AGENDA

REGULAR MEETING OF RECLAMATION DISTRICT 900

MAY 19, 2022

Martha Guerrero, President

Norma Alcala, Trustee Quirina Orozco, Trustee Chris Ledesma, Trustee Dawnte Early, Trustee

Greg Fabun, Interim General Manager/Secretary Ralph Nevis, District Attorney

6:00 PM CALL TO ORDER

Pursuant to Government Code section 54953, as amended by Assembly Bill 361 (2021), and due to the State of Emergency declared by the Governor on March 4, 2020, members of Reclamation District 900 Board of Trustees and staff will participate in this meeting via a teleconference. To reduce the spread of COVID-19, members of the public may watch the meeting livestream at https://youtu.be/DGaQQujx5ZY. Those members of the public who wish to do so are invited to participate in the meeting via Zoom using the following access information: Join Zoom meeting; or by phone +1 669 900 6833 US (San Jose). Meeting ID: 987 5494 7842; Passcode: 787137

If you need special assistance to participate in this meeting, please contact RD 900 at 916-371-1483. Notification of at least 48 hours prior to the meeting will assist staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting.

GENERAL ADMINISTRATION – PART I

- 1A. PRESENTATIONS BY THE PUBLIC ON MATTERS NOT ON THE AGENDA WITHIN THE JURISDICTION OF THE DISTRICT. THE AGENCY IS PROHIBITED BY LAW FROM DISCUSSING ISSUES NOT ON THE AGENDA BROUGHT TO THEM AT THIS TIME.
- 1B. REPORT OUT ON CLOSED SESSION
- 1C. MONTHLY/YTD REVENUE AND EXPENSES

CONSENT AGENDA – PART II

- 2. Consideration of Resolution 22-05-01 Adopting Findings Necessary to Continue Conducting Reclamation District 900 Board Meetings Via Teleconference Pursuant to Assembly Bill 361
 - **Comment:** This item seeks Board approval to continue remote (teleconference/videoconference) Board meetings by finding, pursuant to Assembly Bill 361 (AB 361), that the Board has reconsidered the circumstances of the state of emergency related to the COVID-19 Pandemic and that the Yolo County Public Health Officer continues to recommend measures to promote social distancing.
- 3. CONSIDERATION FOR THE BOARD OF TRUSTEES TO ENTER INTO AN EASEMENT USE AGREEMENT WITH THE CITY OF WEST SACRAMENTO THAT SUPPORTS CONSTRUCTION OF THE SYCAMORE TRAIL PHASE II PROJECT
 - **Comment:** This item requests Board approval to authorize the General Manager to enter into an Easement Use Agreement on behalf of the District, with the City of West Sacramento for the Sycamore Trail Phase II Project.
- 4. CONSIDERATION OF RESOLUTION 22-05-02 AUTHORIZING THE GENERAL MANAGER TO APPLY FOR AND RECEIVE FEDERAL GRANT FUNDS FOR THE BLACKER CANAL BANK STABILIZATION PROJECT

Comment: This item requests the Board to approve Resolution 22-05-02, authorizing the General Manager to apply for and receive federal grant funds for the Blacker Canal Bank Stabilization Project.

5. CONSIDERATION OF APPROVAL OF THE APRIL 21, 2022 MEETING MINUTES

REGULAR AGENDA – PART III

- 7. DISTRICT PROJECT UPDATES
- 8. TRUSTEE COMMENTS
- 9. ADJOURN

I, Greg Fabun, Interim General Manager/Secretary, declare under penalty of perjury that the foregoing agenda for the May 19, 2022, meeting of Reclamation District 900 was posted on May 16, 2022, in the office of the City Clerk of the City of West Sacramento, 1110 West Capitol Avenue, West Sacramento, CA, and at the office of Reclamation District 900, 889 Drever Street, West Sacramento, CA, and was available for public review.

Greg Fabun, Interim General Manager/Secretary

Reclamation District 900

All public materials related to an item on this agenda submitted to the District after distribution of the agenda packet are available for public inspection on the District's website at: www.rd900.org. Any document provided at the meeting by staff will also be available to the public. Any document provided at the meeting by the public will be available the next business day following the meeting.

Reclamation District 900 July 2021 - March 2022 Financials

	Current FY as of		
	February 2022	Mar-22	Total
Revenue			
4000 RD 900 Assessments	2,529,098		2,529,098
4010 WSAFCA	822,794		822,794
4020 Interest Income	32,431		32,431
4100 Funding Agreements		138,524	138,524
4111 RD 811 Power Reimbursement	2,902		2,902
4200 Miscellaneous		3	3
4300 Retiree Healthcare	5,334		5,334
Total Revenue	3,392,559	138,527	3,531,086
Expenditures			
5000 Administrative	229,532	24,257	253,789
5200 Labor & Related	397,081	36,237	433,318
5400 Operations & Maintenance	171,818	57,424	229,242
6000 Repair Replacements & Rehab	797,177	105,536	902,713
Total Expenditures	1,595,608	223,454	1,819,062
Change in Fund Balances	1,796,951	(84,927)	1,712,024

OBJECTIVE

[] Other

The objective of this report is to present sufficient information to the Reclamation District 900 (RD 900/District) Board of Trustees (Board) to continue remote (teleconference/videoconference) Board meetings by finding, pursuant to Assembly Bill 361 (AB 361), that the Board has reconsidered the circumstances of the state of emergency related to the COVID-19 Pandemic and that the Yolo County Public Health Officer continues to recommend measures to promote social distancing.

[] Information

[] Direction

[X] Action

RECOMMENDED ACTION

ATTACHMENT [X] Yes [] No

Staff respectfully recommends that the Board adopt Resolution 22-05-01 finding that the Board has reconsidered the circumstances of the state of emergency and that the Yolo County Public Health Officer continues to recommend measures to promote social distancing.

BACKGROUND

Prior to the outbreak of the COVID-19 Pandemic (pandemic), the Ralph M. Brown Act (Brown Act) had numerous requirements for local government bodies wishing to meet remotely via teleconference or videoconference. These requirements are outlined in greater detail later in the report, but can generally be described as burdensome and, as a result, few bodies regularly met remotely.

In response to the outbreak of the pandemic, on March 4, 2020, Governor Gavin Newsom proclaimed a state of emergency related to the pandemic. That proclamation applies statewide and remains valid. On March 17, 2020, Governor Newsom issued Executive Order N-29-20 (Executive Order), which temporarily suspended certain Brown Act requirements. Namely, the Executive Order suspended requirements that:

- local bodies notice each teleconference location from which a member participates in a public meeting;
- each teleconference location be accessible to the public:
- members of the public be allowed to address the body at each teleconference conference location;
- the local body post agendas at all teleconference locations; and,
- at least a quorum of the members of the local body participate from locations within the boundaries of the territory over which the local body exercises jurisdiction.

Since that time, the Board has been conducting meetings via videoconference under the provisions of the Executive Order. On June 11, 2021—before the delta variant of COVID-19 was widespread in California—the Governor declared that the emergency Brown Act teleconferencing provisions would expire on September 30, 2021.

In light of the surge of COVID-19 spread since that time and recognizing a need for flexibility during future states of emergency, the Legislature passed, and the Governor signed AB 361. This legislation went into effect immediately upon the Governor's signing, September 16, 2021, and amended the Brown Act to add simplified procedures to make it easier to hold remote meetings during a state of emergency proclaimed by the Governor so long as certain other requirements are met.

In summary, the benefits of conducting remote meetings pursuant to AB 361 versus the alternative Brown Act procedure are as follows:

Brown Act Requirements ("Old Rules")	AB 361 Rules
 Agendas must be posted at each teleconference location All teleconference locations must be listed on the agenda 	Agendas do not need to be posted at each teleconference location
Each teleconference location must be accessible to the public, and the public must be allowed to offer comments from each location	 Local agencies do not need to allow public participation at each (or any) teleconference location, but instead must "clearly advertise" how members of the public can participate on the agenda Public participation must allow for either a call-in option or an internet-based service option to directly address the body in real- time during public comment In the event the meeting broadcast is disrupted, the meeting must pause until it is restored
At least a quorum of the legislative body must be present within the agency's territory	Legislative body members may participate from anywhere

ANALYSIS

AB 361 requires that legislative bodies make the following findings by majority vote within 30 days of each meeting held under the AB 361 exemptions to the Brown Act in order to continue conducting meetings remotely:

- a) The legislative body has reconsidered the circumstances of the state of emergency; and,
- b) Either: 1) the state of emergency continues to directly impact the ability of the members to meet safely in person; or 2) state or local officials continue to impose or recommend measures to promote social distancing.

The Board's last meeting was held remotely pursuant to AB 361. The recommendation before the Board is to adopt Resolution 22-05-01 making these findings so that the District's public meetings may continue via teleconference pursuant to AB 361. Staff recommends adopting the resolution at this time so that the Board may continue to meet via teleconference at its June meeting. The conditions set forth by AB 361 allowing the continuation of meetings under certain exemptions from the Brown Act remain in place as both the Governor's proclamation of state of emergency and the Yolo County Health Officer's recommended measures to support social distancing are in effect.

Alternatives

The District's primary alternatives are as follows.

- 1. Adopt Resolution 22-05-01, making the findings required by AB 361; or
- 2. Adopt Resolution 22-05-01, making the findings required by AB 361 with directed revisions; or
- 3. Decline to adopt Resolution 22-05-01, thereby not making the findings required by AB 361.

Staff is prepared to implement Alternative 1. Staff would discourage any substantive revisions under Alternative 2, as such revisions may not comply with AB 361. Staff would also discourage Alternative 3 as the Yolo County Health Officer's guidance is to avoid large in person gatherings due to the COVID-19 pandemic.

Coordination and Review

This report was prepared in coordination with District counsel.

Resolution 22-05-01 Making Findings Pursuant to AB 361 May 19, 2022 Page 3

<u>Budget/Cost Impact</u>
There is no direct budget or cost impact associated with this item.

- ATTACHMENT

 1. Yolo County Health Officer's Memorandum Recommending Continuation of Remote Public Meetings
- 2. Resolution 22-05-01

ATTACHMENT 1



COUNTY OF YOLO

Health and Human Services Agency

Karen Larsen, LMFT
Director

MAILING ADDRESS

Aimee Sisson, MD, MPH Health Officer

137 N. Cottonwood Street • Woodland, CA 95695 www.yolocounty.org

Date: September 22, 2021

To: All Yolo County Boards and Commissions

From: Dr. Aimee Sisson, Health Officer

Subject: Remote Public Meetings

In light of the ongoing public health emergency related to COVID-19 and the high level of community transmission of the virus that causes COVID-19, the Yolo County Public Health Officer recommends that public bodies continue to meet remotely to the extent possible. Board and Commissions can utilize the provisions of newly-enacted AB 361 to maintain remote meetings under the Ralph M. Brown Act and similar laws.

Among other reasons, the grounds for the remote meeting recommendation include:

- The continued threat of COVID-19 to the community. As of September 22, 2021, the current case rate is 24.1 cases per 100,000 residents per day. This case rate is considered "high" under the Centers for Disease Control and Prevention's (CDC) framework for assessing community COVID-19 transmission; and
- The unique characteristics of public governmental meetings, including the
 increased mixing associated with bringing together people from across the
 community, the need to enable those who are immunocompromised or
 unvaccinated to be able to safely continue to fully participate in public
 governmental meetings, and the challenges of ensuring compliance with safety
 requirements and recommendations at such meetings.

Meetings that cannot feasibly be held virtually should be held outdoors when possible, or indoors only in small groups with face coverings, maximal physical distance between participants, use of a portable HEPA filter (unless comparable filtration is provided through facility HVAC systems), and shortened meeting times.

This recommendation is based upon current conditions and available protective measures. The Public Health Officer will continue to evaluate this recommendation on an ongoing basis and will communicate when there is no longer such a recommendation with respect to meetings for public bodies.

600 A Street Davis, CA 95616 Mental Health (530) 757-5530

West Sacramento

500 Jefferson Boulevard West Sacramento, CA95605 Service Center (916) 375-6200 Mental Health (916) 375-6350 Public Health (916) 375-6380

Winters

111 East Grant Avenue Winters, CA 95694 Service Center (530) 406-4444

Woodland

25 & 137 N. Cottonwood Street Woodland, CA 95695
Service Center (530) 661-2750
Mental Health (530) 666-8630
Public Health (530) 666-8645

ATTACHMENT 2

RESOLUTION 22-05-01

A RESOLUTION OF RECLAMATION DISTRICT 900 ADOPTING FINDINGS NECESSARY TO CONTINUE CONDUCTING BOARD MEETINGS VIA TELECONFERENCE PURSUANT TO ASSEMBLY BILL 361

WHEREAS, since March 17, 2020, the Reclamation District 900 Board of Trustees (Board) has been meeting via video conference under certain exemptions from the Brown Act pursuant to Executive Order N-29-20: and

WHEREAS, on September 16, 2021, the Governor signed into law Assembly Bill (AB) 361 which created exemptions from some of the Brown Act requirements regarding teleconference or videoconference public meetings during declared states of emergency so long as certain other conditions are met (Government Code Section (54953(e)); and

WHEREAS, the Board met for the first time pursuant to AB 361 for its October 2021, regular meeting as allowed by AB 361; and

WHEREAS, the Board adopted resolutions at its regular or special monthly meetings since October 2021 making findings to allow continued meetings by teleconference as allowed by AB 361; and

WHEREAS, the law requires legislative bodies to make certain findings pursuant to AB 361 in order to continue meeting via teleconference under the Brown Act; and

WHEREAS, pursuant to Government Code section 8635 et seq., the Board has the authority during a state of emergency to take all actions necessary to perform its functions in the preservation of law and order, preservation of the furnishing of local services, and protection of life and property, which includes the authority to direct meetings to be held via teleconference pursuant to this Resolution; and

WHEREAS, the Governor's proclaimed state of emergency due to the COVID-19 pandemic dated March 4, 2020, applies statewide and remains in place; and

WHEREAS, the Yolo County Health Officer continues to recommend social distancing measures in the interest of public health.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED AND ORDERED that:

- 1. A state of emergency proclaimed by the Governor remains in effect related to the COVID-19 pandemic; and
- 2. The Reclamation District 900 Board of Trustees has reconsidered the circumstances of the state of emergency; and
- 3. Local officials (the Yolo County Health Officer) continue to recommend measures to promote social distancing; and
- 4. The Reclamation District Board of Trustees may continue to meet via teleconference pursuant to Government Code Section (54953(e)).

Resolution 22-05-01 Reclamation District 900 Page 2

PASSED AND ADOPTED this 19th day	y of May 2022, by the following vote:
AYES: NOES: ABSENT:	
ATTEST:	Martha Guerrero, RD 900 President
Ralph R. Nevis, RD 900 Attorney	

{01088517}

RECLAMATION DISTRICT 900 AGENDA REPORT MEETING DATE: May 19, 2022 ITEM#3 SUBJECT: RD CONSIDERATION FOR THE BOARD OF TRUSTEES TO ENTER INTO AN EASEMENT 900 **USE AGREEMENT WITH THE CITY OF WEST SACRAMENTO THAT SUPPORTS CONSTRUCTION OF THE SYCAMORE TRAIL PHASE II PROJECT INITIATED OR REQUESTED BY:** REPORT COORDINATED OR PREPARED BY: [] Council [X] Staff Greg Fabun, Interim General Manager [] Other

OBJECTIVE

The objective of this report is to present sufficient information to the Reclamation District 900 (RD 900/District) Board of Trustees (Board) to authorize the General Manager to enter into an Easement Use Agreement on behalf of the District, with the City of West Sacramento (City) for the Sycamore Trail Phase II Project.

[] Information

[] Direction

[X] Action

RECOMMENDED ACTION

ATTACHMENT [X] Yes [] No

Staff respectfully recommends that the Board authorize the General Manager to execute the Easement Use Agreement on behalf of the District, attached hereto as Attachment 1.

BACKGROUND

The Sacramento Regional County Sanitation District (SRCSD) installed a sewer interceptor line through the City of West Sacramento, which was completed in 2007. One of the alignments of the interceptor lines was along/through the Sycamore Canal, a drainage facility operated by the District and for which the District held an easement. Pursuant to an agreement with SRCSD and the District, SRCSD installed a 72" drainage pipeline within the easement area for RD900 when SRCSD installed their interceptor.

The District entered into a easement use agreement with the City in 2016, when the City constructed the Sycamore Trail Phase I Project from Rice Avenue in the north, to West Capitol Avenue in the south.

The Sycamore Phase II Project will extend the Sycamore bicycle and pedestrian trail and will connect Evergreen Avenue just south of Joey Lopes Park with Westmore Oaks Elementary School to the south of US-50. The project will also construct a new bicycle and pedestrian overcrossing over US-50. In addition to providing District approval for shared use, the Easement Use Agreement (Agreement) provides the following indemnifications to the District. This is a partial list only and is fully described in the Agreement.

- 1. Requires the City to maintain use of its improvements, repair any damage to any portion of the Easement Area that may occur as a result of the improvements or maintenance of use, including any damage to the District's underlying facilities
- 2. District retains the right to remove all or any part of the improvements within the Easement Area if necessary for the District to access the Easement Area or its facilities. District shall not be liable for any costs associated with the removal or replacement and the City will reimburse the District for any costs it incurs.

District staff has reviewed the plans and specifications and overall is supportive of the Project. Staff does not foresee that the improvements will interfere with or hinder District responsibilities for operation & maintenance of its facilities. Accordingly, staff supports the Board executing the Easement Use Agreement included as Attachment 1.

Alternatives
The recommendation is that the Board authorize the General manager to execute the Easement Use Agreement. The Board may choose not to execute the Agreement, to delay execution, or to request additional conditions. Staff does not recommend delaying as the Project cannot move forward without approval of the Agreement.

Coordination and Review

This report was prepared in coordination with City staff, and District counsel.

Easement Use Agreement - Sycamore Trail Phase II May 19, 2022 Page 2

<u>Budget/Cost Impact</u>
There is no direct budget or cost impact associated with this item.

ATTACHMENT

1. Easement Use Agreement (partially executed by City)

RECORDING REQUESTED BY AND WHEN RECORDED RETURN TO: REAL ESTATE DIVISION

REAL ESTATE DIVISION
COUNTY OF SACRAMENTO
3711 Branch Center Road
Sacramento, CA 95827

Mail Code: 63-002

No Fee Document – Per Government Code §6103 No Document Transfer Tax – Per R & T Code § 11922

EASEMENT USE AGREEMENT

THIS EASEMENT USE AGREEMENT ("Agreement") is made and entered into as of this day of _______, 2022 ("Effective Date") by and between the RECLAMATION DISTRICT No. 900, a political subdivision of the State of California, operating under the Water Code of the State of California, Division 15, sections 50000 through 53900 ("RD900") and the City of West Sacramento, a municipal corporation in the State of California (hereinafter the "City").

Recitals

- A. RD900 is the holder of an easement which predates a land acquisitioned by the Sacramento Regional County Sanitation District ("SRCSD") over, under, upon and across the described property for drainage and ingress and egress purposes, as described in Exhibit "A" attached hereto and hereby made a part hereof (the "Easement Area"). Pursuant to an agreement between SRCSD and RD900, SRCSD installed a 78" drainage pipeline within the Easement Area for RD900 when SRCSD installed their sewer interceptors.
- B. City desires to obtain RD900's approval of plans to construct Sycamore Trail Phase II within the Easement Area as described in Exhibit "B" attached hereto and made a part hereof.
- D. Pursuant to the terms of this Agreement, RD900 is willing to approve the City's construction of the Sycamore Trail Phase II improvements within the Easement Area which are consistent with the plans as described in Exhibit B (the "Improvements") attached hereto and made a part hereof.

NOW, THEREFORE, the Parties agree as follows:

- 1. <u>Approval of Use</u>. RD900 hereby approves of the City's construction of Improvements in the Easement Area as described in Exhibit B attached hereto.
- 2. <u>Maintenance of Use</u>. City shall maintain, repair and replace the Improvements located within the Easement Area at its sole cost. City agrees to exercise reasonable care to properly maintain the Improvements placed within the Easement Area and to exercise reasonable care in inspecting for and immediately repairing and making good any damage to any portion of the Easement Area which occurs as a result of the maintenance of the use or as a result of the work done under this Agreement, including any and all damage to RD900's interceptor which would not

have occurred had such work not been done or such use not placed therein.

- 3. <u>Damage Caused by RD900</u>. RD900 shall retain the right to remove all or any part of the Improvements within the Easement Area if the removal of such improvement is necessary in order for RD900 to access the Easement Area. RD 900 shall not be liable for any costs associated with the removal or replacement of such improvement. City shall reimburse RD900 for any costs it incurs in removing the improvement.
- 4. <u>Perpetual Use.</u> The right of City to use the Easement Area for maintaining, repairing and replacing the Improvements shall run with the land and continue in perpetuity so long as the City is to use the Easement Area for such purposes.
- 5. Successors. The terms and conditions of this Agreement shall be binding upon and inure to the benefit of the successors and assigns of the parties hereto.
- 6. Entire Agreement; Modification; Severability. This Agreement contains the entire agreement and understanding between the parties hereto concerning the use of the Easement Area by City. This Agreement cannot be amended or modified unless such amendment or modification is set forth in a document duly executed by the parties. If any provision of this Agreement is held by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this Agreement shall continue in full force and effect and shall in no way be impaired or invalidated and the parties agree to substitute for the invalid or unenforceable provision a valid and enforceable provision that most closely approximates the intent and economic effect of the invalid and unenforceable provision.
- 7. <u>Governing Law</u>. The terms of this Agreement shall be governed by and construed in accordance with the laws of the State of California.
- 8. <u>Counterparts</u>. This Agreement may be executed in one or more counterparts, each of which shall, for all purposes, be deemed an original, and all such counterparts, taken together, shall constitute one and the same instrument.
- 9. <u>Insurance and Self-Insurance.</u> City, at its sole cost and expense, shall carry insurance, or self-insure its activities in connection with this Agreement, and obtain, keep in force and maintain, insurance or equivalent program of self-insurance, for property, professional liability, general liability, environmental liability, workers compensation and business automobile liability adequate to cover its potential liabilities hereunder.
- 10. <u>Indemnification</u>. To the fullest extent allowed by law, City shall indemnify, defend, and hold harmless RD900, its governing Board, officers, directors, officials, employees, authorized volunteers and agents, (collectively "Indemnified Parties") from and against any and all claims, demands, actions, losses, liabilities, damages, and all expenses and costs incidental thereto (collectively "Claims") including cost of defense, settlement, arbitration, and reasonable attorneys' fees, resulting from injuries to or death of persons, including but not limited to employees of either party hereto, and damage to or destruction of property or loss of use thereof, including but not limited to the property of either party hereto, arising out of, pertaining to, or resulting from the acts or omissions of City, its officers, agents, employees, or contractors, or the acts or omissions of anyone else directly or indirectly acting on behalf of City, or for which the City is legally liable

under law excepting only such injury, death, or damage to the extent caused by the negligence or willful misconduct of an Indemnified Party.

This indemnity shall not be limited by the types and amounts of insurance or self-insurance maintained by the City or the City contractors.

Nothing in this Indemnity shall be construed to create any duty to, any standard of care with reference to, or any liability or obligation, contractual or otherwise, to any third party.

The provisions of this Indemnity shall survive the expiration or termination of the Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the Effective Date.

Reclamation District No. 900, a political subdivision of the State of California

CITY OF WEST SACRAMENTO, a municipal corporation in the State of California

		1	7
Ву:		By: Aaron Laurel, City Manager	
Name:		Approved as to form:	
Title:	<u> </u>	By: Jeffrey Mitchell, City Attorney	- E - E - E - E - E - E - E - E - E - E
Approved as to form:		ATTEST:	
Ву:	Counsel for RD900	By: Jennifer Cusinir, City Clerk	SIGN HERE

ALL-PURPOSE ACKNOWLEDGMENT

>>>>>>>	000000000000000000000000000000000000000
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.	
State of California County of 100	SS.
	Lame Ledesma, Notary Public,
personally appeared Awon lawe	, who proved to me on the
basis of satisfactory evidence to be the person(s) v	whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
LAURIE LEDESMA COMM. # 2382764 NOTARY PUBLIC-CALIFORNIA YOLO COLINTY MY COMM. EXP. Nov. 11, 2025	I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct. WITNESS my hand and official seal.
PLACE NOTARY SEAL IN ABOVE SPACE	NOTARY'S SIGNATURE
OPTIONAL	INFORMATION
The information below is optional. However, it may of this form to an unauthorized document.	y prove valuable and could prevent fraudulent attachment
CAPACITY CLAIMED BY SIGNER (PRINCIPAL) INDIVIDUAL	DESCRIPTION OF ATTACHED DOCUMENT
CORPORATE OFFICER PARTNER(S) TITLE(S)	TITLE OR TYPE OF DOCUMENT
☐ ATTORNEY-IN-FACT ☐ GUARDIAN/CONSERVATOR	NUMBER OF PAGES
SUBSCRIBING WITNESS OTHER:	DATE OF DOCUMENT
	OTHER
SIGNER (PRINCIPAL) IS REPRESENTING: NAME OF PERSON(S) OR ENTITY(IES)	RIGHT THUMBPRINT OF SIGNER

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document. STATE OF _______ COUNTY OF _____ personally appeared _____ name(s) of signer(s) who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct. WITNESS my hand and official seal. Signature of Notary A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document. STATE OF COUNTY OF _____ _____, notary public, personally appeared name(s) of signer(s) who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct. WITNESS my hand and official seal.

Signature of Notary

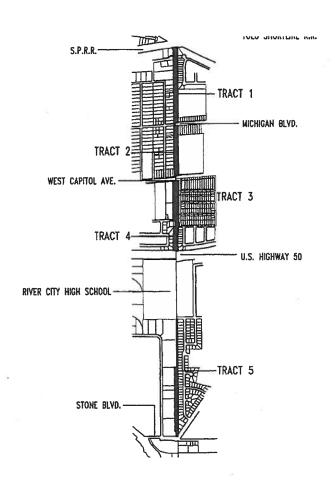


EXHIBIT 'A'

Tract 2:

Beginning at the intersection of the South line of Michigan Boulevard and the East line of the plat of "Little Poultry Farm", filed in the office of the County Recorder of Yolo County, in Book 3 of Maps, Page 57 (said point lying South 38°35'04" West, 99.62 feet from the Southeast corner of Tract 1 described above); thence along said East line, South 00°16'25" East, 7.51 feet; thence along the South line of Michigan Boulevard, North 85°28'37" East, 62.67 feet to a point on the West line of the plat of "Westfield Village Unit 3", filed in the office of the County Recorder of Yolo County in Book 4 of Maps, Page 44, being also the East line of the Reclamation District 900 Main Drainage Canal easement, as described in the document recorded in Book 80 of Deeds, Page 407; thence along said East line, South 00°16'25" East, 1151.62 feet to a point on the North right-of-way line of West Capitol Avenue: thence along said North right-of-way line of West Capitol Avenue, South 85°29'01" West, 62.67 feet to a point on the East line of said Little Poultry Farm; thence along said East line, South 00°16'25" East, 35.28 feet; thence continuing along the North right-of-way line of West Capitol Avenue, South 85°29'01" West, 23.45 feet; thence leaving said North right-of-way line and parallel with the East line of said Little Poultry Farms, North 00°16'25" West, 1194.44 feet to a point on the South right-of-way line of Michigan Boulevard; thence along said South right-of-way line, North 85°33'19" East 23.45 feet to the Point of Beginning, containing 2.294 acres more or less.

TOGETHER WITH;

Tract 3:

Beginning at the intersection of the South right-of-way line of West Capitol Avenue and the East line of Lot 36, as shown on the plat of "Westacres Subdivision", filed in the office of the County Recorder of Yolo County in Book 3 of Maps, Page 75, said East line being also the West right-of-way line of Sycamore Avenue (said point lying South 00°16'21" East, 135.56 feet from the Southeast corner of Tract 2 described above); thence along the East line of said Lot 36 and the East line of Lots 37, 73 and 74 of said Westacres Subdivision, South 00°16'13" East, 899.98 feet to the intersection of said East line and the North right-of-way line of Evergreen Drive; thence along the North right-of-way line of Evergreen Drive, South 87°38'02" West, 125.08 feet to a point on the West line of the Reclamation District 900 Main Drainage Canal easement, as described in the document recorded in Book 80 of Deeds, Page 407; thence along said West line, North 00°16'13" West, 895.28 feet to a point on the South right-of-way line of West Capitol Avenue; thence along said South right-of-way line, North 85°29'01" East, 125.34 feet to the Point of Beginning, containing 2.576 acres more or less.

TOGETHER WITH;

Tract 4:

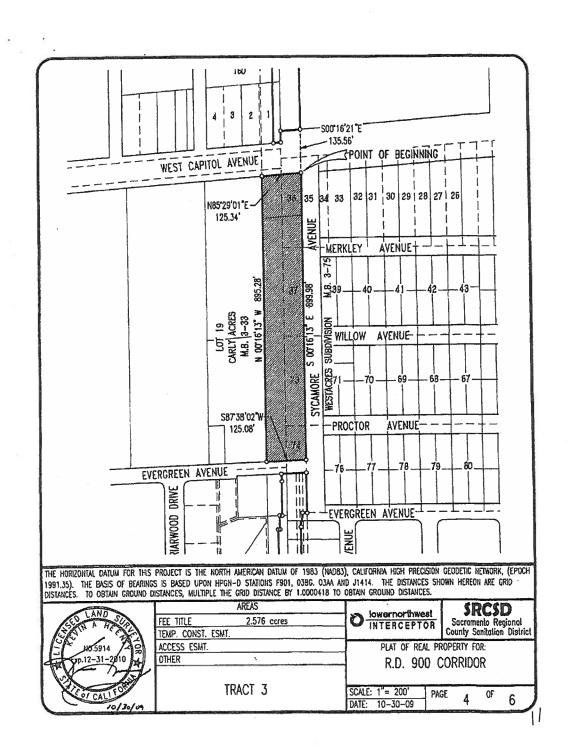
EXHIBIT 'A'

Beginning at the Southwest corner of Lot 110, as shown on the plat of "Westacres Subdivision Unit Two", filed in the office of the County Recorder of Yolo County, in Book 5 of Maps, Page 15, being also an angle point on the North right-of-way line of U.S. Highway 50; thence along said North line, North 00°16'13" West, 13.49 feet; thence along the arc of a curve, concave to the North, having a radius of 4905.80 feet, the chord of which bears South 89º12'18" West, 62.50 feet to the Southeast corner of Parcel 'I', as shown on that certain Parcel Map, filed in the office of the County Recorder of Yolo County in Book 1 of Parcel Maps, Page 76; thence along the East line of said Parcel Map, being also the West line of the Reclamation District 900 Main Drainage Canal easement, as described in the document recorded in Book 80 of Deeds, Page 407, North 00°16'13" West, 379.40 feet; thence leaving the East line of said Parcel Map, North 89°43'47" East, 33.50 feet; thence North 00°16'13" West, 134.77 feet; thence North 89°43'47" East, 5.00 feet; thence North 00°16'13" West, 43.78 feet; thence North 87°38'02" East, 7.82 feet; thence North 00°05'18" East, 107.45 feet; thence North 02°26'29" West, 25.33 feet to a point of the South right-ofway line of Evergreen Avenue; thence along the South right-of-way line of Evergreen Avenue, North 87°38'02" East, 79.03 feet to a point on the West right-of-way line of Sycamore Avenue, being also the West line of Lot 75, as shown on the plat of Westacres Subdivision, filed in the office of the County Recorder of Yolo County in Book 3 of Maps, Page 75 (said point lying South 00°16'13" East, 40.03 feet from the Southeast corner of Tract 3 described above); thence along said West line, South 00°16'13" East, 127.85 feet; thence leaving said West line, West, 13.72 feet; thence South 07°05'04" West, 45.16 feet; thence South 00°16'13" East, 95.00 feet to a point on the South line of Lot 117 as shown on said plat of Westacres Subdivision Unit Two; thence along said South line, South 89°45'32" West, 2.50 feet; thence South 00°16'13" East, 438.45 feet to a point on the South line of said Lot 110 and the North right-of-way line of U.S. Highway 50; thence along said South line of Lot 110 and the arc of a curve, concave to the North, having a radius of 4919.80 feet, the chord of which bears South 88°36'41" West, 40.51 feet to the Point of Beginning, containing 1.438 acres more or less.

TOGETHER WITH;

Tract 5:

Beginning at the Northwest corner of Lot 215, as shown on the plat of "Westmore Oaks Unit 2", filed in the office of the County Recorder of Yolo County in Book 4 of Maps, Pages 74 & 75 (said point lying South 01°10'38" West, 1610.87 feet from the Southeast corner of Tract 4 described above); thence along the North line of said Lot 215, being also the South right-of-way line of Grande Vista Avenue, North 89°40'10" East, 11.00 feet; thence leaving said North line, South 00°15'47" East, 2574.88 feet; thence South 08°36'08" East, 84.43 feet to a point on the Northwesterly right-of-way line of Park Boulevard; thence along said Northwesterly right-of-way line, South 34°59'20" West, 40.28 feet to an angle point in said Northwesterly right-of-way line; thence South 00°15'47" East, 32.24 feet to the Southeast corner of Parcel 'A', as shown on that certain Parcel Map, filed in the office of the County Recorder of Yolo County in Book 8 of Parcel Maps, Page 20; thence along the South line of said Parcel 'A', being also the North right-of-way line of Stone Boulevard, South 89°32'48" West, 20.76 feet; thence leaving said South line, North 08°36'08" West, 108.23



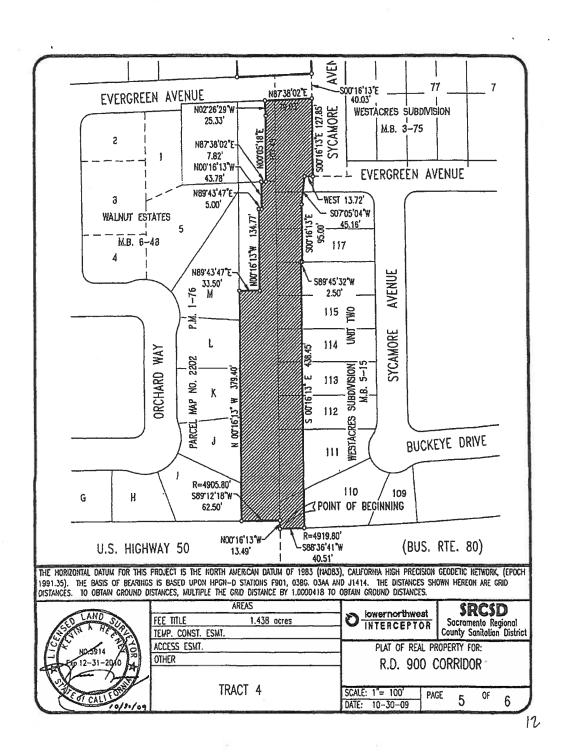
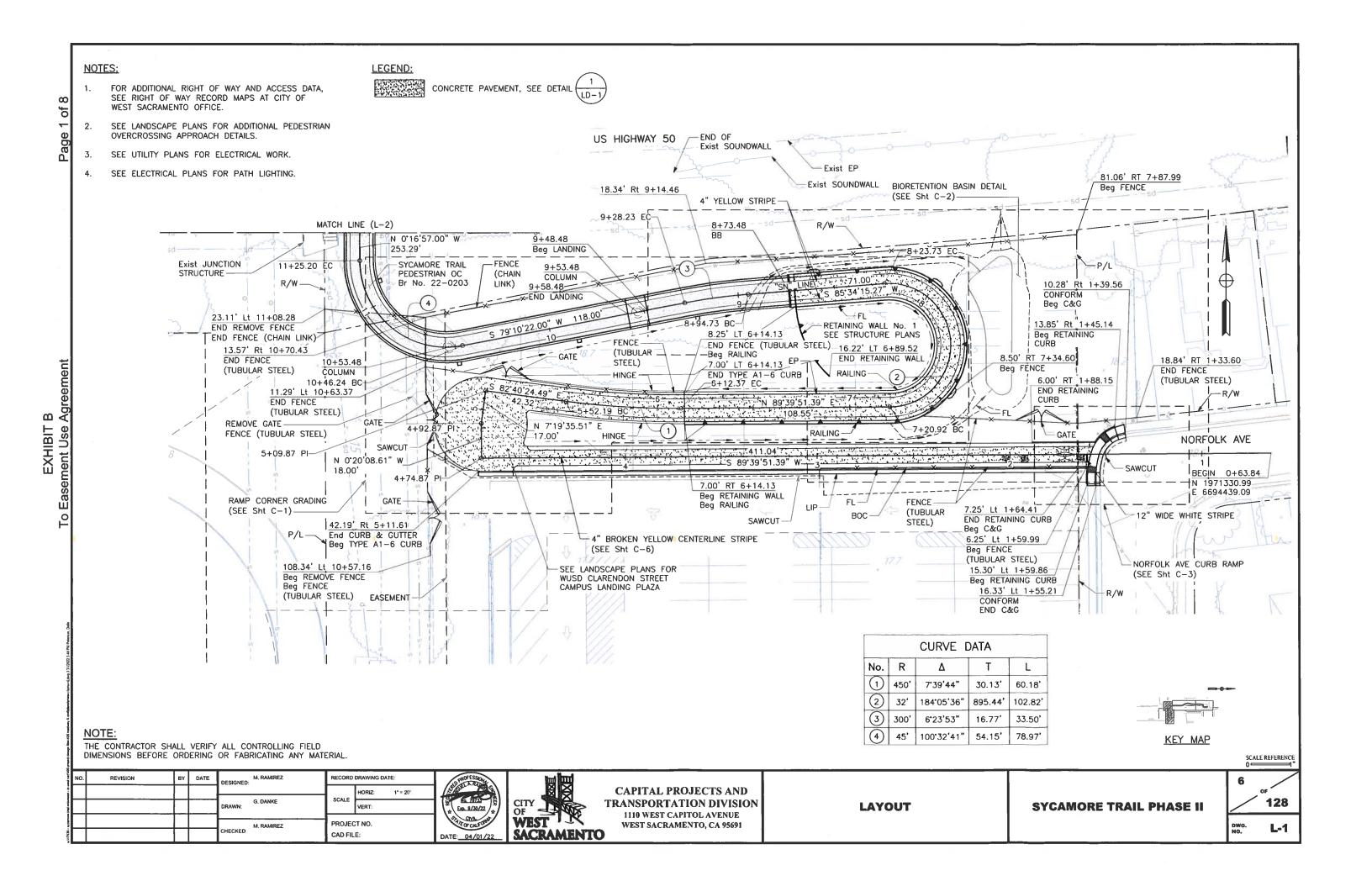
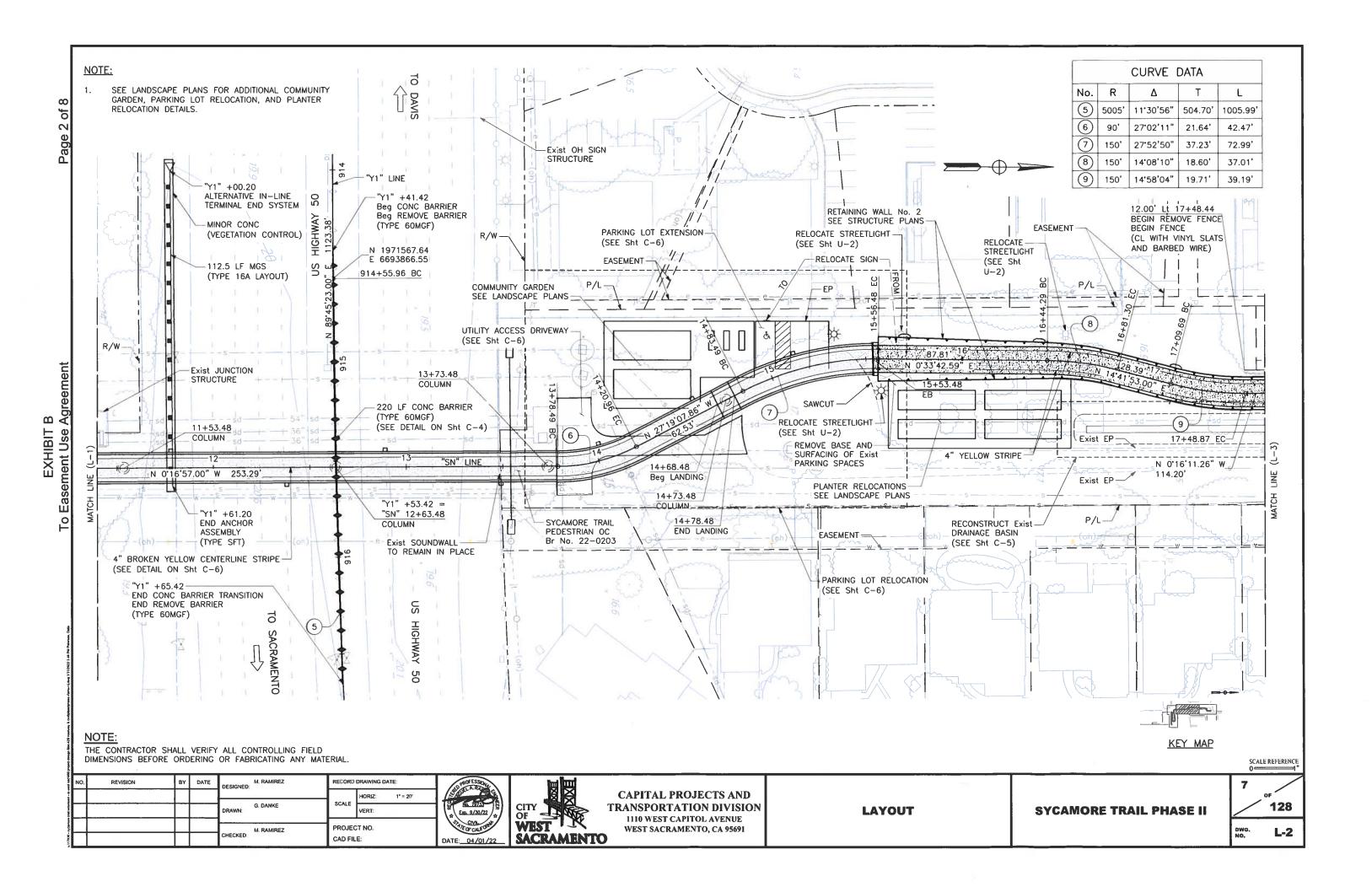


EXHIBIT "B"

(See attached plan sheets for the Sycamore Trail Phase II Project)

- 1. Layout Plan (Sheet 7)
- 2. Layout Plan (Sheet 8)
- 3. Pedestrian Overcrossing- Structure Plan #1 (Sheet ST-4)
- 4. Pedestrian Overcrossing- Structure Plan #2 (Sheet ST-5)
- 5. Pedestrian Overcrossing- Structure Plan #3 (Sheet ST-6)

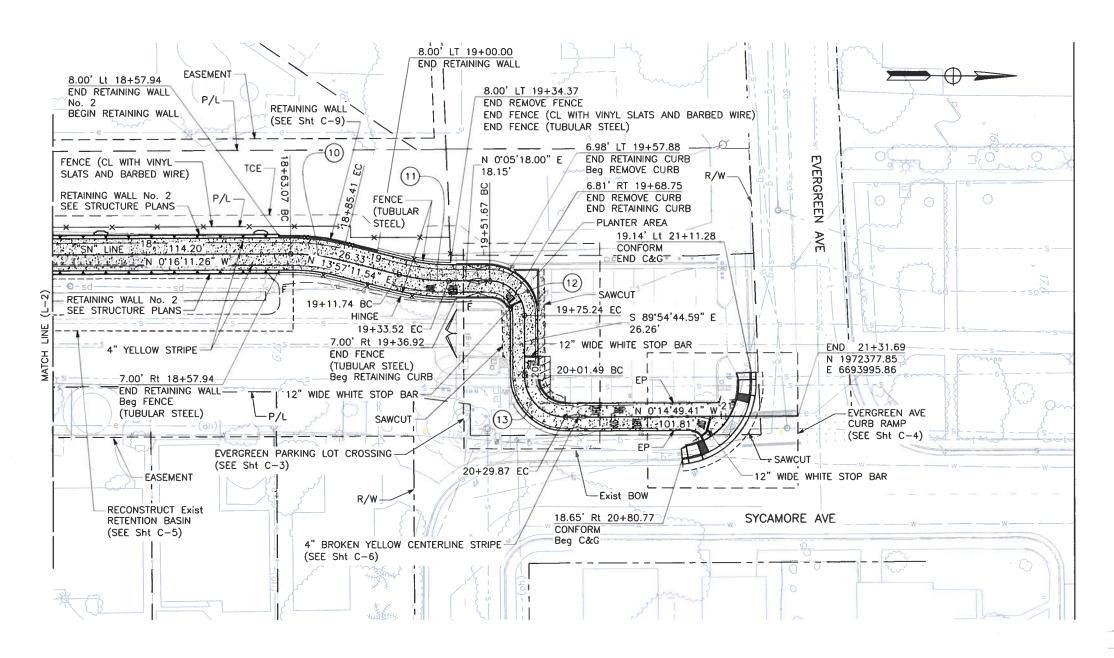




EXHIBIT

1. SEE LANDSCAPE PLANS FOR ADDITIONAL DETAILS.

CURVE DATA								
No.	ο. R Δ T L							
10	90'	14*13'23"	11.23'	22.34'				
(1)	90,	13'51'54"	10.94'	21.78'				
12	15'	89*59'57"	15.00'	23.56'				
13)	18'	90°20'05"	18.11'	28.38'				



NOTE:

REVISION

THE CONTRACTOR SHALL VERIFY ALL CONTROLLING FIELD DIMENSIONS BEFORE ORDERING OR FABRICATING ANY MATERIAL.

BY DATE

DESIGNED: M. RAMIREZ

S S S S S S S S S S S S S S S S S S S	
Exp. 9/30/22 th	CITY OF
DATE: 04/01/22	SACRAMEN'

CAPITAL PROJECTS AND TRANSPORTATION DIVISION 1110 WEST CAPITOL AVENUE WEST SACRAMENTO, CA 95691

LAYOUT

SYCAMORE TRAIL PHASE II

KEY MAP

SCALE REFERENCE 8

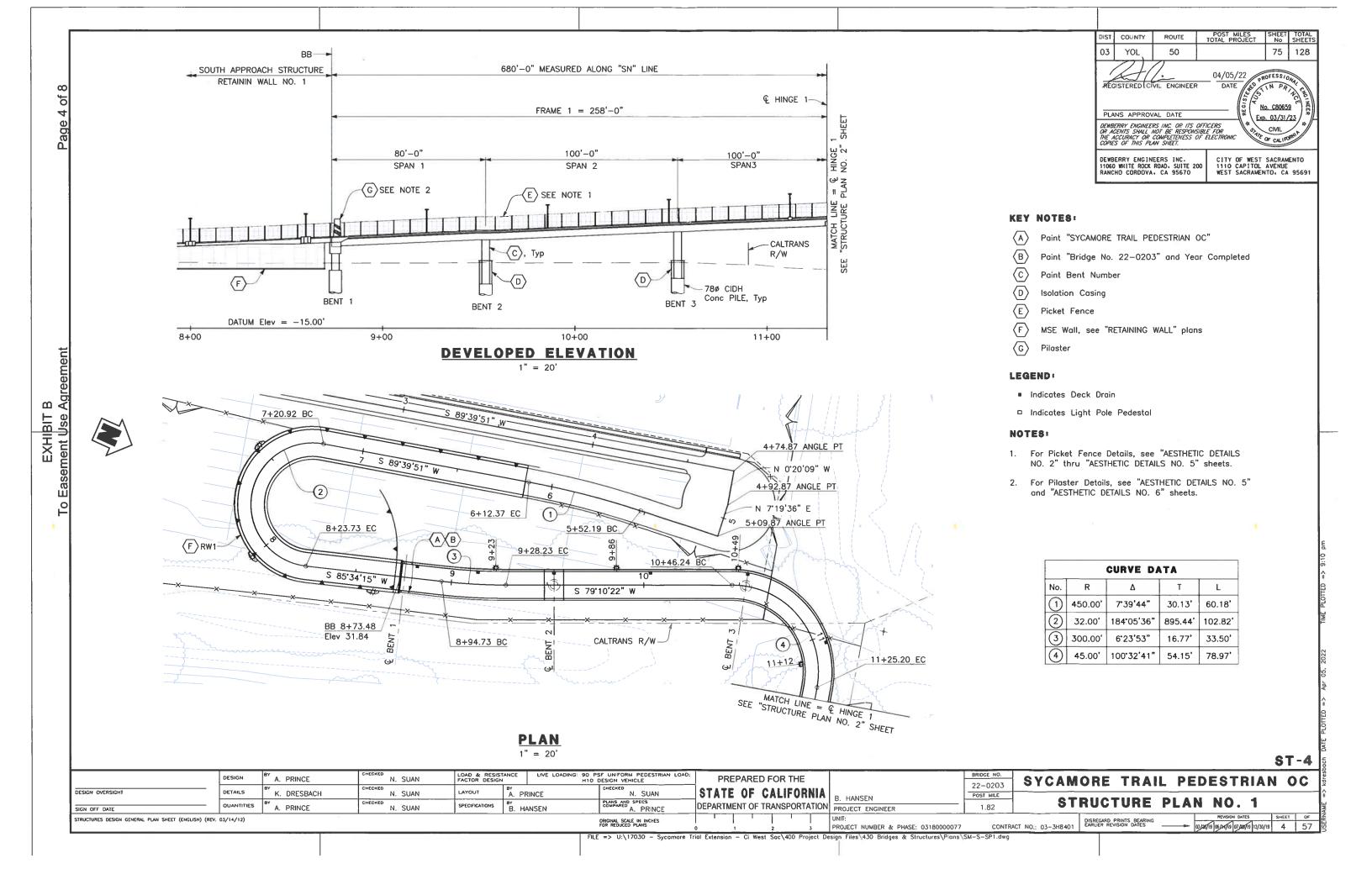
128

PROJECT NO. M. RAMIREZ HECKED CAD FILE:

RECORD DRAWING DATE:

1" = 20"

L-3



DATE

REGISTERED CIVIL ENGINEER

PLANS APPROVAL DATE

DEWBERRY ENGINEERS INC. OR ITS OFFICERS
OR AGENTS SHALL NOT BE RESPONSIBLE FOR
THE ACCURACY OR COMPLETENESS OF ELECTRONIC
COPIES OF THIS PLAN SHEET.

DEWBERRY ENGINEERS INC. 11060 WHITE ROCK ROAD, SUITE 200 RANCHO CORDOVA, CA 95670 CITY OF WEST SACRAMENTO 1110 CAPITOL AVENUE WEST SACRAMENTO, CA 95691

No. C80659

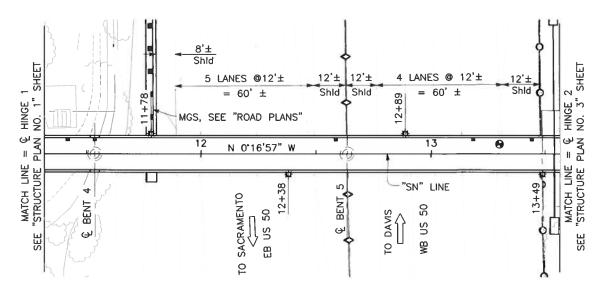
Exp. 03/31/23

CIVIL

680'-0" MEASURED ALONG "SN" LINE E HINGE 2-€ HINGE 1 FRAME 2 = 225'-0"HINGE 1 NO. 1" SHEET 22'-0" 100'-0" 110'-0" 110'-0" SPAN 3 SPAN 4 SPAN 5 FENCE AESTHETIC 18'-6" Min $\langle E \rangle$ SEE NOTE 1 GSEE NOTE 2 PLAN -TREATMENT, SEE NOTE 3 Vert Clr WISTISACRAMENT MATCH "STRUCTL (A)(B) EAST BOUND WEST BOUND 78ø CIDH CALTRANS R/W-Conc PILE, Typ -MGS, SEE Conc BARRIER, SEE BENT 5 "ROAD PLANS" BENT 4 "ROAD PLANS" DATUM Elev = -15.00' 13+00 12+00

DEVELOPED ELEVATION

1" = 20'



PLAN

KEY NOTES:

- A Point "SYCAMORE TRAIL PEDESTRIAN OC"
- B Paint "Bridge No. 22-0203" and Year Completed
- (C) Paint Bent Number
- (D) Isolation Casing
- (E) Picket Fence
- G Pilaster

LEGEND:

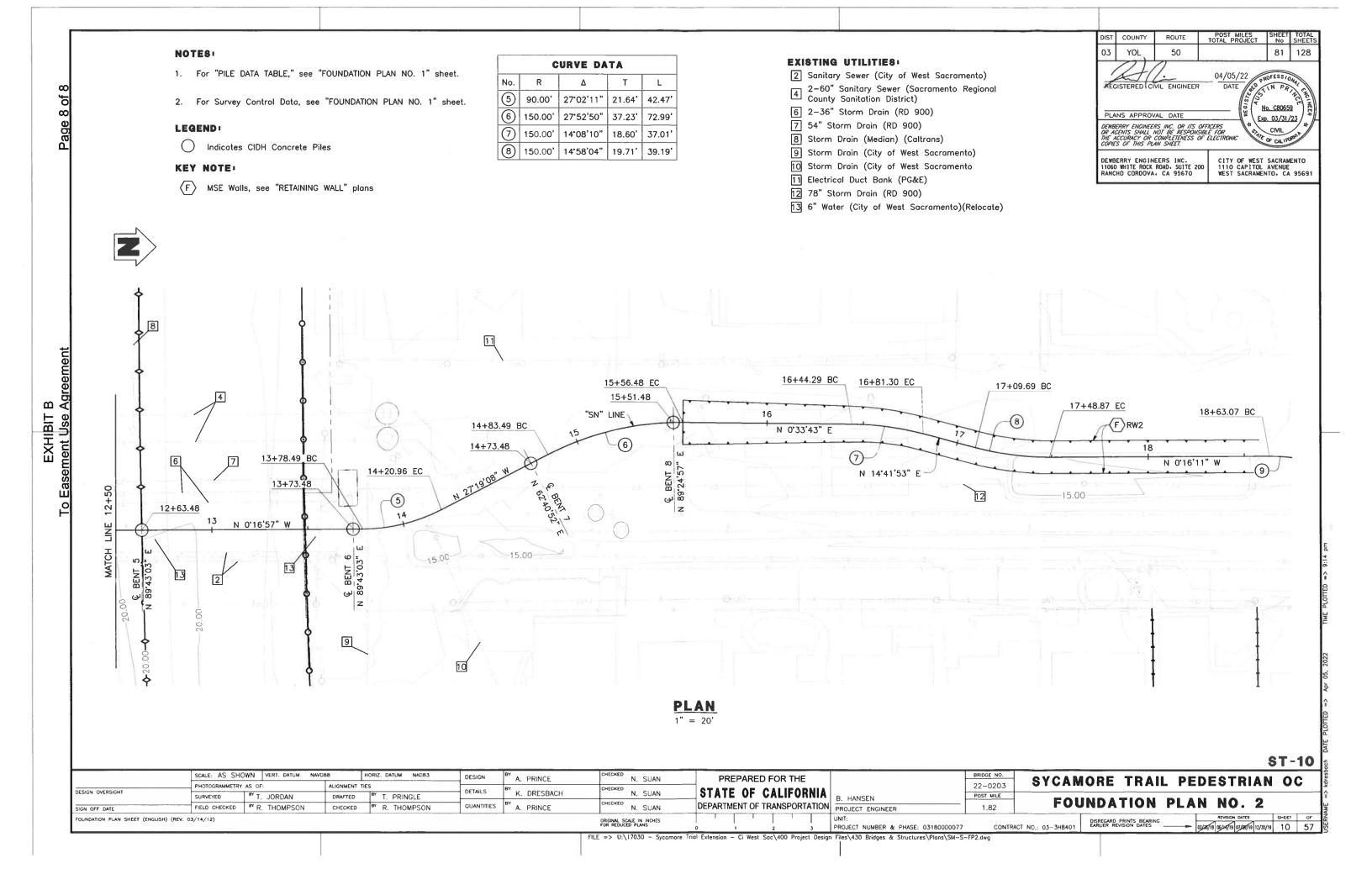
- Point of Minimum Vertical Clearance
- Indicates direction of traffic
- Indicates Deck Drain
- Indicates Light Pole Pedestal

NOTES:

- For Picket Fence Details, see "AESTHETIC DETAILS NO. 2" thru "AESTHETIC DETAILS NO. 5" sheets.
- For Pilaster Details, see "AESTHETIC DETAILS NO. 5" and "AESTHETIC DETAILS NO. 6" sheets.
- For Fence Aesthetic Treatment Details, see "AESTHETIC DETAILS NO. 1" sheet.

ST-5

- 1		DESIGN	A. PRINCE	N. SUAN	LOAD & RESIST		PSF UNIFORM PEDESTRIAN LOAD; DESIGN VEHICLE	PREPARED FOR THE		BRIDGE NO.	SYCAMORE TRAIL PEDESTRIAN OC
- 1	DESIGN OVERSIGHT	DETAILS	K. DRESBACH	N. SUAN	LAYOUT	A. PRINCE	N. SUAN	STATE OF CALIFORNIA	B. HANSEN	POST MILE	
- [SIGN OFF DATE	QUANTITIES	A. PRINCE	N. SUAN	SPECIFICATIONS	B. HANSEN	PLANS AND SPECS COMPARED A. PRINCE	DEPARTMENT OF TRANSPORTATION	D. DANSEN	1.82	STRUCTURE PLAN NO. 2
- [STRUCTURES DESIGN GENERAL PLAN SHEET (ENGUSH) (REV.	03/14/12)					ORIGINAL SCALE IN INCHES		UNIT:		DISREGARD PRINTS BEARING FABILIER PRUSSION DATES REVISION DATES SHEET OF FABILIER PRUSSION DATES



ARECLAMATIC	ON DISTRICT 900	A	GENDA REPOR
MEETING DA	TE : May 19, 2022	IT	EM # 4
RD 900	TO APPLY FOR AND RECEIVE	TION 22-05-02 AUTHORIZING THE GENER FEDERAL GRANT FUNDS FOR THE BLA K STABILIZATION PROJECT	
INITIATED OR	R REQUESTED BY:	REPORT COORDINATED OR PREPA	RED BY:
[] Council	[X] Staff	Greg Fabun, Interim General Manager	
[] Other			

OBJECTIVE

The objective of this report is to present sufficient information to the Reclamation District 900 (RD 900/District) Board of Trustees (Board) to approve Resolution 22-05-02, authorizing the General Manager to apply for and receive federal grant funds for the Blacker Canal Bank Stabilization Project.

[] Information

[] Direction

[X] Action

RECOMMENDED ACTION

ATTACHMENT [X] Yes [] No

Staff respectfully recommends that the District Board:

- 1. Approve Resolution 22-05-02, in substantially the form attached, authorizing the General Manager to apply for and receive federal grant funding for the Blacker Canal Bank Stabilization Project; and
- 2. Authorize the General Manager to complete the necessary forms (Attachments 2 thru 4) and other items as may be necessary or required to administer and comply with the grant.

BACKGROUND

Over the years, the banks along Blacker Canal between Jefferson Boulevard and the Main Drainage Canal have sloughed and eroded and the ability to access the site has been lost in some locations resulting in issues with vegetation management. Restoration of the canal to original design and flow capacity is critical to maintaining proper drainage to reduce the risk of flooding for the community, and for maintaining access for continued operation and maintenance of the drainage system.

The Blacker Canal Bank Stabilization Project (Project) will arrest bank erosion, restore canal geometry and capacity to original design, restore surface drainage conveyance from areas served by the canal and will restore the O&M corridor on the north bank. Gabions will be installed to repair deteriorating banks and to stop further erosion and sloughing that is encroaching on and threatens to damage adjacent private property. Vegetation impeding flow will be removed and canal contours repaired to restore original design flow capacity.

In 2019, the District submitted an application for the Project to FEMA under the Hazard Mitigation Grant Program, with Cal OES as the Applicant and the District as the Sub-Applicant. In December 2021, FEMA awarded a grant to the District in the amount of \$1,019,119.50. Environmental and regulatory permits will be obtained in 2022 and the Project is scheduled for construction in 2023.

ANALYSIS

The current Project cost is \$1,358,826; the federal share of the Project is \$1,019,119.50 (75%); the District share of the Project is \$339,706.50 (25%). Federal costs will be in the form of reimbursements made by the District through Cal OES, the grant Administrator.

As the Grant Applicant/Administrator, Cal OES, requires the District, as the Sub-Applicant, to take certain actions and provide certain authorizations in order to apply for and receive federal grant funds. Resolution 22-05-02 provided as Attachment 1 and the certification forms provided as Attachments 2 through 4, are required to be executed by the Sub-Applicant in order for Cal OES to reimburse the District for the federal share of Project costs.

<u>Alternatives</u>

The recommendation is that the Board approve Resolution 22-05-02, in substantially the form attached and to authorize the General Manager to complete the forms in Attachments 2 thru 4. The Board may choose not to

Cal OES Financial Certs - Blacker Canal Project Grant May 19, 2022 Page 2

approve the Resolution or authorize the General Manager to complete the forms. Staff does not recommend this alternative as it will inhibit the District's ability to be reimbursed the federal cost of the Project.

<u>Coordination and Review</u> This report was prepared in coordination with District staff and District counsel.

Budget/Cost Impact

There is no direct budget or cost impact associated with this item. Project costs were previously approved by the Board with the FY 21/22 Capital Projects Budget. This item will enable the District to receive up to the maximum federal cost share of \$1,019,119.50.

ATTACHMENT

- 1. Resolution 22-05-02
- 2. Supplemental Grant Subaward Information Form
- 3. Project Assurances Cal OES 89 Form
- 4. FFATA Financial Disclosure Form

Attachment 1 RD 900 Resolution 22-05-02

STATE OF CALIFORNIA CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES CAL OES 130

Cal OES ID No: _	

DESIGNATION OF SUBRECIPIENT'S AGENT RESOLUTION Hazard Mitigation Grant Program and Pre-Disaster Mitigation Program

BE IT RESOLVED BY THE		OF 7	HE	
	(Governing B			(Name of Applicant)
ГНАТ				, OR
	(Title of	Authorized Agent)		
				, OR
	(Title of	Authorized Agent)		
	(Title of	Authorized Agent)		
s hereby authorized to execute for a				, a public entity
stablished under the laws of the Stat	e of California, this ederal financial ass	s application and to f istance under Public	lle it with the Ca Law 93-288 as a	, a public entity ient) lifornia Governor's Office of Emergency Serv amended by the Robert T. Stafford Disaster Re Disaster Assistance Act.
THAT the		, a pu	blic entity estab	lished under the laws of the State of California
(Name of	Subrecipient)			
ereby authorizes its agent(s) to provises and issaster assistance the assurances and			of Emergency S	ervice for all matters pertaining to such state
Please check the appropriate box b	elow:			
below. This is a Disaster/Grant specific res Passed and approved this		•	/Grant name/nu	mber(s)
(Name and Title of Governing I	Body Representative)		(Name and T	Title of Governing Body Representative)
(Name and Title of Governing I	Body Representative)		(Name and T	Title of Governing Body Representative)
(Name and Title of Governing I	Body Representative)		VO.	
		CERTIFICAT		
,	,	, duly appointed an	d	of
(Name of Applicant)	, do hereby cert	ify that the abo	ove is a true and correct copy of a
Resolution passed and approved	by the		of the	(Name of Applicant)
. 11	(0	GoverningBody)		(Name of Applicant)
on theday o	f	, 20		
(Signature)				(Title)

Attachment 2

California Governor's Office of Emergency Services SUPPLEMENTAL GRANT SUBAWARD INFORMATION

The California Governor's Office of Emergency Services (Cal OES), makes a Grant Subaward of funds set forth to the following:

1. Subre	cipient:	1a. DUN\$#:				
2. Imple Agency:	menting				2a. DUNS#:	
	menting Address:					
		Street		City	State	ZIP+4
4. Locati	on of Project:	City		County	У	ZIP+4
	al Award ation Number:		6	. Performand	ce Period:	_to
7. Indire	ct Cost Rate:	N/A	10% de	minimis	Federally Approved	I ICR
8. Supple	ement Informatio	n				
Supp No. Federal Share		Share Non-Fe Shar		SR Mgmt Cost	Total Supplement Cost	Fed / Non- Fed Percentage
						-
Totals:						-
9. Primai	ry Authorized Ag	ent:			Total Project Cost:	
Name:_					litle:	
Phone: _				Email:		
Mailing /	Address:					
	Street			City	State	ZIP+4
Paymen Address:	t Mailing :					
	Street			City	State	ZIP+4

Cal OES 2-101a Page 1 of 2

California Governor's Office of Emergency Services SUPPLEMENTAL GRANT SUBAWARD INFORMATION

Cal OES Contact Information Section:

Governor's Office of Emergency Services Mark S. Ghilarducci, Director 3650 Schriever Avenue Mather, CA 95655

Phone: (916) 845-8510

Cal OES Use Only		
Cal OES #		
FIPS #		
Subaward #		
PCA		
Federal Award		
Dates		

Federal Awarding Agency Section

Federal Program Fund / CFDA #	Federal Awarding Agency	Total Federal Award Amount
Hazard Mitigation Grant Program / 97.039	U.S. Department of Homeland Security, Federal Emergency Management Agency	

Project Description	Section:		

Research and Development Section:

Is this Subaward a Research and Development grant? Yes No

Cal OES 2-101a Page 2 of 2

Attachment 3

PROJECT ASSURANCES FOR FEDERAL ASSISTANCE HAZARD MITIGATION GRANTS

Note: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact California Governor's Office of Emergency Services (Cal OES). Further, certain federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

- 1. Has the legal authority to apply for federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
- 2. Will give the awarding agency, the Comptroller General of the United States, Federal Office of Inspector General 2 CFR 200.336, and if appropriate, the state, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
- 3. Will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the federal interest in the title of real property in accordance with awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with federal assistance funds to assure nondiscrimination during the useful life of the project.
- 4. Will comply with the requirements of the assistance-awarding agency with regard to the drafting, review and approval of construction plans and specifications.
- 5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progress reports and such other information as may be required by the assistance awarding agency or state.
- 6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
- Will establish safeguards to prohibit employees from using their positions for a purpose 7. that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gains.
- 8. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.), which prohibits the use of lead based paint in construction or rehabilitation of residence structures.

- 9. Will comply with all federal statues relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683 and 1685-1686) which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794) which prohibit discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107) which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 93-255) as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616) as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to nondiscrimination in the sale rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for federal assistance is being made, and (j) the requirements on any other nondiscrimination statute(s) which may apply to the application.
- 10. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced or whose property is acquired as a result of federal and federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of federal participation in purchases.
- 11. Will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$5,000 or more.
- 12. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.O. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved state management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.); (f) conformity of federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.O. 93-205).
- 13. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

- 14. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and preservation of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).
- 15. Will comply with Standardized Emergency Management (SEMS) requirements as stated in the California Emergency Services Act, Government Code, Chapter 7 of Division 1 of Title 2, Section 8607.1(e) and CCR Title 19, Sections 2445, 2446, 2447 and 2448.
- 16. Subrecipients expending \$750,000 or more in federal grant funds annually are required to secure an audit pursuant to OMB Uniform Guidance 2 CFR Part 200, Subpart F. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984 and the Single Audit Act Amendments of 1996.
- 17. Will disclose in writing any potential conflict of interest to the Federal awarding agency or pass-through entity in accordance with §200.112.
- 18. Will comply with all applicable requirements of all other federal laws, Executive Orders, regulations and policies governing this program.
- 19. Has requested through the State of California, federal financial assistance to be used to perform eligible work approved in the subrecipient application for federal assistance. Will, after the receipt of federal financial assistance, through the State of California, agree to the following:
 - a. The state warrant covering federal financial assistance will be deposited in a special and separate account, and will be used to pay only eligible costs for projects described above;
 - b. To return to the State of California such part of the funds so reimbursed pursuant to the above numbered application, which are excess to the approved actual expenditures as accepted by final audit of the federal or state government.
 - c. In the event the approved amount of the above numbered project application is reduced, the reimbursement applicable to the amount of the reduction will be promptly refunded to the State of California.
- 20. The non-Federal entity for a Federal award must disclose, in a timely manner, in writing to the Federal awarding agency or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award §200.113. Failure to make required disclosures can result in any of the remedies described in §200.338 Remedies for noncompliance, including suspension or debarment.
- 21. Will not make any award or permit any award (subaward or contract) to any party which is debarred or suspended or is otherwise excluded from or ineligible for participation in Federal assistance programs under Executive Order 12549 and 12689, "Debarment and Suspension.

"I, the official named below, CE	RTIFY UNDE	R PENALTY OF 1	PERJURY that I am duly
authorized by	(Name of Org	vanization)	
to enter into this agreement for and the subrecipient to the terms thereo	l on behalf of sa		nd by my signature do bind
Printed Name of Authorized Applic	cant's Agent	Title	
Signature of Authorized Applicant's	s Agent	Date	
	Authori	zation	
I,Printed Name	, do hereby c	eertify as the author	rized representative or
officer ofName of Organization		, that the in	formation contained in this
application is true and correct.			
Title	Signature		Date

Attachment 4



Cal OES ID No.:
DUNS Number:
Previous Fiscal Year End Date:

Federal Funding Accountability and Transparency Act (FFATA) Financial

	.	Disclosure	,	,
Public Law (PL) 109-28 amended by Section 252), which is outlined Management Agenc November 23, 2010 (v	6202(a) of the Gov I in the U.S. Departr y's Grant Program I	rernment Fund ment of Homel	ing Transparency A and Security, Feder	ct of 2008 (PL 110- al Emergency
Entity Name:				
loans, grants, su\$25,000,000 or rloans, grants, su	he below criteria: or more of annual gobgrants, and/or conore in annual gross by bgrants, and/or conore have access to the below the second to the below the	gross revenues coperative agr ss revenues fror coperative agr	in U.S. federal contreements in your pre m U.S. federal contr	racts, subcontracts eceding fiscal year acts, subcontracts
Executive Name	Title	Annual Salary	Annual Dollar Value of Benefits	Total Compensation
		Salary	value of belletins	Compensation
Not subject to FFA I, Printed I of the above named	Name	, do hereb		

State of California Governor's Office of Emergency Services

Signature of Authorized Agent

FFATA Financial Disclosure (01/2020)

Date

REGULAR MEETING OF THE RECLAMATION DISTRICT 900 April 21, 2022 Minutes

Pursuant to Government Code section 54953, as amended by Assembly Bill 361 (2021), and due to the State of Emergency declared by the Governor on March 4, 2020, members of the Reclamation District 900 Board of Trustees participated in this Special Meeting using the Zoom meeting platform. To reduce the spread of COVID-19, members of the public were invited to watch the meeting livestream at https://youtu.be/a8FQ3-Siz_o.

The meeting was called to order at 6:05 PM by President Guerrero. Also in attendance at the meeting were: Trustees Ledesma, Orozco, Alcala and Early; Interim General Manager Fabun and District Counsel Nevis.

GENERAL ADMINISTRATION - PART I

Entry No. 1

Heard General Administration Functions as follows:

- A. None.
- B. District Counsel Nevis reported that the Board met in closed session on the one matter on the closed session agenda regarding a personnel matter, the position of General Manager, and the Board authorized the Interim General manager to make an offer of employment on terms to be negotiated by the Interim General Manager and if accepted, to be reported back at the Board's next public meeting.

CONSENT AGENDA – PART II

Entry No. 2

Consideration of Resolution 22-04-01 Adopting Findings Necessary to Continue Conducting Reclamation District 900 Board Meetings Via Teleconference Pursuant to Assembly Bill 361.

Entry No. 3

Consideration of Authorization to Amend the Shared Services Agreement With the City of West Sacramento for District Management Services.

Entry No. 4

Consideration to Renew a General, Commercial Automobile and Public Officials/Management Liability Insurance Policy with the California Association of Water Companies Joint Powers Risk and Insurance Management Authority.

Entry No. 5

Consideration for the Board of Trustees to Endorse the Central Valley Flood Protection Board Permit Application by the City of West Sacramento for the Southport Setback Levee Trailhead Project.

Entry No. 6

Consideration of approval of the March 24, 2022 special meeting minutes.

MOTION: Alcala SECOND: Ledesma AYES: Guerrero, Ledesma, Orozco, Alcala, Early

NOES: None ABSTAIN: None ABSENT:

The consent agenda passed 5-0, by roll call vote.

REGULAR AGENDA – PART III

Entry No. 7

District Project Updates:

Interim General Manager Fabun reported out on the following.

Maintenance activities completely focused on vegetation management.

Staff (Superintendent and Foreman) participated in two emergency preparedness tabletop exercises with the City's EOC staff. These were preparatory exercises for a large scale regional exercise scheduled for later this year.

Reclamation District 900 April 21, 2022, Regular Meeting Minutes Page 2

SB 901 Flood Control Bill passed the Senate Governance & Finance Hearing on April 7 with no objections.

WSAFCA: President's Budget Request for FY 2023 was issued with \$79.7 million proposed for the West Sacramento Project.

City Project Coordination: Anticipate bringing an item to Board in May related to the Sycamore Trail Phase Il Project and Freeway Overcrossing.

Corp Yard: Admin is completely moved in. Maintenance equipment/vehicles will move as time permits – due to extremely busy seasonal maintenance activities and workload.

President Guerrero thanked the Interim General Manager for the flood portion of a tour for Congresswoman Matsui and her staff. Mr. Fabun shared that the Congresswoman was/is very proud of the flood projects that West Sacramento has accomplished and now that additional funding is allocated, is looking forward to more flood protection projects in the coming years. Trustee West inquired about how the tours and requests for public official attendance usually occurs and stated her desire to attend in the future. Mr. Fabun shared that these types of visits are coordinated through the City Manager's Office. President Guerrero provided some insight into this particular visit and some special logistical requests by the Congresswoman.

AYES: Guerrero, Ledesma, Orozco, Alcala, Early

Entry No. 8 None.

Entry No. 9

NOES: None

The meeting adjourned at 6:21 PM.

MOTION: Orozco SECOND: Ledesma

ABSTAIN: None

ABSENT:

The consent agenda passed 5-0, by roll call vote.

Greg Fabun, Interim General Manager/Secretary

Reclamation District 900



Progress Report

May 19, 2022

ADMINISTRATION/FINANCE

ASSESSMENT ADMINISTRATION

Staff anticipates bringing an item to the Board in June for assessment administration services.

SHARED SERVICES AGREEMENT

The agreement was extended through September 26, 2022. The City will continue to provide support for General Manager transition.

GASB 75

The Interim General Manager renewed an agreement with Total Compensation Systems for reports including actuarial information necessary for the District to comply with the requirements of current GASB accounting standards 74/75 related to retiree health benefits. The agreement/service is through December 31, 2023. TCS will provide one full valuation at a cost of \$2,880 in year one and one "roll-forward" valuation at a cost of \$1,440 in year two and include a 10% discount.

RECRUITMENTS

Staff is preparing to initiate two recruitments: Assistant General Manager and Maintenance Worker I/II.

BUDGET

The District adopted three O&M Budgets (900 Drainage, 537 Drainage, Levee) for Fiscal Year 2021/22. Based on feedback from the 2020/21 Fiscal Audit, advice from the District CPA, and operational challenges with the District software, staff is recommending returning to a single budget for Fiscal Year 2022/23. Proposed O&M and Capital budgets will be brought to the Board for consideration in June along with projections for closeout of the FY 21/22 budgets.

COMPUTER/IT ASSESSMENT

An evaluation of the District's computer/IT systems was completed on April 12. Recommendations include computer upgrades, installation/use of Office 365, and creating a OneDrive account for the District for file sharing. A CIP budget request was approved by the Board in June with the adoption of FY 2021/22 budget. Staff is working with the City's IT division to recommend and spec the new equipment. It is expected to have the new equipment on board and operational for the transition to the new Drever Corp Yard facility later this fiscal year.

OPERATION AND MAINTENANCE

LEVEE MAINTENANCE

Nothing new to report. The tarped area is holding up well and is still on "standby" for repair this season. Inspections of levees are performed weekly, and all areas remain in good condition.

DRAINAGE

<u>Pump Station Maintenance</u>: Routine/periodic maintenance at pump stations will occur as needed following vegetation management.

<u>Canal/Detention Facilities Maintenance</u>: Application of herbicides to control broad leaf vegetation and routine maintenance of canals and detention facilities will continue throughout the summer.

SYSTEMWIDE INVESTMENT FRAMEWORK (SWIF)

WSAFCA is still waiting for final SWIF approval from the USACE. LWA is continuing work to identify all levee encroachments and to research status on whether they are permitted by the CVFPB. Staff was able to amend the 2021 Flood Maintenance Assistance Program (FMAP) agreement to cover costs associated with this effort in 2021 (~\$10,600).

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May 19, 2022 Progress Report

PROJECTS

BLACKER CANAL BANK STABILIZATION PROJECT

The notice of grant award from FEMA was received via Cal OES. The award was based on the total project cost at time of grant application (\$1.359M). The federal share is 75% (~\$1.02M). The District share is 25% (~\$340k). Staff will request additional grant funds to cover requirements from the USFW Biological Opinion (biological monitors, dewatering) and to account for increase cost of construction as it has been roughly 3 years since the original grant application was submitted. Cal OES has assured staff that the additional work will be covered. Construction is expected to occur in 2023.

<u>Environmental</u>: Staff is working with Marcus Bole & Associates to finalize the Mitigated Negative Declaration (MND) as well as permitting requirements with US Fish & Wildlife, the USACE, the RWQB and the CA Dept of Fish & Wildlife. Changes vacating the previous Administration's definitions of Waters of the US has complicated matters with the USACE for making jurisdictional determinations decisions.

<u>Plans and Specifications</u>: Plans are being updated to include additional cross sections and the dewatering requirement. The construction cost estimate will also be updated.

2021 FMAP

DWR approved the submitted final closeout report and reimbursement request. The reimbursement request was for \$138,524.05, which included \$9,174 in SWIF related activities, bringing the total reimbursement for 2021 to \$205,100 – the full amount authorized by the agreement. This agreement is now closed.

2022 FMAP

The agreement was fully executed in Jan 2022 for \$350,000. The scope under the agreement includes numerous O&M activities including vegetation management and SWIF deficiency items. Also to be included is the crack repair on the Southport Levee crown from last winter.

PERIODIC LEVEE INSPECTIONS

DWR/USACE

DWR completed its annual inspection on May 4, 2022. The preliminary report noted no significant findings.

EMERGENCY PREPAREDNESS

2022 EMERGENCY PREPARATION/FLOOD SEASON COORDINATION

Emergency preparedness Regional Exercise training is tentatively scheduled for August 2022.

COORDINATION WITH OTHER PROJECTS

CalTrans Trash Capture Project

No update on this item.

CITY OF WEST SACRAMENTO

Staff is coordinating with the City's Development Engineering Division on the Kinect Apartments to find a workable maintenance solution for the drainage canal that is on the southern border of the development (MC-10 discharge to main drain canal system).

COORDINATION WITH OTHER AGENCIES

WEST SACRAMENTO AREA FLOOD CONTROL AGENCY (WSAFCA)

The West Sacramento Project received \$17.9 million and a Construction New Start in the FY 22 Appropriations Bill. Hoping to receive the balance of funds (~\$17M) to reach the \$35 million request in the 2022 USACE Work Plan, expected the week of May 16, 2022. The President's FY 2023 budget request was released on March 30, 2022 and recommends \$79 million in construction funding. Shortly

May 19, 2022 Progress Report

after, Congresswoman Matsui issued a Press Release, applauding the administration for making significant investments in flood protection in the Sacramento Region, with allocations for the West Sacramento Project, Natomas, and the Yolo Bypass Study.

CENTRAL VALLEY FLOOD PROTECTION BOARD (CVFPB)

No updates to report.

SB 901 (PAN FLOOD CONTROL BILL)

No new updates since the bill passed the Senate Governance & Finance Hearing on April 7.

FUTURE

June 16, 2022 – WSAFCA Board Meeting, 9 am June 16, 2022 – RD 900 Board Meeting, 6 pm