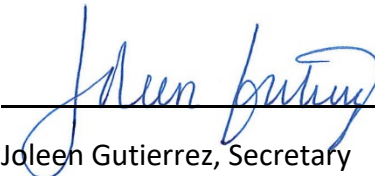
**NOTICE OF FIRST INSTALLMENT UPON  
ASSESSMENT CALL FOR MAINTENANCE PURPOSES**

**RECLAMATION DISTRICT NO. 1000**

**PRINCIPAL PLACE OF BUSINESS:  
SACRAMENTO COUNTY, CALIFORNIA**

**NOTICE IS HEREBY GIVEN** that at a meeting of the Board of Trustees of **RECLAMATION DISTRICT NO. 1000** held July 08, 2022, a total assessment of two million three hundred seventy thousand, seven hundred fifty-three thousand, dollars and twelve cents (\$2,370,753.12) based on the 1984 Valuation Assessment of said District (adjusted to reflect changes in land use categories as of July 10, 2021, pursuant to Government Code Section 51346.5 and reapportioned to reflect the division of parcels as of July 09, 2022, pursuant to Government Code Section 51895.5) was ordered paid in two (2) equal installments. The first installment is payable upon receipt of the County Property Tax Bill and delinquent December 10, 2022. The installment is payable as will be directed on the County Property Tax Bill. Any installment which shall remain unpaid on its delinquency date will be delinquent and shall bear interest from the date of delinquency at the rate of one percent (1%) per month, and a ten percent (10%) penalty will be added thereto and collected for the use of the District.

Dated: July 8, 2022

  
\_\_\_\_\_  
Joleen Gutierrez, Secretary

Reclamation District No. 1000

**BE IT FURTHER RESOLVED AND ORDERED** that a copy of said Notice of First Installment be published once a week for two successive weeks commencing September 28, 2022 in the "Sacramento Bee" a newspaper of general circulation and devoted to the publication of general news, printed and published in the City of Sacramento, the County Seat of the County wherein is situated the greater portion of this Reclamation District, there being no newspaper printed and published within the boundaries of said Reclamation District, and that a similar notice for the second installment be published in the same manner commencing January 25, 2023.

**ON A MOTION BY** Trustee \_\_\_\_\_, seconded by Trustee \_\_\_\_\_, the foregoing resolution was passed and adopted by the Board of Trustees of Reclamation District No. 1000, this 8<sup>th</sup> day of July 2022, by the following vote, to wit:

AYES: Trustees:

NOES: Trustees:

ABSTAIN: Trustees:

RECUSE: Trustees:

ABSENT: Trustees:

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Thomas 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 2022-07-04 was duly adopted by the Board of Trustees of Reclamation District No. 1000 at the regular meeting held on the 8<sup>th</sup> of July 2022 and made a part of the minutes thereof.

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Joleen Gutierrez, District Secretary



### Notice of Public Hearing

To: Landowners within the Boundaries of Reclamation District No. 1000

PLEASE TAKE NOTICE that at the regular meeting of the Board of Trustees to be held commencing at 8:00 A.M. on July 8, 2022 the Board of Trustees of Reclamation District No. 1000 will consider the levy of its fiscal year 2022-2023 Operations and Maintenance Assessment, which will be payable in two installments. The proposed assessment funds the regular ongoing operations and maintenance of the District. The hearing will take place during the regularly scheduled Board of Trustees meeting, to be held virtually pursuant to AB 361 at <https://www.gotomeet.me/rd1000> . At the time such agenda item is called, the Board of Trustees will hold a public hearing to consider and adopt such assessment levy, at which time interested persons may appear and be heard. Materials relating to the levy of the assessment are available at the District's website, located at [www.rd1000.org](http://www.rd1000.org).

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Joleen Gutierrez, Board Secretary  
Reclamation District No. 1000





## RECLAMATION DISTRICT 1000

DATE: JULY 8, 2022

AGENDA ITEM NO. 6.2

**TITLE:** Certification of Legal Process for Special Assessment

**SUBJECT:** 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.

### EXECUTIVE SUMMARY:

This staff report has been prepared for the Reclamation District No. 1000 (RD 1000; District) Board of Trustees to review and consider adoption of Resolution No. 2022-07-05 (Attachment 1) 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 the Fiscal Year 2022/2023. Sutter County requirements must be met for the District to place its annual assessment on the Sutter County Secured Tax Roll. The following is required:

1. Proposition 218 or Compliance Certification & Hold Harmless Statement
2. Authority to Approve Direct Charges
3. A Resolution that states:
  - a. The assessment being levied complies with all laws pertaining to it, including Proposition 218;
  - b. The assessment is being levied without regard to property valuation;
  - c. The purpose of, and the authority (Government Code) for the levy.

### RECOMMENDATION:

Staff recommends the Board adopt Resolution No. 2022-07-05 Certifying to the County of Sutter the validity of the legal process used to place direct charges (Special Assessment) for Fiscal Year 2022/2023.

### ATTACHMENTS:

1. Resolution No. 2022-07-05 Authorizing Levying of Operations and Maintenance Assessment for Fiscal Year 2022/2023.

### STAFF RESPONSIBLE FOR REPORT:

Kevin L. King, General Manager

Date: 07/02/2022



RECLAMATION DISTRICT NO. 1000  
RESOLUTION NO. 2022-07-05

**A RESOLUTION OF THE BOARD OF TRUSTEES OF RECLAMATION DISTRICT NO. 1000  
CERTIFYING TO THE COUNTY OF SUTTER THE VALIDITY OF THE LEGAL PROCESS USED TO  
PLACE DIRECT CHARGES (SPECIAL ASSESSMENTS) ON THE SECURED TAX ROLL**

At a regular meeting of the Board of Trustees of Reclamation District No. 1000 held at the District Office on the 8<sup>th</sup> day of July 2022, the following resolution was approved and adopted:

**WHEREAS**, the special assessment fees for the purpose of operation and maintenance of District facilities is a continuation of a special assessment which predates Article XIII C of the California Constitution (Proposition 218) which has not been increased, and is therefore permitted under California Constitution Article XIII C, Section 5(a), and is to be included on the regular County property tax bill for property owners within Reclamation District No. 1000; and

**WHEREAS**, the District is placing the special assessments on the Sutter County secured property tax roll for collection; and

**WHEREAS**, the District has complied with all laws pertaining to the levy of the special Assessments, including Proposition 218, to be collected per Government Code Section 29304; and

**WHEREAS**, the assessment is being levied without regard to property valuation of the properties involved; and

**WHEREAS**, the District agrees that it shall be solely liable and responsible, and will defend and hold the County of Sutter harmless from any liability as a result of claims or claims for refunds and related interest due filed by taxpayers against any assessments, fees, charges or taxes placed on the roll for the District by the County; and

**NOW THEREFORE BE IT RESOLVED** by the Board of Trustees of Reclamation District No. 1000 that the list submitted with parcel numbers and amount are certified as being correct, the District Secretary, or Jeanette Hynson of SCI Consulting Group are hereby authorized to sign any documents required and directed to give the list to the Sutter County Auditor on behalf of the District for placement on the secured tax roll for collection:

1. Prop 218 or Compliance Certification and Hold Harmless Statement
2. Property Tax Data Bill Form
3. Authority to Approve Direct Assessment Charges
4. Parcel Listing

**ON A MOTION BY** Trustee \_\_\_\_\_, seconded by Trustee \_\_\_\_\_, the foregoing resolution was passed and adopted by the Board of Trustees of Reclamation District No. 1000, this 8<sup>th</sup> day of July 2022, by the following vote, to wit:

AYES: Trustees:

NOES: Trustees:

ABSTAIN: Trustees:

RECUSE: Trustees:

ABSENT: Trustees:

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Thomas 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 2022-07-05 was duly adopted by the Board of Trustees of Reclamation District No. 1000 at the regular meeting held on the 8<sup>th</sup> of July 2022 and made a part of the minutes thereof.

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Joleen Gutierrez, District Secretary



## RECLAMATION DISTRICT 1000

DATE: JULY 8, 2022

AGENDA ITEM NO. 7.1.1

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TITLE: Committee Meeting Minutes

SUBJECT: Committee Meeting Minutes since the May Board Meeting

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### EXECUTIVE SUMMARY:

#### Executive Committee Meeting – June 29, 2022

A meeting of the Reclamation District No. 1000 Executive Committee was held on Wednesday, June 29 2022, at 8:06 a.m. via GoToMeeting and Conference Call. In attendance were Trustees Gilbert and Lee-Reeder. Staff in attendance were General Manager King and Operations Manager Holleman. There were no members of the public present, therefore no public comments were received.

General Manager King presented the proposed agenda for the July 8, 2022, Board of Trustees meeting. The Committee reviewed the agenda and approved.

With no further business on the Executive Committee Agenda, meeting adjourned at 8:45 a.m.

### ATTACHMENTS:

1. None

### STAFF RESPONSIBLE FOR REPORT:

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Kevin L. King, General Manager

Date: 07/02/2022