

CLOSED SESSION AGENDA
REGULAR MEETING OF RECLAMATION DISTRICT 900
APRIL 21, 2022

Martha Guerrero, President

Quirina Orozco, Trustee
Norma Alcalá, Trustee

Chris Ledesma, Trustee
Dawnte Early, Trustee

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

5:45 PM Call to Order

AGENCY ATTORNEY

1. PUBLIC EMPLOYMENT – Government Code Section 54957(b)(1).
Title: General Manager

This meeting will be held over a secured Zoom teleconference platform.

I, Greg Fabun, Interim General Manager/Secretary, declare under penalty of perjury that the foregoing agenda for the April 21, 2022, Regular Meeting of Reclamation District 900 was posted on April 18, 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, General Manager/Secretary

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.

AGENDA

REGULAR MEETING OF RECLAMATION DISTRICT 900

APRIL 21, 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/a8FQ3-Sjz_o. 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

CONSENT AGENDA – PART II

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
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 OF AUTHORIZATION TO AMEND THE SHARED SERVICES AGREEMENT WITH THE CITY OF WEST SACRAMENTO FOR DISTRICT MANAGEMENT SERVICES
Comment: This item requests Board approval to amend the existing Shared Services Agreement with the City of West Sacramento for Interim General Manager services to complete an executive level recruitment and provide transition services for the new District General Manager.
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

Comment: This item requests the Board to authorize the District Interim General Manager to renew an insurance policy that provides coverage for the District's assets, employees and the Board in their capacity as public officials in support of District operations

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

Comment: This item requests the District, as the responsible Local Maintaining Agency, to endorse a permit application submitted to the Central Valley Flood Protection Board by the City of West Sacramento for the Southport Setback Levee Trailhead Project.

6. CONSIDERATION OF APPROVAL OF THE MARCH 24, 2022 SPECIAL 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 April 21, 2022, meeting of Reclamation District 900 was posted on April 18, 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.

MEETING DATE: April 21, 2022		ITEM # 2	
	SUBJECT:		
	<p align="center">CONSIDERATION OF RESOLUTION 22-04-01 ADOPTING FINDINGS NECESSARY TO CONTINUE CONDUCTING RECLAMATION DISTRICT 900 BOARD MEETINGS VIA TELECONFERENCE PURSUANT TO ASSEMBLY BILL 361</p>		
INITIATED OR REQUESTED BY:		REPORT COORDINATED OR PREPARED BY:	
<input type="checkbox"/> Council <input checked="" type="checkbox"/> Staff		Greg Fabun, Interim General Manager	
<input type="checkbox"/> Other			
ATTACHMENT <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Information	<input type="checkbox"/> Direction <input checked="" type="checkbox"/> Action

OBJECTIVE

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.

RECOMMENDED ACTION

Staff respectfully recommends that the Board adopt Resolution 22-04-01 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
<ul style="list-style-type: none"> Agendas must be posted at each teleconference location All teleconference locations must be listed on the agenda 	<ul style="list-style-type: none"> Agendas do not need to be posted at each teleconference location
<ul style="list-style-type: none"> Each teleconference location must be accessible to the public, and the public must be allowed to offer comments from each location 	<ul style="list-style-type: none"> 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
<ul style="list-style-type: none"> At least a quorum of the legislative body must be present within the agency’s territory 	<ul style="list-style-type: none"> 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 22-04-01 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 May 19, 2022, 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 22-04-01, making the findings required by AB 361; or
2. Adopt Resolution 22-04-01, making the findings required by AB 361 with directed revisions; or
3. Decline to adopt Resolution 22-04-01, 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.

Budget/Cost Impact

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 22-04-01



COUNTY OF YOLO

Health and Human Services Agency

Karen Larsen, LMFT
Director

Aimee Sisson, MD, MPH
Health Officer

MAILING ADDRESS
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.

Davis

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

West Sacramento

500 Jefferson Boulevard
West Sacramento, CA 95605
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 22-04-01

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)).

PASSED AND ADOPTED this 21st day of April 2022, by the following vote:

AYES:

NOES:

ABSENT:

Martha Guerrero, RD 900 President

ATTEST:

Ralph R. Nevis, RD 900 Attorney

MEETING DATE: April 21, 2022		ITEM # 3	
	SUBJECT: <p style="text-align: center;">CONSIDERATION OF AUTHORIZATION TO AMEND THE SHARED SERVICES AGREEMENT WITH THE CITY OF WEST SACRAMENTO FOR DISTRICT MANAGEMENT SERVICES</p>		
INITIATED OR REQUESTED BY: <input type="checkbox"/> Council <input checked="" type="checkbox"/> Staff <input type="checkbox"/> Other		REPORT COORDINATED OR PREPARED BY: Greg Fabun, Interim General Manager	
ATTACHMENT <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Information <input type="checkbox"/> Direction <input checked="" type="checkbox"/> Action			

OBJECTIVE

The objective of this report is to obtain the Reclamation District 900 (District) Board of Trustees (Board) approval to amend the existing Shared Services Agreement with the City of West Sacramento for Interim General Manager services to complete an executive level recruitment and provide transition services for the new District General Manager.

RECOMMENDED ACTION

Staff respectfully recommends that the Board approve Amendment No. 2 to the Shared Services Agreement with the City of West Sacramento, authorizing an appropriation of \$50,000 and extending the term for six months.

BACKGROUND

The General Manager position was vacated in March 2021. The District and City of West Sacramento entered into a Shared Services Agreement (Agreement) on March 26, 2021, for the City to provide an Interim General Manager for the District until a permanent replacement could be brought on board. The first recruitment effort was unsuccessful and the Board approved Amendment No. 1 to the Agreement on August 19, 2021.

ANALYSIS

The first recruitment conducted did not produce a viable candidate. After compensation adjustments, a second recruitment was conducted and is the final stages of selection and appointment. If this item is approved, Greg Fabun, Flood General Manager for the City of West Sacramento, will continue to serve as the Interim General Manager for the District for up to an additional six months, or until a permanent General Manager is hired. It is also anticipated that Mr. Fabun will provide transition services for the new General Manager during this time frame.

Alternatives

Staff recommends the Board extend the term and increase the capacity of the Agreement so that District management services can continue until a new General Manager is hired. The Board may elect to not extend the Agreement. This alternative is not recommended as it would potentially leave the District without any management support.

Coordination and Review

This report was prepared in coordination with District counsel.

Budget/Cost Impact

Costs associated with the amendment will be shared in accordance with the budget distribution for personnel – 75% 900 Drainage, 22.5% Levee and 2.5% 537 (900-North) Drainage.

ATTACHMENT

Amendment No. 2, Shared Services Agreement

ATTACHMENT 1

AMENDMENT NO. 2
to the SHARED SERVICES AGREEMENT between
Reclamation District No. 900 and
The City of West Sacramento
For Temporary General Manager Services
Dated March 26, 2021

This Amendment No. 2 to the Shared Services Agreement (“Agreement”) between Reclamation District No. 900 (“RD 900/District”) and the City of West Sacramento (“City”), dated March 26, 2021, is made and entered into effective as of April 21, 2022. Except as expressly amended herein, the March 26, 2021, Agreement is in full force and effect.

RECITALS

WHEREAS, the District and City executed an Agreement on March 26, 2021, for the City to provide temporary General Manager services for District; and

WHEREAS, the District and City executed Amendment No.1 to the Agreement on August 19, 2021, for the City to continue to provide temporary General Manager services for District; and

WHEREAS, General Manager services have been provided by the City for the past twelve months, inclusive of the date of the Agreement; and

WHEREAS, during that time an evaluation of the structure for permanent District Management was evaluated and a preferred structure was recommended; and

WHEREAS, also during that time two recruitments were conducted to fill the vacant General Manager position on a permanent basis; and

WHEREAS, the District and City desire to amend said Agreement.

NOW, THEREFORE, IT IS MUTUALLY AGREED by parties hereto to amend said Agreement as follows:

- I. **TERM.**
The term of the Agreement shall be extended to September 26, 2022.
- II. **COMPENSATION:**
The compensation is increased by \$50,000 for a total amount of \$150,000.

IN WITNESS WHEREOF the parties hereto have executed this Amendment as the date herein set forth.

Reclamation District No. 900

By: _____
Martha Guerrero, RD 900 President

City of West Sacramento

By: _____
Aaron Laurel, City Manager

APPROVED AS TO FORM

By: _____
Ralph R. Nevis, RD 900 Attorney

MEETING DATE: April 21, 2022	ITEM # 4
	SUBJECT: 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
INITIATED OR REQUESTED BY: <input type="checkbox"/> Council <input checked="" type="checkbox"/> Staff <input type="checkbox"/> Other	REPORT COORDINATED OR PREPARED BY: Greg Fabun, Interim General Manager
ATTACHMENT <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Information <input type="checkbox"/> Direction <input checked="" type="checkbox"/> Action	

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 District Interim General Manager to renew a general, commercial automobile and public officials/management liability insurance policy that provides coverage for the District's assets, employees and the Board in their capacity as public officials in support of District operations.

RECOMMENDED ACTION

Staff respectfully recommends that the Board:

1. Authorize the Interim General Manager to renew the insurance policy with the California Association of Water Companies Joint Powers Risk and Insurance Management Authority through Interwest Insurance Services, LLC (broker); and
2. Approve an appropriation of \$5,790 to cover the increase in cost over the amount adopted in the FY21/22 900 Drainage Budget.

BACKGROUND

Created in 1911, Reclamation District 900's mission is to operate and maintain both the levees and the internal drainage system that reduce flood risk for properties within its boundaries in the City of West Sacramento. The District is responsible for the operation and maintenance of 9 pump stations, 33 pumps/motors, 6 detention basins, 38 miles of canals and 13 miles of levees. As owner of these facilities as well as the large amount of real associated property, the District is exposed to the typical risks associated with property ownership.

The operation of these flood risk reduction systems entail significant exposures beyond the capacity of typical liability insurance policies and are uninsurable through the pooled risk entities often used by municipalities. Consequently, insuring levee systems and their governing bodies is a specialty with many limitations in coverage. AB 656 (2015) provides for the creation and operation of associations that can provide insurance coverages to special districts and agencies. Currently, the California Association of Mutual Water Companies (CalMutuals) Joint Powers Risk and Insurance Management Authority (JPRIMA) provides insurance coverage to the District.

ANALYSIS

The current policy contains three types of insurance: General/Property/Management Liability; Commercial Automobile; and Excess Liability. The general liability policy provides the District protection in the conduct of its typical business activities and for events, incidents or injuries that may occur on District property for which the District could be held liable. The Management/Public Officials Liability policy protects the Board from liability related to actions made in their official capacity and includes coverage for employment practices, employee benefits, duty to defend, inverse condemnation and covers both current, past and future employees/Board members.

The policy is contracted and managed through several entities. CalMutuals is an association of primarily water service agencies. The District is a member of CalMutuals. JPRIMA is the insurance underwriting entity along with Allied World (Allied). Allied is the policy's managing underwriter. Interwest Insurance Services, LLC is the broker.

The total policy renewal cost is \$65,790, an 11% (\$6.039) increase over the previous year. The increase is related to overall insurance industry conditions, specifically payouts related to wildfire and weather events. The Agency has a current budget allocation of \$60,000 for insurance costs. The recommended action includes a budget appropriation request of \$5,970 to cover the difference.

Alternatives

The recommendation is to authorize the Interim General Manager to renew the insurance policy. The Board can elect to forego acquiring insurance coverage. This alternative is not recommended. The Board can also direct staff to seek out and solicit additional proposals. Previous solicitations have not been successful due to the underlying risk associated with internal drainage levee systems and the lack of competing insurance products providing similar coverages. This alternative is also not recommended.

Coordination and Review

The policy terms and report were prepared by staff in consultation with District counsel.

Budget/Cost Impact

Insurance costs are included in the District's annual budget. An additional appropriation of \$5,970 is requested to cover the insurance premiums costs above the budgeted amount. There are sufficient reserves in the District fund to cover the additional expense.

ATTACHMENT

1. Insurance Coverage Proposal, Interwest, LLC

RECLAMATION DISTRICT #900



4/1/2022 to 4/1/2023

Presented by

Shaun Alley, CIC

Revised 3/31/2022



P.O. Box 255188
Sacramento, CA 95865-5188

www.iwins.com
CA DOI #0B01094

DISCLAIMER: COVERAGE SUMMARIES PROVIDED HEREIN ARE INTENDED AS AN OUTLINE OF COVERAGES ONLY. IN THE EVENT OF A LOSS, ALL TERMS, CONDITIONS AND EXCLUSIONS OF THE ACTUAL POLICIES WILL APPLY.

COMPENSATION DISCLOSURE STATEMENT



InterWest Insurance Services does business with multiple competing insurance companies, enabling us to offer a variety of coverage choices and customize a plan to satisfy your specialized needs. We will endeavor to obtain quotes that meet the needs of your business and fit the preferences and options you have provided. Ultimately, coverage will be placed on your behalf, matching your selected options of insurance products, type and amount of coverage, deductibles and other material terms related to your insurance protection.

Our proposals are outlines of the coverages offered by our insurers based on the information provided by your company. The information is also based on the historical loss experience and exposures provided by you, and is not an actuarial study. The proposals do not include all terms, coverages, exclusions, limitations or conditions of the actual contract language. To fully understand the details of the coverages, terms and conditions, you need to review the policy contracts which will be provided at your request.

For the services we provide to our clients, InterWest receives usual and customary commissions or fees, and occasionally fees in addition to commissions, from the insurance companies providing the coverages. This commission percentage is set by the insuring company, not by us, and is included as part of the insurance premium you pay. Commissions do vary by company, but our advice to you will be based on what we think is suitable for the needs you have communicated to us and not on the amount of commissions we receive. We charge you nothing for the placement of your policies, as we are compensated for this service in the commission previously described. However, we may charge fees for other professional services you ask us to perform.

In placing, renewing, consulting on or servicing retail insurance policies, InterWest may participate in contingent commission agreements with select insurers that provide for additional compensation if underwriting, profitability, volume or retention goals are achieved over multiple years. It is usually impossible to know at the time of placement whether a specific policy will contribute to, or detract from, our potential eligibility for future additional compensation from the insurer.

In addition to commissions, fees and potential contingent compensation, InterWest may also receive investment income on funds temporarily held in our trust accounts, such as premiums or return premiums.

If you have any questions regarding the compensation received by InterWest in relation to insurance placement, please contact your InterWest representative.

Let our experience guide you.

DISCLAIMER: COVERAGE SUMMARIES PROVIDED HEREIN ARE INTENDED AS AN OUTLINE OF COVERAGES ONLY. IN THE EVENT OF A LOSS, ALL TERMS, CONDITIONS AND EXCLUSIONS OF THE ACTUAL POLICY APPLY.

CA DOI #0B01094



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CA DOI #0B01094



YOUR SERVICE TEAM

Coverage and Policy Services

Shaun Alley, CIC, Vice President

Direct Line: (916) 609-8464
Email: salley@iwins.com

Pam Sey, Account Manager

Direct Line: (916) 609-8340
Email: psey@iwins.com

Risk Management/Claims

Risk Management Services:

Diana Gonzalez Garcia, Risk Manager

Direct Line: (916) 609-8387
Email: dgarcia@iwins.com

Property/Casualty Claims:

Doug Tackett, Claims Consultant, Property & Casualty

Direct Line: (916) 609-8438
Email: dtackett@iwins.com

Workers Compensation Claims:

Nolema Bailes, Sr. Claims Advocate

Direct Line: (916) 609-8453
Email: nbailes@iwins.com

Additional Services:

Surety Bonds:

Sara Walliser, Surety Department Manager

Direct Line: (530) 897-3197
Email: swalliser@iwins.com

Personal Lines:

Paul Durrans

Direct Line: (916) 609-8416
Email: pdurrans@iwins.com

Employee Benefits:

Taryn Bacon, Employee Benefits Broker

Direct Line: (916) 609-8463
Email: tbacon@iwins.com

Let our experience guide you.

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CA DOI #0B01094

NAMED INSUREDS/LOCATIONS

First Named Insured

Reclamation District #900

Mailing Address

P.O. Box 673
West Sacramento, CA 95691

Location Schedule

Loc #	Address
1	1420 Merkley Ave., #4, West Sacramento, CA 95691 REMOVED
2	5000 Jefferson Blvd., West Sacramento, CA 95691
3	3170 Southport Parkway, 38 32'29.9"N 121 34'54.7"W, West Sacramento, CA 95691
4	Causeway West Levee, 38 34'21.50"N 121 34'54.72"W, West Sacramento, CA 95691
5	Racetrack, NE Corner 4200 West Capital, 38 34'47.08N 121 34'11.40W, West Sacramento, CA 95691
6	Touchstone Pump Station, 38 33'08.51"N 121 32'56.32"W, West Sacramento, CA 95691
7	Larchmont Pump Station, 38 32' 37.02"N 121 33'.31-02"W, West Sacramento, CA 95691
8	30035 Barberry Place, (Rivermont Pump Station), 38 31' 12.19'N 121 33'31.07'W., West Sacramento, CA 95691
9	100 Apache Street, (Parlin Ranch Pump Station), West Sacramento, CA 95691
10	1930 Lake Washington Blvd., (MC10 Pump Station), West Sacramento, CA 95691
11	Corner of Jefferson & Perkins, 38 32' 38.43"N 121 32' 41.90"W, (High School Pump Station), West Sacramento, CA 95691 Liability Only
12	889 Drever Street, West Sacramento, CA 95605
13	RD 537 Pump Station, Couty Road 127 & Tule Jake Rd., 38 35'50.20"N 121 34'35.26"W, West Sacramento, CA 95605

Let our experience guide you.

DISCLAIMER: COVERAGE SUMMARIES PROVIDED HEREIN ARE INTENDED AS AN OUTLINE OF COVERAGES ONLY. IN THE EVENT OF A LOSS, ALL TERMS, CONDITIONS AND EXCLUSIONS OF THE ACTUAL POLICY APPLY.

CA DOI #0B01094

PROPERTY

Carrier:	Joint Powers Risk & Ins Mgmt
Policy Period:	4/1/2022 to 4/1/2023
AM Best Rating:	A XV

BLANKET VALUES

<u>Subjects of Insurance</u>	<u>Limits</u>	<u>Deductible</u>
Buildings and Bus Pers Property	\$14,501,489	\$1,000
Business Income/Extra Expense	\$2,000,000	

BREAKDOWN OF BLANKET VALUES

<u>Subjects of Insurance</u>	<u>Limits</u>	<u>Deductible</u>
<u>Loc 2: 5000 Jefferson Blvd. West Sacramento, CA 95691</u>		
Equipment	\$1,000,000	\$1,000
Pump Station	\$2,000,000	\$1,000
<u>Loc 3: 3170 Southport Parkway West Sacramento, CA 95691</u>		
Pump Station	\$1,600,000	\$1,000
Equipment	\$400,000	\$1,000
<u>Loc 4: Causeway West Levee West Sacramento, CA 95691</u>		
Pump Station	\$1,600,000	\$1,000
Equipment	\$600,000	\$1,000
<u>Loc 5: Racetrack, NE Corner 4200 West Capital West Sacramento, CA 95691</u>		
Pump Station	\$50,000	\$1,000
Equipment	\$100,000	\$1,000

Let our experience guide you.

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CA DOI #0B01094

PROPERTY

BREAKDOWN OF BLANKET VALUES – cont'd

<u>Subjects of Insurance</u>	<u>Limits</u>	<u>Deductible</u>
<u>Loc 6: Touchstone Pump Station West Sacramento, CA 95691</u>		
Building	\$200,000	\$1,000
Equipment	\$100,000	\$1,000
<u>Loc 7: Larchmont Pump Station West Sacramento, CA 95691</u>		
Building	\$200,000	\$1,000
Equipment	\$100,000	\$1,000
<u>Loc 8: 30035 Barberry Place West Sacramento, CA 95691</u>		
Building	\$200,000	\$1,000
Equipment	\$100,000	\$1,000
<u>Loc 9: 100 Apache Street West Sacramento, CA 95691</u>		
Building	\$200,000	\$1,000
Equipment	\$100,000	\$1,000
<u>Loc 10: 1930 Lake Washington Blvd. West Sacramento, CA 95691</u>		
Building	\$1,600,000	\$1,000
Equipment	\$400,000	\$1,000
<u>Loc 12: 889 Drever Street West Sacramento, CA 95605</u>		
Building	\$1,701,489	\$1,000
Office Contents	\$50,000	\$1,000
<u>Loc 13: RD 537 Pump Station, Tule Jake Rd., West Sacramento, CA 95605</u>		
Pump Station	\$1,600,000	\$1,000
Equipment	\$600,000	\$1,000

Let our experience guide you.

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CA DOI #0B01094



PROPERTY

Additional Coverages:

\$1,000 Deductible applies unless otherwise noted

PROPERTY SUBLIMITS		Amount
Accounts Receivable		\$500,000
Valuable Papers & Records		\$500,000
Contamination to real or personal property		\$250,000
Tools & Equipment Owned by Your Employees	No deductible	\$5,000
Personal Effects & Property of Others	No deductible	\$5,000
Outdoor Property (unscheduled)		\$100,000
New Locations or Newly Constructed Property		\$1,000,000
Business Personal Property at New Locations		\$1,000,000
Utility Services – Direct Damage		\$250,000
Utility Services – Business Income & Extra Expense		\$250,000
Dependent Business Premises		\$250,000
Property at Other Locations		\$250,000
Pollution Remediation Expense (Specified Cause of Loss)		\$250,000
Pollution Remediation Expense (Covered Cause of Loss)		\$100,000
Contract Penalties		\$100,000
SCADA Upgrades		\$100,000
Property In Transit		\$100,000
Backup/Overflow of Water from Sewer, Drain, Sump		\$250,000
Fine Arts		\$25,000
Limited Coverage for Fungus, Wet Rot or Dry Rot		\$50,000
Trees, Shrubs & Plants (Max \$1,000 any one item)		\$25,000
Indoor & Outdoor Signs (Unscheduled)		\$50,000
Arson Reward		\$10,000
Rental Reimbursement – Mobile Equipment	No deductible	\$10,000
Fire Department Service Charge	No deductible	\$25,000
Non Owned Detached Trailers		\$5,000
Cost of Inventory or Adjustment		\$5,000
Water Contamination Notification Expenses	No deductible	\$5,000
Patterns, Dies, Molds, Forms		\$2,500
Fire Protection Devices	No deductible	\$25,000
Debris Removal		25% of Scheduled Limit plus \$250,000
Ordinance or Law Provision		100% of Scheduled Limit plus 25%

Additional coverages & limits shown above are subject to policy terms & conditions. Please refer to policy..

Let our experience guide you.

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CA DOI #0B01094



PROPERTY

Blanket Coverage Extension Limits: \$2,000,000

- Business Income
- Extended Business Income
- Commandeered Property
- Civil Authority
- Extra Expense
- Tenants Leasehold Interest Loss
- Electronic Data
- Preservation of Property

Property Conditions

Form Special form/Allrisk, subject to policy exclusions principally earth quake / earth movement and flood.

Coverage Inclusion: Equipment Breakdown

Deductible: \$1,000
Exception: \$2,500 Equipment Breakdown – greater than 50ft below ground

Coinsurance: None

Valuation: Replacement on Buildings and Business Pers Property
Actual Loss Sustained Business Income/Extra Expense
Market Price on Fine Arts

Coverages outlined in this Summary are considered an overview of availability. Please refer to your policy for applicable terms, conditions and exclusions.

Let our experience guide you.

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CA DOI #0B01094



MOBILE EQUIPMENT

Carrier:	Joint Powers Risk & Ins Mgmt
Policy Period:	4/1/2022 to 4/1/2023
AM Best Rating:	A XV

UNSCHEDULED EQUIPMENT

<u>Description</u>	<u>Maximum Per Item</u>	<u>Amount of Insurance</u>
Unscheduled	10,000	\$ 51,000
Rented/Leased/Borrowed Equip		\$500,000

Let our experience guide you.

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CA DOI #0B01094

MOBILE EQUIPMENT

SCHEDULED EQUIPMENT

Item #	Description	ID/Serial #	Amount of Insurance
1	John Deere410C Backhoe		\$30,000
2	2006 John Deere 410G Loader	T0410GX958816	\$40,000
3	Porters MEC8 Box Scraper	40390	\$19,244
4	Porters Disc POD 117	40389	\$13,522
5	2015Aebi Terratract TT280	32907	\$172,260
6	2015 Seppi Flail Mower att'd to 2015 Aebi Terratract	391110064	\$9,500
7	Klamath 13ft Boat	T520344QT79319	\$14,053
8	Massimo MSU 500 EFI UTV	LWGMDDTZ43FA00722	\$6,000
9	2010 Tiger TFK96C HD Pak-Flail Mower	TRF96-1712	\$9,856
10	2015 Tiger Mower TKF-96C HD and Tiger Rear Flail 96'	TRF961780	\$10,264
11	2019 Spider ILD02sg mower w/winch		\$38,500
12	2020 Aebi Terratract Tractor w/ att'd 2020 Seppi Flail Mower	TAH43401EK1119007 45111-0097	\$252,000

Inland Marine Conditions:

Covered Causes of Loss: Special (Subject to policy exclusions. Principle exclusions are flood, earthquake / earth movement.)

Valuation: Actual Cash Value

Deductible: \$1,000

Coinsurance: None

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CA DOI #0B01094



CRIME

Carrier:	Joint Powers Risk & Ins Mgmt
Policy Period:	4/1/2022 to 4/1/2023
AM Best Rating:	A XV

Blanket Limits:

Coverage	Limit	Deductible
Employee Theft	\$250,000	\$1,000
Forgery or Alteration	\$250,000	\$1,000
Theft of Money and Securities		
Inside premises	\$250,000	\$1,000
Robbery or Burglary of Other Property		
Inside the premises	\$250,000	\$1,000
Theft & Robbery Outside the Premises	\$250,000	\$1,000
Computer Fraud & Money Orders	\$250,000	\$1,000
Funds Transfer Fraud	\$250,000	\$1,000

Policy Highlights:

- Separate Limits Apply to Each Coverage
- Coverage Extended to Directors & Authorized Volunteers
- Faithful Performance of duty for employee

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CA DOI #0B01094

COMMERCIAL GENERAL LIABILITY

Carrier:	Joint Powers Risk & Ins Mgmt
Policy Period:	4/1/2022 to 4/1/2023
AM Best Rating:	A XV

COVERAGES

LIMITS

General Liability Aggregate Limit	\$10,000,000
Products/Completed Operations Aggregate Limit	\$10,000,000
Personal/Advertising Injury Limit	\$1,000,000
General Liability Per Occurrence Limit	\$1,000,000
Damage to Rented Premises	\$1,000,000
Medical Expense (Any one Person)	\$10,000

DEDUCTIBLES

AMOUNT

Bodily Injury/Property Damage:	None
--------------------------------	------

Coverage Highlights:

- Duty to Defend
- Water & Wastewater Testing Errors & Omissions
- Expanded Pollution Liability
- Failure to Supply
- Lead (potable water)
- Waterborne Asbestos (potable water)
- Product Recall
- Impaired Property
- Fungi & Bacteria
- Dam, Levee & Kike Structural Failure

HAZARDS Schedule:

Loc #	Classification	Premium Basis	Exposure
ALL	Waterworks Field	Payroll -	350,000
All	2021 Budget Expenses		2,238,220
All	Dam, Levee & Dike	Other	20 miles
11	Owned Building	A	17,000sqft

Let our experience guide you.

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CA DOI #0B01094



COMMERCIAL AUTOMOBILE

Carrier:	Joint Powers Risk & Ins Mgmt
Policy Period:	4/1/2022 to 4/1/2023
AM Best Rating:	A XV

Coverage	Symbols	Limit/Deductible
Liability	1 8 9	\$1,000,000 CSL
Medical Payments	2	\$5,000 Ea Person
Uninsured/Underinsured Motorist	2	\$1,000,000 CSL
Comprehensive	2 8	\$500 Deductible
Collision	2 8	\$500 Deductible
Non-Owned Auto Liability	9	Included States: CA
Hired/Borrowed Liability	8	Included States: CA
Hired Physical Damage	8	\$100,000 ACV/Cost to repair whichever is less deductible
Comprehensive Deductible		\$500
Collision Deductible		\$500

- COVERED AUTO SYMBOLS**
- | | | |
|-----------------------------------|---|---------------------------------|
| (1) ANY AUTO | (4) OWNED AUTOS OTHER THAN PRIVATE PASSENGER | (7) AUTOS SPECIFIED ON SCHEDULE |
| (2) ALL OWNED AUTOS | (5) ALL OWNED AUTOS WHICH REQUIRE NO-FAULT COVERAGE | (8) HIRED AUTOS |
| (3) OWNED PRIVATE PASSENGER AUTOS | (6) OWNED AUTOS SUBJECT TO COMPULSORY U.M. LAW | (9) NON-OWNED AUTOS |

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CA DOI #0B01094

COMMERCIAL AUTOMOBILE

Vehicle Schedule*:

Veh#	Year, Make Model ID	Liab	Med	U.M.	Comp Ded	Coll. Ded
1	2011 FORD F250 1FTBF2B68BEA52700	✓	✓	✓	\$500	\$500
2	2015 FORD Explorer 1FM5K8B84FGB32756	✓	✓	✓	\$500	\$500
3	2009 Carson Utility 4HXSU122790146411	✓			\$500	\$500
4	2016 PJ Trailer 22' Deckover Tilt Trlr 4P5T82220G1242653	✓			\$500	\$500
5	2016 Ford F150 1FTFX1EG7GKF73199	✓	✓	✓	\$500	\$500
6	2017 PJ 12x 83 Dump Trlr 4P5DM1227H1262894	✓			\$500	\$500
7	2017 Int'l Workstar 7000 Dump Trk 1HTWCTAR8HH522598	✓	✓	✓	\$500	\$500
8	2017 Towmaster Utility Trlr 4KNFT242XHL162681	✓			\$500	\$500
9	2017 EZ Loader Boat 1ZEAAAKA3HA009128	✓	✓	✓	\$500	\$500
10	2018 Ford F550 1FDUF5HY2JEC11319	✓	✓	✓	\$500	\$500
11	2018 Ford F550 1FDUF5HY0JEC11318	✓	✓	✓	\$500	\$500
12	2019 Chevy Traverse REMOVED					
13	2019 Ford F-250 1FT7W2B67KEC35057	✓	✓	✓	\$500	\$500
14	2010 John Deere 6330 1L06330H631310	✓			\$500	\$500
15	2014 John Deere w/equip 6115 1L06115MCEH811400	✓			\$500	\$500
16	2019 P.J. Deckover Tilt Trailer 4P5T82224K1303463	✓			\$500	\$500

* Note: All vehicles insured on this policy should be registered to the named insured.

Let our experience guide you.

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CA DOI #0B01094



COMMERCIAL AUTOMOBILE

Drivers

#	Name
1	Brian L Rohmer
2	Dustin Miller
4	Israel Barajas
5	Linda Massaro
6	James Cihojnichi REMOVED
7	Rogelio Cornejo Yerena
8	Greg Fabun

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CA DOI #0B01094

BUSINESS MANAGEMENT LIABILITY

Carrier:	Joint Powers Risk & Ins Mgmt
Policy Period:	4/1/2022 to 4/1/2023
AM Best Rating	A XV

Public Officials/Management Liability

COVERAGES	LIMITS
Aggregate Limit	\$10,000,000
Wrongful Acts	\$1,000,000
Employment Practices (incl Third Party Discrimination)	\$1,000,000
Employee Benefits Plans	\$1,000,000
Injunctive Relief	\$5,000

Policy Form: Occurrence policy form
Defense costs outside the limits

DEDUCTIBLES

TYPE	AMOUNT
Each Wrongful Act or Offense including expenses	\$5,000

COVERAGE HIGHLIGHTS

- Inverse Condemnation
- Duty to Defend
- Broad Definition of Enrolled Named Insured including past & future employees
- Outside Directorship

Let our experience guide you.

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CA DOI #0B01094

EXCESS LIABILITY

Carrier:	Joint Powers Risk & Ins Mgmt
Policy Period:	4/1/2022 to 4/1/2023
AM Best Rating:	A XV

COVERAGE

Limit of Liability:	Each Occurrence:	\$5,000,000
	Aggregate:	\$5,000,000
Self Insured Retention:		None

****Higher limits are available upon request.***

UNDERLYING LIMITS

Type of Coverage	Carrier	Policy Term	Limit	
Automobile Liability	Joint Powers Risk & Ins Mgmt	04/01/2022 to 04/01/2023	\$1,000,000	CSL
General Liability	Joint Powers Risk & Ins Mgmt	04/01/2022 to 04/01/2023	\$1,000,000	Ea Occurrence
			\$10,000,000	Aggregate
Public Officials & Management Liab	Joint Powers Risk & Ins Mgmt	04/01/2022 to 04/01/2023	\$1,000,000	Per Act
			\$10,000,000	Aggregate
Employers Liability	Wesco Ins	07/01/2021 to 07/01/2022	\$1,000,000	Ea Employee
			\$1,000,000	Ea Accident
			\$1,000,000	Disease Pol Lmt

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CA DOI #0B01094

PREMIUM COMPARISON

<u>COVERAGE</u>	<u>EXPIRING PREMIUM</u>	<u>RENEWAL PREMIUM</u>
Property (incl Inland Marine)	\$11,487	\$12,173
Crime	\$ 450	\$ 450
General Liability	\$12,577	\$15,428
Public Officials/Mgmt Liab	\$ 2,976	\$ 3,754
Automobile	\$17,672	\$17,848
Excess Liability	<u>\$ 9,065</u>	<u>\$10,065</u>
Total Premium Due	\$54,227	\$59,718
JPRIMA Fees	<u>\$ 5,524</u>	<u>\$ 6,072</u>
Total Cost Due	\$59,751	\$65,790

Let our experience guide you.

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CA DOI #0B01094



CLIENT ACKNOWLEDGEMENT

Coverage(s) Proposed for *Reclamation District #900*:

• Property	• Mobile Equipment
• General Liability	• Commercial Automobile
• Board of Directors/Bus Mgmt	• Excess Liability

I have reviewed your proposal dated 03/31/2022 Please bind coverage on my (our) behalf. Please initial your choice below:
 DS
 GF
 _____ As Proposed OR _____ With the Following changes:

Other Suggested Coverages

Coverage	Quote Requested
Boiler & Machinery	
Crime Coverage (incl in quote)	
Cyber Liability	
Directors & Officers Liability (incl in quote)	
Earthquake	
Employment Practices Liability (incl in quote)	
Fiduciary Liability (ERISA)	
Flood	
Increased Building Limits	
Increased Liability Limits	
International Coverage	
Pollution Liability	
Professional Liability	

****Please note:** Prior to making a request for a midterm policy cancellation please discuss with your Broker as short rate penalties may apply.

DocuSigned by:
 Authorized Signature:
 Greg Fabun
 7179151A3CBC481...

Date:
 3/31/2022

Producer Signature:
 Shaun Alley

Date:
 03/31/2022

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CA DOI #0B01094



POLICY DELIVERY PREFERENCE

Insured: *Reclamation District #900*

Policy Delivery

If desired, your policy can be delivered to you electronically. To do so we need the authorization of an owner or officer of the company. If you would like to have your policy(ies) delivered electronically, please select one of the following options and sign where indicated. Note that this authorization will remain in effect until you advise us otherwise.

- Please deliver my policy(ies) to me at this email address: gregf@cityofwestsacramento.org
- Please deliver my policy(ies) to me on my Client Portal Page.
- I prefer to have my policy hard copy mailed to me via U.S. Mail.

DocuSigned by:
 Authorized Signature: *Greg Fabun* Date: 3/31/2022
7179151A3CBC481...

Producer Signature: Shaun Alley Date: 03/31/2022

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CA DOI #0B01094

MANAGE MY INSURANCE



In keeping with our unwavering commitment to providing a full range of state-of-the-art products and outstanding client care, InterWest offers a self-service online solution with 24/7 access to manage your insurance information.

The availability of our client portal is not limited by our office hours. Your policy information is accessible online or via the InterWest mobile app when and how you prefer. Many of the transactions you currently initiate via phone or email can now be managed through your password-protected portal including:

- Obtaining or Issuing a Certificate of Insurance
- Printing Auto ID Cards
- Requesting a Change to your Policy
- Viewing Basic Policy Information

For additional information or assistance with registering for your Manage My Insurance access, please contact your InterWest representative.

Let our experience guide you.

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CA DOI #0B01094

MEETING DATE: April 21, 2022	ITEM # 5
SUBJECT:	
	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
INITIATED OR REQUESTED BY: <input type="checkbox"/> Council <input checked="" type="checkbox"/> Staff <input type="checkbox"/> Other	REPORT COORDINATED OR PREPARED BY: Greg Fabun, Interim General Manager
ATTACHMENT <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Information <input type="checkbox"/> Direction <input checked="" type="checkbox"/> Action	

OBJECTIVE

The objective of this report is to present sufficient information to the Reclamation District 900 (RD 900/District) Board of Trustees (Board) to endorse a permit application on behalf of the District, as the responsible Local Maintaining Agency (LMA), submitted to the Central Valley Flood Protection Board (CVFPB) by the City of West Sacramento (City) for the Southport Setback Levee Trailhead Project.

RECOMMENDED ACTION

Staff respectfully recommends that the Board endorse the City's permit application, attached hereto as Attachment 1, with the conditions specified in the application and as outlined below.

BACKGROUND

California Code of Regulations, Title 23, Division 1, Chapter 1, Article 3, provides the framework and procedures for the encroachment permit application process required by the CVFPB, part of which is the requirement that an applicant obtain endorsement of the project/application by the LMA that has jurisdiction over where the project is to take place as part of the application process. In this instance, the City is the applicant, and the project is to take place within the District's jurisdiction.

ANALYSIS

The City proposes to construct the Southport Levee Trailhead Project (Project), a new trailhead facility adjacent to the Southport Setback Levee at the eastern end of Linden Road. The proposed project will construct an asphalt parking area, restrooms, bicycle racks, an informational kiosk, signage, shade elements, seating, and other support amenities. The project will also construct an ADA-accessible ramp from the parking lot to the top of levee that will eventually connect to the planned Southport Levee Trail.

Because the Project is located adjacent to and on top of a state plan of flood control facility, an encroachment permit from the Central Valley Flood Protection Board is required as well as a 408 permit from the US Army Corps of Engineers.

District staff has reviewed the plans and specifications, has provided minor comments and recommendations and overall supports the Project. Further, staff has determined that the improvements will not interfere with or hinder District responsibilities for Operation & maintenance nor flood fighting operations. An encroachment permit will be required from the District before the Project can proceed and will cover operation and maintenance responsibilities the applicant/Project owner. Accordingly, staff recommends the Board endorse the application with the following condition: the City complete and obtain an RD 900 Encroachment Permit, in substantially the form attached in Attachment 2.

Alternatives

The recommendation is that the Board execute the endorsement of the Permit with the conditions noted. The Board may choose not to provide the endorsement, to delay endorsement, or to request additional conditions. Staff does not recommend delaying or refusing to endorse the Permit as the Project cannot move forward without LMA endorsement and with a District-issued Encroachment Permit, the facilities to be constructed will not hinder District operations.

Coordination and Review

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

Budget/Cost Impact

There is no direct budget or cost impact associated with this item.

ATTACHMENT

1. CVFPB Permit Application
2. Draft RD 900 Encroachment Permit Application

APPLICATION FOR A CENTRAL VALLEY FLOOD PROTECTION BOARD ENCROACHMENT PERMIT

Application No. _____ (For Office Use Only)

1. Description of proposed work being specific to include all items that will be covered under the issued permit.

The City of West Sacramento proposes to construct a new trailhead facility adjacent to the Southport Levee Setback Project in Yolo County, California. The purpose of the Project is to create Americans with Disabilities (ADA)-compliant accommodations and other amenities to enhance public access and support trail use and open space opportunities in the area. For a full Project description, see the attached pages.

2. Project Location: City of West Sacramento County, in Section Yolo County Township: 8N (N) (S), Range: 4E (E) (W), M. D. B. & M. Latitude: 38°32'28.91"N Longitude: 121°30'57.01"W Stream: Sacramento River, Levee: Southport Designated Floodway: N/A APN: 046-030-040-000

3. The City of West Sacramento of 1110 West Capitol Avenue, 2nd Floor Name of Applicant / Land Owner Address

West Sacramento California 95691 (916) 617- 4683 City State Zip Code Telephone Number E-mail

4. Scott Salembier of Dokken Engineering Name of Applicant's Representative Company

Folsom CA 95630 916-858-0642 City State Zip Code Telephone Number E-mail ssalembier@dokkenengineering.com

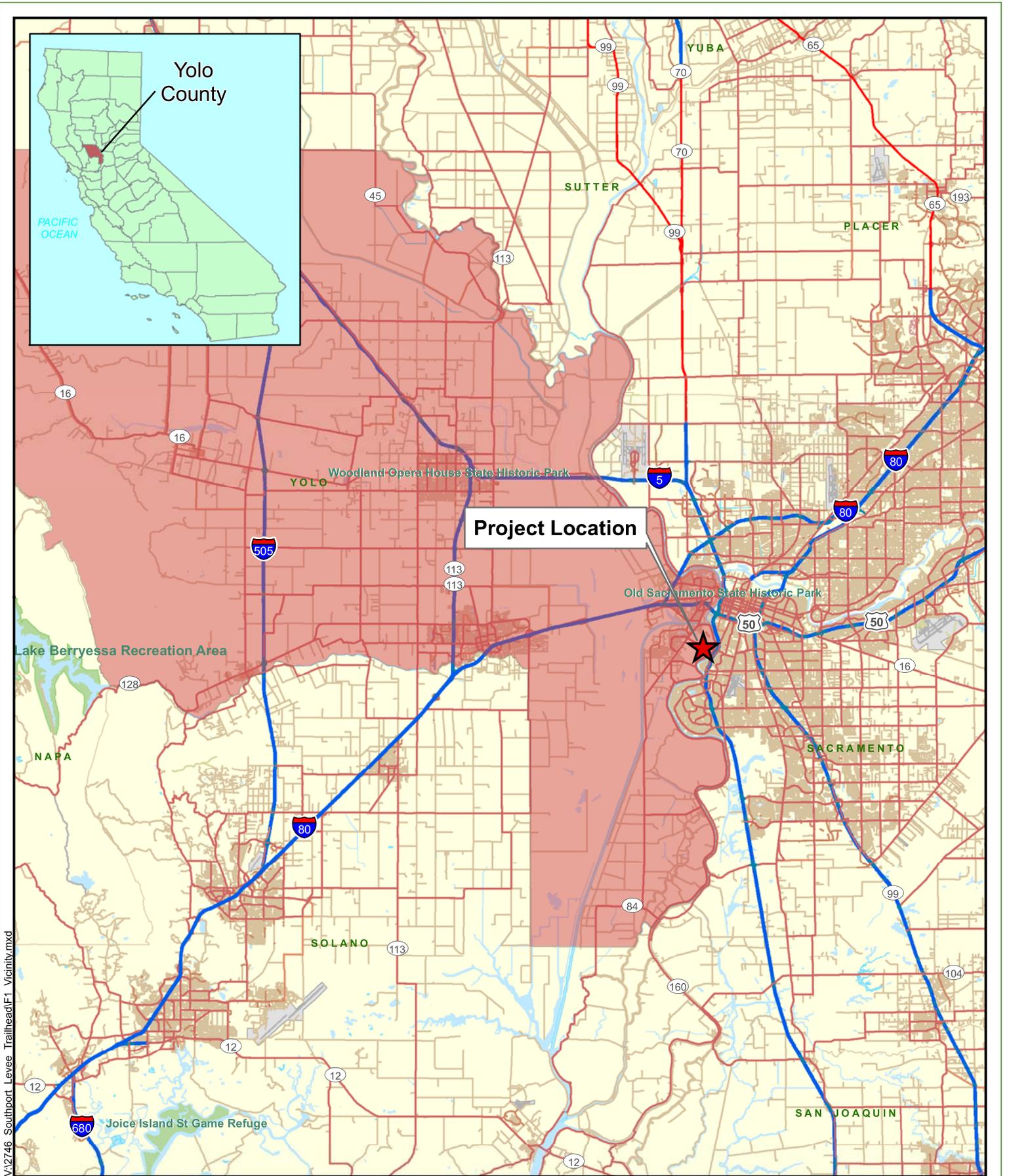
5. Endorsement of the proposed project from the Local Maintaining Agency (LMA):

We, the Trustees of Reclamation District 0900 approve this plan, subject to the following conditions: Name of LMA

Conditions listed on back of this form Conditions Attached (Exhibit F) No Conditions

Trustee Date Trustee Date Trustee Date Trustee Date

EXHIBIT A



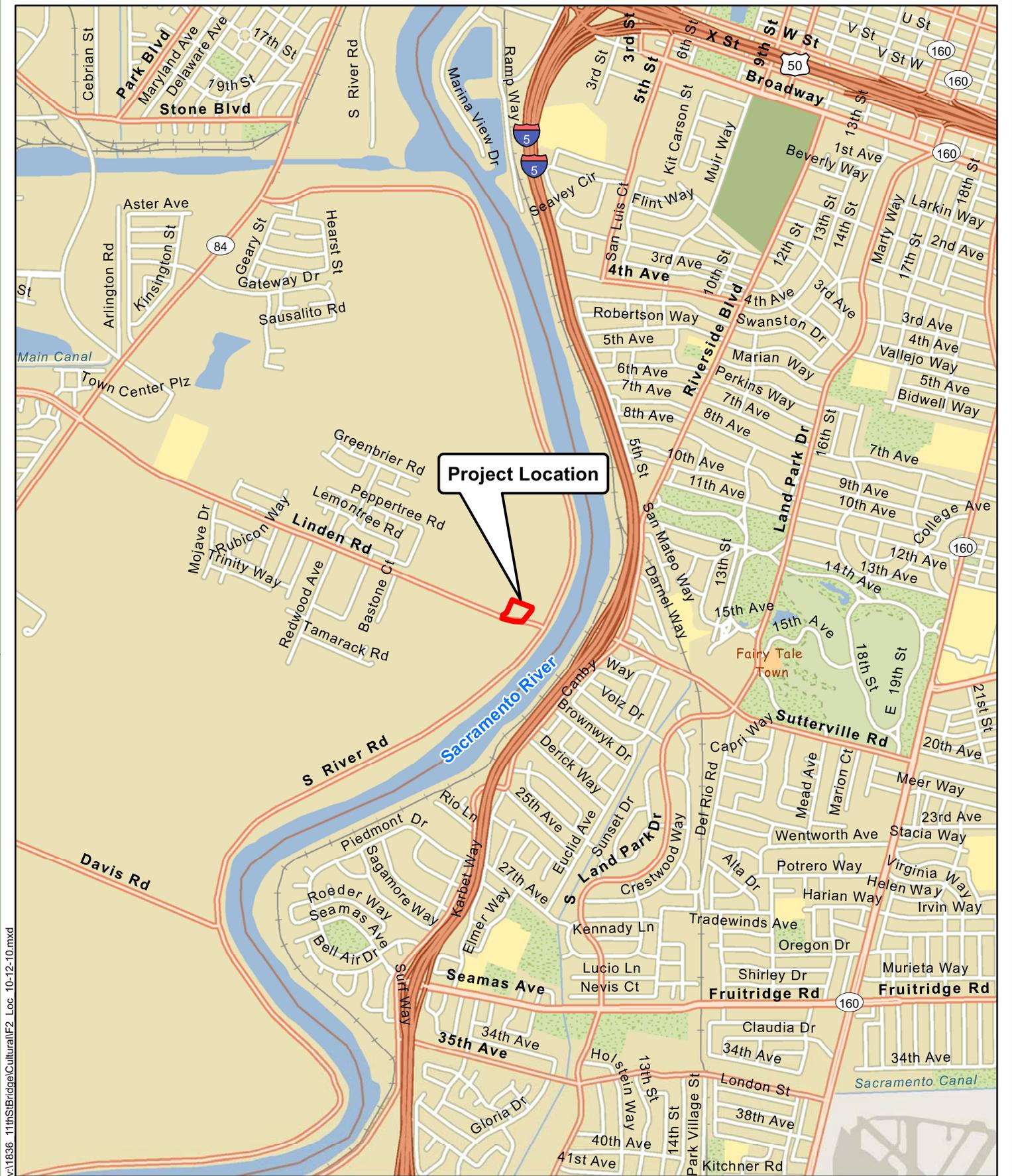
V:\2746_Southport_Levee_Trailhead\F1_Vicinity.mxd

Source: ESRI 2008; Dokken Engineering 1/26/2021; Created By: ahale



0 5 10 15 Miles

Figure 1
Project Vicinity
Southport Levee Trailhead Project
City of West Sacramento
Yolo County, California



va1836_11thStBridge\Cultural\F2_Loc_10-12-10.mxd

Source: ESRI World Street Maps Online; Dokken Engineering 1/26/2021; Created By: ahale

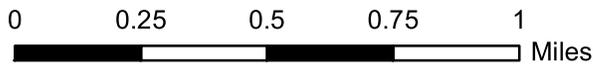
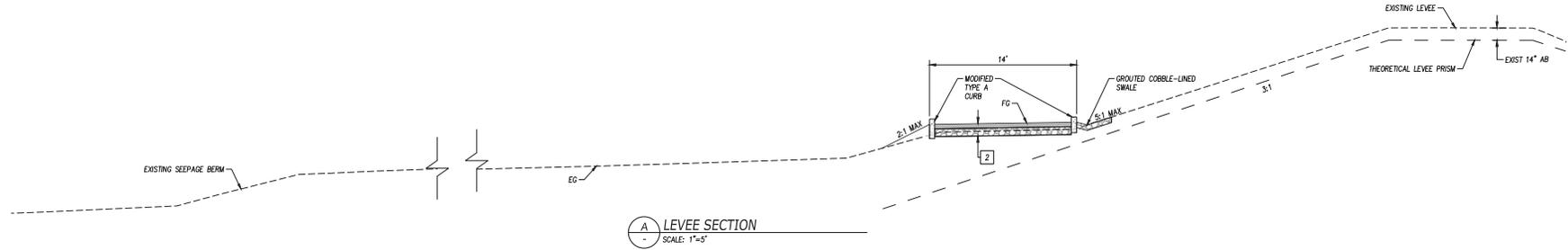
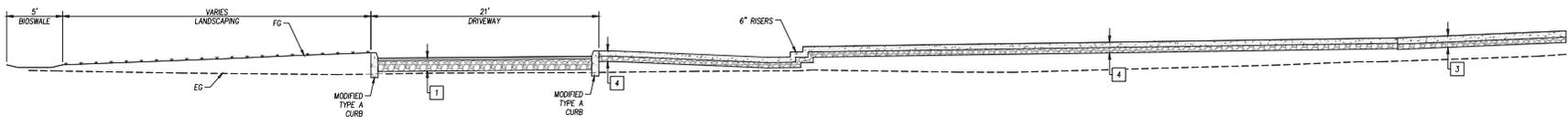


Figure 2
Project Location
 Southport Levee Trailhead Project
 City of West Sacramento
 Yolo County, California

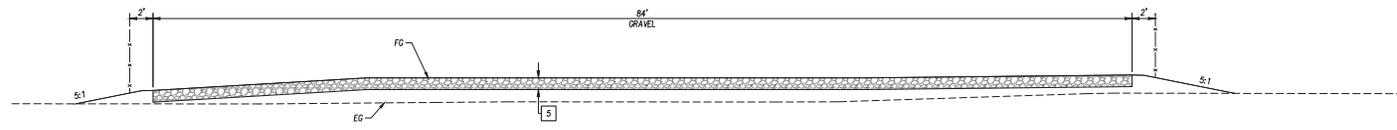
EXHIBIT C



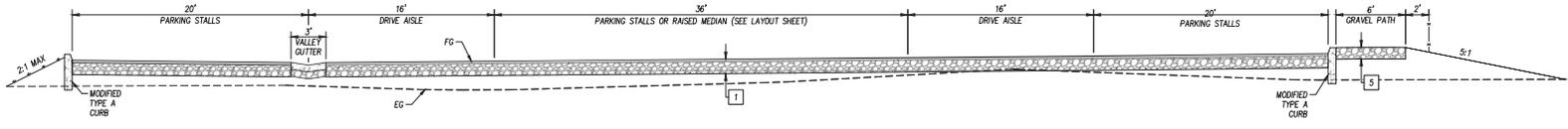
A LEVEE SECTION
SCALE: 1"=5'



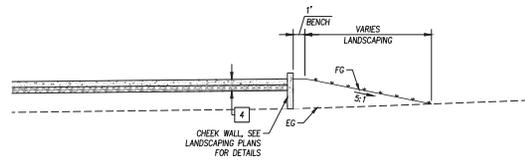
B SWALE PLAZA SECTION
SCALE: 1"=5'



C GRAVEL PARKING SECTION
SCALE: 1"=5'



D PARKING LOT SECTION
SCALE: 1"=5'



E CHEEK WALL CONFORM
SCALE: 1"=5'

STRUCTURAL SECTIONS:

- 1 3" HMA 9" CLASS 2 AB
- 2 5" HMA 9" CLASS 2 AB (EXIST AB TO BE SCARIFIED AND RECOMPACTED)
- 3 7" PCC 6" CLASS 2 AB
- 4 4" PCC 6" CLASS 2 AB
- 5 12" CLASS 2 AB

NOTES:

1. REFER TO LAYOUT SHEETS FOR CURB LOCATIONS.
2. TYPICAL SECTIONS SHALL BE COORDINATED WITH LAYOUT PLANS. IF THERE ARE DISCREPANCIES BETWEEN THE LIMITS OF WORK SHOWN ON THE TYPICAL SECTIONS AND LAYOUT SHEETS, THE LAYOUT SHEETS WILL GOVERN.
3. REFER TO LAYOUT SHEET FOR PARKING LOT STRIPING.
4. REFER TO LAYOUT AND GRADING SHEETS FOR SPECIFIC GRADING DETAILS.
5. SEE SPECIFICATIONS FOR FILL EMBANKMENT PROCEDURES.



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CRLA 3757

Southport Levee Trailhead
Trailhead Improvement Plans
City of West Sacramento
Linden Road Cul+Du+Sac

Drawn By:	CJR
Checked By:	CDG
Job No.	39320
Date	FEBRUARY 1, 2022
Revisions:	



This drawing is not final and shall not be used for construction work until it has been signed by the Landscape Architect

Drawing Number:
SECTIONS
C-4
Drawings in Set: 24

Checked By (initials):
City of West Sacramento

C:\p\Projects\2022\02022-HLA-West_Sac-Southport Trailhead\ASSET\MASTER\DWG\05-SECTIONS.dwg
 File Name: P:\Projects\2022\02022-HLA-West_Sac-Southport Trailhead\ASSET\MASTER\DWG\05-SECTIONS.dwg
 Plot Date: February 02, 2022 11:14 am
 Plot User: hla
 Plot Device: HP DesignJet T1204E
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EXHIBIT E

Attachment D: Representative Site Photographs



Photo 1. Photograph of the proposed trailhead site, taken at the northern border of the Project facing south (January 2021).



Photo 2. Existing staging area located within the Project area, taken from the Southport Levee. Notice Linden Road in the background, adjacent to the Project site (January 2021).



Photo 3. Photograph of the crown of the relocated Southport Levee, facing south. Notice the levee's original location to the east. The Project includes an ADA-accessible ramp that will provide access to the levee's crown (January 2021).



Photo 4. Photograph of the eucalyptus corridor present within the Project's western limits, taken facing southwest (January 2021).

ATTACHMENT 2

APPLICATION

Name of Applicant: City of West Sacramento City of West Sacramento

Mailing Address: 1110 West Capitol Avenue, 2nd Floor, West Sacramento CA 95691t Capit ol A

Phone Number: (916) 617 - 4683 (916) 617 - 4683

Email: _____

Application is hereby made to the Trustees of Reclamation District 900 for permission to encroach on the District easement as follows: (Describe the work to be done, attach plans and drawings as necessary)

The City of West Sacramento proposes to construct a new trailhead facility adjacent to the Southport Levee Setback Project in Yolo County, California. The purpose of the Project is to create Americans with Disabilities (ADA)-compliant accommodations and other amenities to enhance public access and support trail use and open space opportunities in the area. For a full Project description, see the attached pages.ached page.

The easement referred to above is located as follows: On a vacant lot located on the dry (west) side of the Southport Levee near the Sacramento River in West Sacramento, CA. A vacant parcel located

adjacent to the dry (west) side of Village ParkwaySouthport Levee near the Sacramento River in West Sacramento, CA. Nearest cross streets _____ and _____ Lind Linden Roaden Road

We anticipate the work to start on or about November 2022 (date)

Respectfully submitted,

1110 West Capitol Avenue, 2nd Floor

West Sacramento CA 95691

(address)

Date: 03 0 2022

To the Reclamation District 900 Board of Trustees, the above application for an encroachment permit is referred to you for consideration,

General Manager, Reclamation District 900

Date: _____

PERMIT

To

Permission is hereby granted to encroach upon an easement or right of way of Reclamation District 900, herein called District, in the following manner:

This permit is granted upon the following conditions which, by acceptance of this permit, permittee agrees to perform:

1. This permit shall be cancelled and void unless the work contemplated hereunder is initiated within _____ from the date of issuance and diligently prosecuted to completion.
2. Written Notice will be given to the District at least three (3) days prior to commencement of the work above described. Notice shall be sent to _____.
3. The permittee shall indicate his acceptance of this permit and the terms and conditions thereof, by executing the form of acceptance on one copy of this permit and returning it to the District.
4. The permittee shall fully comply with each and every recommendation and requirement set forth herein as well as in the report from the District's Engineer regarding the encroachment above described.
5. This permit does not grant a right to use or construct works on land owned by others.
6. This permit does not establish any precedent with respect to any other application received by the District.
7. To the fullest extent permitted by law, permittee shall indemnify, hold and save the District harmless of and from any liability which may be incurred through injury to person or damage to property arising out of or connected with the construction or installation of the encroachment above described, and from any such liability arising out of or in connected with the maintenance and operation of such encroachment, except where responsibility for maintenance thereof is accepted by the District in writing.
8. If the encroachment above described constitutes the replacement of an open ditch or canal of the District with a covered pipe or conduit, then the pipe or conduit so installed (shall) (shall not) become the property of the District.
9. The project site shall be restored to the condition that existed prior to commencement of work, accept for such improvements as are approved in this permit.
10. Permittee shall acquire no easement or property right in or to the property or right of way of the District by virtue of this permit and the District does not hereby relinquish any right or title therein.
11. Except as herein otherwise provided, all cost of maintenance, repair and replacement of the encroachment above described shall be borne by permittee. Permittee shall, whenever instructed by the District to do so, repair, replace or relocate such encroachment in the manner prescribed by the District whenever the District shall determine that such repair, replacement or relocation is required in the interest of the District. Any such repair, replacement or relocation ordered by the District that is: (a) not completed by the permittee within thirty (30) days after written notice has been given by the District of such required repair, replacement or relocation; or (b) in the case of repair, replacement, or relocation that cannot be completed within thirty (30) days despite permittee's diligent efforts, is not initiated within thirty (30) days of the written notice and then diligently brought to completion by permittee without unnecessary delay,

PERMIT

may be performed by the District, at permittee's expense and permittee shall promptly reimburse the District for such repair, replacement or relocation.

12. If the permitted encroachment causes physical damage to the District's facilities, real property, or improvements, or otherwise interferes with the District's ongoing maintenance and operation of its reclamation facilities, the permittee shall, whenever instructed by the District to do so, repair, replace or rectify in the manner prescribed by the District such damage or interference at the permittee's sole expense. Any such repair, replacement or other work ordered by the District that is: (a) not completed by the permittee within thirty (30) days after written notice has been given by the District of such required repair, replacement or other work; or (b) in the case of repair, replacement, or other work that cannot be completed within thirty (30) days despite permittee's diligent efforts, is not initiated within thirty (30) days of written notice and then diligently brought to completion by permittee without unnecessary delay, may be performed by the District, at permittee's expense and permittee shall promptly reimburse the District for such repair, replacement or other work.

13. Permittee shall, promptly on the expiration or other termination of this permit, cause to be removed the encumbrance or encroachment above described and shall return the property of the District to the condition existing prior to the issuance of the permit.

14. The District reserves the right of access to the portion of its easement and right of way above described for such maintenance, repairs or alterations of the District facilities or of the facilities described above as may be required for reclamation purposes. The District shall not be responsible for any damage done to surface improvements of permittee whether herein permitted or otherwise where necessary as part of the ordinary and necessary access to or exercise of its easement and right of way for reclamation purposes and need not replace any paving, concrete or other improvement required to be removed or disturbed in the process of such maintenance, repair or alteration. Permittee shall reimburse the District for any increased cost of such access occasioned by the improvements of permittee described herein.

15. Permittee may make no alteration or improvement of any portion of the District's easement and right of way not specifically herein permitted nor alter or remove any portion of the encroachment or improvement herein described without further permit from the District.

16. Permittee shall obtain and maintain in force throughout the period of construction a comprehensive general liability policy in a combined single limit of not less than \$_____.00 covering construction activities undertaken by or for Permittee hereunder and shall name Reclamation District 900 as an additional insured.

17. This permit is revocable in whole or part by the District on thirty (30) days written notice to permittee when such revocation is determined by the Board of Trustees to be necessary for District purposes.

18. Upon failure of permittee to conform to any of the covenants and conditions herein specified this permit shall, at the option of the District, cease and terminate and the District may remove encroachment or improvement above described together with any appurtenances thereto located with the easement and right of way of the District and permittee shall promptly pay to the District all costs and expenses incurred in such removal.

19. If the project or any portion thereof, is to be abandoned in the future, the permittee or successor shall abandon the project under direction of the District, at the permittee's or successor's cost and expense.

20. Upon completion of the project, the permittee shall submit as-built plans to: Reclamation District 900, 889 Drever Street, West Sacramento CA, 95691, or such other address as the District shall designate in writing to the permittee.

21. See attached Special conditions if box checked

PERMIT

Dated: _____, 20_____

Reclamation District 900

By:

ACCEPTANCE

Permittee hereby accepts the above permit and agrees to comply with all of the requirements thereof.

Dated: _____, 20_____

Southport Levee Trailhead Project Description

The City of West Sacramento (City) proposes to construct the Southport Levee Trailhead Project (Project), a new trailhead facility adjacent to the Southport Levee Setback Project in Yolo County, California.

The Southport area in West Sacramento has seen major recent urban development into previously rural and agricultural areas as the City expands its housing inventory. The City's Parks Master Plan and the Bicycle, Pedestrian and Trails Master Plan, aim to create a network of recreation corridors throughout the City serve as recreation and alternative transportation routes for residents of the City. The proposed Southport Levee Trailhead project will enhance public access to the planned Southport Levee Trail that will be located along the levee crown of the recently completed Southport Setback Levees. The purpose of the project is to create Americans with Disabilities (ADA)-compliant accommodations and other amenities to support trail use and open space opportunities in the area.

The proposed project will include an asphalt parking area with 27 parking stalls (2 ADA accessible) and a plaza that includes restrooms, bicycle racks, an informational kiosk, signage, shade elements, seating, other support amenities, and an ADA-accessible ramp from the parking lot to the planned Southport Levee Trail. The preliminary site work will include the following: a site topographic survey and a geotechnical analysis and report. The geotechnical analysis will require soil samples of varying depths to determine soil type and characteristics within the Project area. This preliminary site work will determine different design concepts for the Project. Currently, there are two design concepts that have been approved by the City.

The Project is located in a vacant parcel that has already been disturbed from historic agricultural practices and recent levee construction activities. All ground disturbing activities will take place within the proposed temporary construction areas depicted in the plans. No road closures are anticipated to occur and access to each residence will be maintained. There will be no right-of-way (ROW) impacts, utility easements, or temporary construction easements (TCEs) required. An encroachment permit from the Central Valley Flood Protection Board will be needed.

**SPECIAL MEETING OF THE
RECLAMATION DISTRICT 900
March 24, 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/ZMy7S8lkw3s>.

The meeting was called to order at 7:30 PM by President Guerrero. Also in attendance at the meeting were: Trustees Orozco, Alcala and Early; Interim General Manager Fabun and District Counsel Nevis. Trustee Ledesma was absent.

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 and took no reportable action.

CONSENT AGENDA – PART II

Entry No. 2

Consideration of Resolution 22-03-01 Adopting Findings Necessary to Continue Conducting Reclamation District 900 Board Meetings Via Teleconference Pursuant to Assembly Bill 361.

Entry No. 3

Consideration of approval of the February 17, 2022 meeting minutes.

MOTION: Orozco
NOES: None

SECOND: Early
ABSTAIN: None

AYES: Guerrero, Orozco, Alcala, Early
ABSENT: Ledesma

The consent agenda passed 4-0, by roll call vote.

REGULAR AGENDA – PART III

Entry No. 4

The meeting adjourned at 7:32 PM.



Greg Fabun, Interim General Manager/Secretary
Reclamation District 900