

AGENDA

REGULAR MEETING OF RECLAMATION DISTRICT 900

SEPTEMBER 15, 2022

Martha Guerrero, President

Norma Alcala, Trustee
Quirina Orozco, Trustee

Chris Ledesma, Trustee
Dawnte Early, Trustee

Blake Johnson, General Manager/Secretary
Greg Fabun, Interim Assistant General Manager
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/4mslRTsTKdc>. 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: 850 7757 1424; Passcode: 889487

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. MONTHLY/YTD REVENUE AND EXPENSES

CONSENT AGENDA – PART II

2. CONSIDERATION OF RESOLUTION 22-9-01 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 APPROVAL OF THE AUGUST 18, 2022 MEETING MINUTES

REGULAR AGENDA – PART III

4. CONSIDERATION OF ENCROACHMENT PERMIT – CITY OF WEST SACRAMENTO, BRIDGEWAY LAKES DIVERSION FROM MAIN DRAINAGE CANAL
5. GENERAL MANAGER UPDATES
6. TRUSTEE COMMENTS

7. ADJOURN

I, Blake Johnson, General Manager/Secretary, declare under penalty of perjury that the foregoing agenda for the September 15, 2022, meeting of Reclamation District 900 was posted on September 9, 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.



Blake Johnson, 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: September 15, 2022		ITEM # 2	
	SUBJECT:		
CONSIDERATION OF RESOLUTION 22-09-01 RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR NEWSOM AS APPLICABLE IN THE DISTRICT AND AUTHORIZING TELECONFERENCE MEETINGS OF LEGISLATIVE BODIES OF RECLAMATION DISTRICT 900 PURSUANT TO THE RALPH M. BROWN ACT			
INITIATED OR REQUESTED BY:		REPORT COORDINATED OR PREPARED BY:	
<input type="checkbox"/> Council <input checked="" type="checkbox"/> Staff		Blake Johnson, 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 California Government Code Section 54953(e), that there is a proclaimed state of emergency related to COVID-19 and that meeting in person would present imminent risks to the health or safety of attendees.

RECOMMENDED ACTION

Staff respectfully recommends that the Board adopt Resolution 22-09-01 finding that the Board has reconsidered the circumstances of the state of emergency and meeting in person would present imminent risks to the health or safety of attendees.

BACKGROUND

Through the COVID-19 virus pandemic, Gubernatorial executive orders and, later, new legislation (Assembly Bill 361, "AB 361"), the Board has met via modified teleconference procedures in order to protect meeting attendees from the threat of the virus while preserving public access to legislative body meetings.

As modified by AB 361, Government Code section 54953(e) permits local legislative bodies to meet via teleconference if the Governor has proclaimed a state of emergency pursuant to Government Code section 8625 and the legislative body determines by majority vote that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees. The determination must be reevaluated at least every 30 days and may be renewed if the Board finds that the state of emergency remains active and the state of emergency continues to directly impact the ability of attendees to meet safely in person.

ANALYSIS

The Governor's Proclamation of State of Emergency related to the COVID-19 virus pandemic remains in effect to this day in Yolo County and statewide. The virus, and its variants, are highly transmissible when in close proximity to an infected person, no matter if the infected person is showing symptoms or not. Further, new variants of varying community impact and transmissibility are revealed each month the pandemic continues, most recently the Omicron/BA.2 subvariant.

Meeting in person imminently risks attendees' health and safety by necessitating attendees – Board officers, staff, and members of the public – be in close proximity to a potentially infected person, no matter if he or she is showing symptoms or not.

The proposed resolution makes requisite findings to allow Board meetings to continue to be held via teleconference pursuant to Government Code section 54953(e). The Board is to make the following findings as part of the resolution:

- The Governor proclaimed a state of emergency on March 4, 2020 related to the COVID-19 virus pandemic and that state of emergency remains active within the jurisdiction of the District.
- The Board has reconsidered the circumstances of the state of emergency.
- The state of emergency continues to directly impact the ability of attendees to safely meet safely in person.
- To decrease the risk to the health and safety of attendees, Board meetings may be conducted via teleconference in accordance with Government Code section 54953(e).

It is recommended that the Board pass the resolution and direct staff to take all actions necessary to effectuate its intent to hold Board meetings in compliance with Section 54953(e).

If the Board does not pass the proposed resolution, the District will be required to meet pursuant to traditional teleconference requirements – e.g., opening teleconference locations to the public, listing addresses on meeting agendas, quorum of members.

Alternatives

The District's primary alternatives are as follows.

1. Adopt Resolution 22-09-01, making the findings required by California Government Code Section 54953(e); or
2. Adopt Resolution 22-09-01, making the findings required by California Government Code Section 54953(e) with directed revisions; or
3. Decline adopt Resolution 22-09-01, making the findings required by California Government Code Section 54953(e).

Staff is prepared to implement Alternative 1. Staff does not recommend any substantive revisions under Alternative 2, as such revisions may not comply with California Government Code Section 54953(e). Staff also does not recommend Alternative 3 as the continued threat of COVID-19 and its variants presents an imminent risk to the health and safety of meeting attendees.

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

Resolution 22-09-01

RESOLUTION 22-09-01

A RESOLUTION OF RECLAMATION DISTRICT 900 RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY THE GOVERNOR AS APPLICABLE IN THE DISTRICT AND AUTHORIZING TELECONFERENCE MEETINGS OF LEGISLATIVE BODIES OF THE CITY PURSUANT TO THE RALPH M. BROWN ACT

WHEREAS, Reclamation District 900 ("District") is committed to preserving and nurturing public access and participation at meetings of its Board of Trustees (Board); and

WHEREAS, all meetings of the Board are open and public, as required by the Ralph M. Brown Act, Government Code section 54950 et seq. ("Brown Act"), so that any member of the public may attend, participate, and watch the District conduct its business; and

WHEREAS, Government Code section 54953(e)(1) provides a legislative body may meet via teleconference if the Governor has proclaimed a state of emergency pursuant to Government Code section 8625 and either: (i) state or local officials have imposed or recommended measures to promote social distancing; (ii) the legislative body meets to determine by majority vote that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or (iii) the legislative body has voted as such and is meeting pursuant to that vote; and

WHEREAS, a legislative body's decision to meet pursuant to Section 54953(e) must be reevaluated and renewed at least every thirty (30) days, or else the body will be required to adopt new initial findings; and

WHEREAS, while a legislative body meets via teleconference pursuant to Section 54953(e), it must take actions to preserve public access and public participation and give notice of the meeting and post agendas as otherwise required, allow members of the public to access the meeting via call-in line or internet-based service line, provide details on the agenda on how to access the meeting and give public comment, give an opportunity to comment pursuant to Government Code section 54954.3 and allow a reasonable amount of time during public comment for a person to register, login, and comment, and monitor the call-in line and internet-based service line to ensure no disruption hinders access or ability to comment, if there is, take no action until public access is restored; and

WHEREAS, on March 4, 2020, Governor Gavin Newsom proclaimed a state of emergency pursuant to Government Code section 8625 pertaining to the threat to human health and safety posed by the COVID-19 virus pandemic and that proclamation remains in effect to this day in Yolo County and statewide; and

WHEREAS, the virus has short- and long-term effects – fever and chills, cough, shortness of breath and difficulty breathing, fatigue, headache, nausea, vomiting, gastrointestinal issues, loss of taste and smell, death – and its prolific spread is severely impacting the health care system, inhibiting access to care for COVID-19 symptoms, and other ailments; and

WHEREAS, while being vaccinated significantly decreases the likelihood of contracting or dying from the virus, vaccinated and unvaccinated people alike can carry, transmit, and be affected by the virus; and

WHEREAS, the COVID-19 virus, and its variants, is spread through the air when a person who is carrying the virus, whether he or she is showing symptoms or not, is in close proximity to another person; and

WHEREAS, while the COVID-19 virus and its variants remain present in the community, meeting in person presents an imminent risk to Board meeting attendee health and safety beyond

the control of District services, personnel, equipment, and facilities due to its transferability through the air; 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 of the District to be held via teleconference pursuant to this Resolution; and

WHEREAS, the Board desires to ratify the Governor's March 4, 2020, proclamation of state of emergency related to the COVID-19 virus pandemic as it applies to the jurisdiction of the District and authorize teleconference meetings of the District pursuant to Section 54953(e).

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Reclamation District 900:

1. The recitals and findings set forth above are true and correct and are incorporated herein by reference as if set forth in full; and
2. The Governor's March 4, 2020 proclamation of state of emergency related to the COVID- 19 virus pandemic applies to the jurisdiction of the District and is ratified by the Board of Trustees; and
3. A state of emergency exists within the jurisdiction of the District related to the COVID-19 virus pandemic and the conditions of that emergency present an imminent risk to the health and safety of attendees at District Board meetings; and
4. In order to decrease the risk to the health and safety of attendees, Board meetings of the District may be conducted via teleconference in accordance with Government Code section 54953(e).
5. This Resolution shall take effect immediately upon its adoption and be effective for thirty (30) days, unless the Board takes action to rescind the Resolution, which may occur before the 30th day following adoption

PASSED AND ADOPTED this 15th day of September 2022, by the following vote:

AYES:

NOES:

ABSENT:

Martha Guerrero, RD 900 President

ATTEST:

Ralph R. Nevis, RD 900 Attorney

Reclamation District 900
Budget vs. Actuals: FY 22-23 Budget RD 900 - FY23 P&L
July 2022 - June 2023

	Actual	Total Budget	Remaining
Income			
4000 RD 900 Assessments	140,819	2,504,894	2,364,075
RD 537		79,334	79,334
Total 4000 RD 900 Assessments	\$ 140,819	\$ 2,584,228	\$ 2,443,409
4010 WSAFCA			0
RD 537 WSAFCA	63,204	839,250	776,046
Total 4010 WSAFCA	\$ 63,204	\$ 839,250	\$ 776,046
4020 Interest Income		55,000	55,000
4100 Funding Agreements			0
4110 WUSD Maint Fee		7,000	7,000
4120 DWR			0
RD 900		350,000	350,000
Total 4100 Funding Agreements	\$ 0	\$ 350,000	\$ 350,000
4111 RD 811 Power Reimbursement		3,950	3,950
4200 Miscellaneous		2,500	2,500
4300 Retiree Healthcare	1,230	5,500	4,270
4400 Unrealized Gains from Investments		20,000	20,000
Total Income	\$ 205,253	\$ 3,867,428	\$ 3,662,175
Gross Profit	\$ 205,253	\$ 3,867,428	\$ 3,662,175
Expenses			
5000 Administrative			0
5010 Permits & Fees	10,354	41,600	31,246
5011 Assessments Paid		9,500	9,500
5020 Memberships	6,264	9,800	3,536
5030 Liability/Auto Insurance	5,483	67,425	61,943
5040 Professional Fees			0
5041 Legal	3,400	32,000	28,600
5042 Assessments	7,551	18,000	10,449
5043 Accounting & Payroll	5,000	42,000	37,000
5044 City Shared Service	13,479	15,000	1,521
5045 Document Management		15,000	15,000
Total 5040 Professional Fees	\$ 29,430	\$ 122,000	\$ 92,570
5050 Office			0
5052 Utilities	1,943	10,000	8,057
5053 Janitorial & Cleaning			
Supplies	612	3,600	2,988
5054 Supplies & Software	2,998	6,000	3,002
5055 Office Equipment	2,490	10,000	7,510
5056 Furnishing	2,571	20,000	17,429
5057 Other	390	4,000	3,610
Total 5050 Office	\$ 11,005	\$ 53,600	\$ 42,595
Total 5000 Administrative	\$ 62,535	\$ 303,925	\$ 241,390
5200 Labor & Related			0
5210 Compensation			0
5211 Administrative Salary	40,433	314,568	274,135
5212 Field Salaries	52,271	366,996	314,725
5213 OT/ EMERGENCIES		8,000	8,000
5214 Payroll Taxes	6,943	54,060	47,117
Total 5210 Compensation	\$ 99,647	\$ 743,624	\$ 643,978
5220 Benefits			0
5221 Medical Insurance	20,210	125,736	105,526
5222 Dental Insurance	481	3,744	3,263
5223 Retiree Medical	5,338	29,952	24,614
5224 Retirement	15,393	97,240	81,847
Total 5220 Benefits	\$ 41,421	\$ 256,672	\$ 215,251
5260 Workers Comp	1,604	31,200	29,596
5270 Uniforms	691	5,400	4,709
5280 Training & Licensing		6,000	6,000
Total 5200 Labor & Related	\$ 143,362	\$ 1,042,896	\$ 899,534

5400 Operations & Maintenance				0
5410 Facilities				0
5411 Power	11,382		120,000	108,618
5412 Fuel			10,000	10,000
5413 Supplies/Materials	3,078		16,000	12,922
5414 Repairs	788		15,000	14,212
5415 Equipment & Tools	32		20,000	19,968
Total 5410 Facilities	\$ 15,280	\$	181,000	\$ 165,720
5420 Herbicide			65,000	65,000
5430 Field Services			60,000	60,000
5440 Debris and Trash Disposal	791		15,000	14,209
5450 Professional Fees- Maint.				0
5451 Pesticide	4,947		17,500	12,553
5452 Engineering	245		19,000	18,755
5453 Other	11		3,000	2,989
Total 5450 Professional Fees- Maint.	\$ 5,203	\$	39,500	\$ 34,297
5460 Equipment				0
5461 Fuel	6,270		40,000	33,730
5462 Repair/Service	1,879		42,500	40,621
5463 Parts/Supplies	1,464		32,500	31,036
5464 Rentals			16,000	16,000
Total 5460 Equipment	\$ 9,613	\$	131,000	\$ 121,387
Total 5400 Operations & Maintenance	\$ 30,888	\$	491,500	\$ 460,612
Total Expenses	\$ 236,785	\$	1,838,321	\$ 1,601,536
Net Operating Income	-\$ 31,533	\$	2,029,107	\$ 2,060,640
Net Income	-\$ 31,533	\$	2,029,107	\$ 2,060,640

**BOARD MEETING
RECLAMATION DISTRICT 900
August 18, 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-Sjz_o.

The meeting was called to order at 6:04 PM by President Guerrero. Also in attendance at the meeting were: Trustees Alcalá, Orozco, and Early; General Manager Johnson, Interim Assistant General Manager Fabun and District Counsel Nevis.

GENERAL ADMINISTRATION – PART I

Entry No. 1

Heard General Administration Functions as follows:

A. None.

B. Monthly/YTD Revenue and Expenses. Final revenue numbers have not yet come in from the County. Should be available by September. Expenses are shown for the first month of the fiscal year (July 2022).

CONSENT AGENDA – PART II

Entry No. 2

Consideration of Resolution 22-08-01 Ratifying the Proclamation of a State of Emergency by Governor Newsom as Applicable in the District and Authorizing Teleconference Meetings of Legislative Bodies of Reclamation District 900 Pursuant to The Ralph M. Brown Act.

Entry No. 3

Consideration of Resolution 2022-08-02 Authorizing the District President and General Manager to Enter into and Grant Rights of Entry, License Agreements, Temporary Construction and other Temporary Rights Agreements for the Federal West Sacramento California Project.

Entry No. 4

Consideration for the Board of Trustees to Enter Into an Easement Agreement with Jefferson Village at Southport, LLC for a Stormwater Conveyance Structure Access and Maintenance Agreement.

Entry No. 5

Consideration of Resolution 2022-08-03 Authorizing the General Manager to sign as the Representative of RD 900 and Directed to Execute and Deliver to the Administrator of the Retirement Plan one or more counterparts of the Plan.

Entry No. 6

Consideration of Approval of the July 28, 2022 Meeting Minutes.

MOTION: Orozco	SECOND: Alcalá	AYES: Orozco, Alcalá, Early, Guerrero
NOES: None	ABSTAIN: None	ABSENT: Ledesma

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

REGULAR AGENDA – PART III

Entry No. 7 - General Manager Updates

General Manager Johnson reported the following:

The District's consultant (LWA) submitted quarter 2 reimbursement requests for Blacker Canal.

The Flood Maintenance Assistance Program (FMAP) Application for 22/23 is being prepared by the District's consultant (MHM).

Waiting on insurance company for final payout of tractor/mower that was lost in a fire on June 16, 2022. Spoke with sales representative regarding the purchase of a new tractor. Not many tractors available at this time.

Staff constantly monitoring equipment for metal fatigue/rodent damage. Current mower is showing signs of fatigue, will need to be replaced within the next 6 months.

Plans and specifications are being prepared for the cracked levee. Received approval from Central Valley Flood Protection Board to move forward with repair.

Roof Replacement - Staff should have a Request for Proposal available in the next few weeks for roof repair/replacement.

Office Landscaping - Staff should have a Request for Proposal available in the next few weeks for landscape design.

Office Signage - Staff should have a Request for Proposal available in the next few weeks for office signage.

2022 Emergency Preparation/Flood Season Coordination - The Regional Exercise is scheduled for August 25, 2022.

WSAFCA

Interim Assistant General Manager Fabun reported the USACE is out of design money. Waiting to enter into a construction agreement (partner partnership agreement, PPA). PPA will be signed and executed on September 7, 2022. Greg, Chair of WSAFA, Flood Protection Board and the USACE will be in attendance. A member from the RD is more than welcome to attend. Yolo Bypass levee is ready for construction (2023). Next levee for repair is the Sacramento north levee, geotechnical, survey and environmental clearance has been moving forward. Federal appropriations FY22 approx. \$25 million. FY 23 approx. \$80 million for WSAFCA projects.

City of West Sacramento

Staff is coordinating with the City's Parks Department regarding Bridgeway Lakes. City would like to divert water from RD900's main canal into Bridgeway Lakes. It is anticipated that the city would remove this rock riprap in October, prior to the rainy season. RD900 will issue an encroachment permit to the City. Bids are in – waiting for contractor award. President Guerrero asked about the sequence of this project/expected outcome. Johnson described that the pond (Bridgeway Lakes) was drying up due to lack of rain and groundwater. City owns a well to fill the RD's canal with additional water. This project would dam up the canal at the well site to prevent water from flowing east, dam up Blacker Canal to prevent water from flowing east and dam up the main canal just south of what is called Three Gates, the canal that leads to Bridgeway Lakes. Alternatives were looked at including inflatable dams and riprap. Riprap should be quite a bit less expensive. Riprap would be removed by the contractor prior to the rainy season (October-November). In the event of an emergency (heavy rains), the rock can be removed by City or RD staff. The City's contractor will ultimately be responsible for the removal of the rock riprap.

Trustee Orozco asked if additional developments were built in the Southport area, would these water features/amenities be impacted like Bridgeway Lakes. Johnson described that there is no real water supply to Bridgeway Lakes other than rainwater, water from the RD's canal (when what is high enough to flow over a weir), and groundwater. A city well approx. 3 miles away will feed the canal and hopefully provide water to the lake. The city does have a potable water well near Bridgeway Lakes but determined that using this well could be prohibited due to the drought conditions and the chemicals added to drinking water. Future developments will need to assess the need for water for new water features.

President Guerrero mentioned one of the new developments will have a golf course. Fabun mentioned that the main canal may be used for a water supply. Water supply should be looked at for these features.

President Guerrero asked how long it would take to get water to Bridgeway Lakes. Johnson wasn't sure how long with the dry and hot weather we have been experiencing over the summer.

The District's shared agreement for Mr. Fabun's time is about to run out. Staff will work with City staff to look into a new shared agreement for a broader agreement where both entities could share the following:

1. Administration Support
2. Managerial Support
3. Operational Support

Rates would be established for each labor category.

Entry No. 8

Trustee Comments: No Comments

Entry No. 9

The meeting adjourned at 6:31 PM.

MOTION: Orozco
NOES: None

SECOND: Alcala
ABSTAIN: None

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

The adjournment passed 4-0, by roll call vote.



Blake Johnson, General Manager/Secretary
Reclamation District 900

APPLICATION

Name of Applicant: David Culbertson City of West Sacramento- Parks and Recreation

Mailing Address: 1110 West Capitol Ave. First floor, West Sacramento, 95691

Phone Number: (916) 617-4717

Email: Davidcu@cityofwestsacramento.org

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)

Objective: Direct the flow of water within the Main Drain Canal towards Bridgeway Lakes.

Background: Lake water levels at Bridgeway Lakes are hazardously low. The Department of Parks and Recreation is working with RD900 to direct the water within the canals using a series of rip rap diversion walls from Well 20 near Linden to the Bridgeway Lakes.

Please see attached plan/scope of work.

The easement referred to above is located as follows:

Site 1: Main Drain Canal Snap Dragon Circle and Lake Washington Blvd.at Well 20

Site 2: Main Drain Canal/Blacker Canal junction between Venice Street and Violet Drive

Site 3: Main Drain Canal at Bridgeway Lakes Connecting Canal east of 3745 Otis Ave.

Please see attached plan/scope of work for more details

We anticipate the work to start on or about September 7, 2022 (date).

Respectfully submitted,

David Culbertson

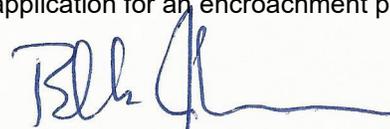
1110 West Capitol Avenue

West Sacramento, CA 95691

(address)

Date: 8/23/2022

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

PERMIT # 2022-01

Date: August 25, 2022

To: David Culbertson
Sr. Project Manager
Department of Parks and Recreation
City of West Sacramento

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 60 days 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: Blake Johnson, BJohnson@rd900.org.

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. The project site shall be restored to the condition that existed prior to commencement of work, except for such improvements as are approved in this permit.

9. 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.

10. Except as herein otherwise provided, all cost of maintenance, repair, removal, or 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, removal or relocation is required in the interest of the District. Any such repair, replacement, removal, 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, removal, or relocation; or (b) in the case of repair, replacement, removal, or relocation that cannot be completed within three (3) days despite permittee's diligent efforts, is not initiated within three (3) days of the written notice and then diligently brought to completion by permittee without unnecessary delay, may be performed by the District, at

PERMIT # 2022-01

permittee's expense and permittee shall promptly reimburse the District for such repair, replacement, removal, or relocation.

11. 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.

12. The permit is temporary and shall expire on October 31, 2022. 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.

13. 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.

14. 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.

15. 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 \$ 2,000,000.00 covering construction activities undertaken by or for Permittee hereunder and shall name Reclamation District 900 as an additional insured.

16. 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.

17. 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.

18. 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.

19. See attached Special conditions if box checked.

PERMIT # 2022-01

Special Conditions

1. The encroachments permitted hereunder shall be removed immediately, but in no event later than 3 days after notice, and at permittee's sole cost and expense, if District determines this item is detrimental to the operation and maintenance of the canal (i.e. storm is coming, contractor damage to canal, other safety reasons).

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____

PERMIT # 2022-01

Rip Rap Wall Installation Encroachment Permit

Background:

The City of West Sacramento owns and maintains a 45-acre lake within the Bridgeway Lakes Community which serves to collect storm water runoff and for recreation purposes such as fishing, kayaking and RC boat racing. Although the lake was designed to accommodate fluctuating lake levels, the current lake levels are so low that they present a public danger.

The City is currently pumping 500 GPM of water out of Well 20 to supplement lake levels, but due to the cross connecting canal systems, evaporation percolation, the water is not flowing to the lake. The rip rap walls are to be temporarily put in place at strategic points within the canals to guide the water towards the lakes.

Water levels on both sides of the walls are to be monitored weekly.

The walls are to be torn down prior to winter rains or as directed by RD900. If the rip rap walls are efficient at guiding the needed flow, they may be built back up the following year.

Scope of work:

The contractor shall construct a rip rack rock wall that is approximately 2.5 feet tall by 9 feet wide within the locations identified below and as marked on the attachments in the Main Drain Canal and secondary canals to help divert more water flow to the Bridgeway Lakes Community Lake and adjacent canals.

Rip rap walls are to be installed in three locations (see Image 1 for details) as follows:

1. Near Well #20 (Image 2)
2. At Venice Street and Violet Drive (Image 3)
3. At the Bridgeway Lakes connecting canal (Image 4)

Walls are to stretch across the bottom of the canal to redirect the water from one side to the other. No excavation within the canal or clean up sloped areas is required for site preparation for the walls.

Measurements on the images are approximate. The walls should be a trapezoidal shape (wider at the base) in order to diver as much water as possible to the desired locations.

Encroachment permits will be obtained from RD900 by the City of West Sacramento.

Installation Notes:

1. Installation methods are to be determined by the contractor.
2. Access has been confirmed for the contractor to deliver rip rap to the diversion locations with a dump truck. Rock may either be placed on the top of the Canal road or space may allow trucks to maneuver and place rock directly in the Canal. Stack rocks with the excavator to create a diversion wall at least 2.5 feet high by 4 to 9 feet wide that stretches across the Canal.
3. The City is requesting the contractor provide an additional estimate to purchase and install 3/4-inch crushed rock, if needed, to fill in the holes between the rip rap should an unacceptable amount of water flow through the rip rap wall.

Tear Down:

The diversion walls are being explored as a temporary means to divert more water into Bridgeway Lakes and adjacent canals during the dry season. Unless required to remove the permitted encroachments based on the Special Condition 1, above, Contractor to remove the rock walls within 10 working days of

PERMIT # 2022-01

the request by the City. It is anticipated that the walls will be removed in the second half of October 2022 or prior to the first major rains.

Alternative bid items requested will include the following tear down methods:

Method 1. Remove diversion walls from the Canal and store rock to the side of the Canal maintenance road.

Method 2. Remove diversion walls from the Canal and store rock at another location within the City limits.

Method 3. Open the canal by moving the rocks to the side of the canals so that the water can freely flow.

Specifications:

Submittals and samples will be required for review and approval.

1. Rip rap 12"-

Responsibility:

The contractor will be responsible for restoring access that is free of debris and ruts.

K-Rail Removal:

There is an existing K rail in the canal at the west side of the Bridgeway Lakes connection canal that needs to be removed as part of this project. K rail shall be placed on the side of the access road or placed against side of canal as directed by RD900.

K rail removal to be included in the cost for the rip rap diversion installation at the Bridgeway Lakes connecting canal.

Timeline for Work:

Installation work to begin within 30 days of the awarding of the contract, and completed within 10 working days from start date.

Contractor:

Ford Construction has been chosen for this contract based on their price and ability to complete the work. All necessary paperwork to use them as a contractor is being collected/completed by Parks and Recreation in conjunction with the Capitol Projects team.

Maps:

Image 1: Rip Rap Wall locations

Image 2: Main Drain Canal Snap Dragon Circle and Lake Washington Blvd.at Well 20

Image 3: Main Drain Canal/Blacker Canal junction between Venice Street and Violet Drive

Image 4: Main Drain Canal at Bridgeway Lakes Connecting Canal east of 3745 Otis Ave.

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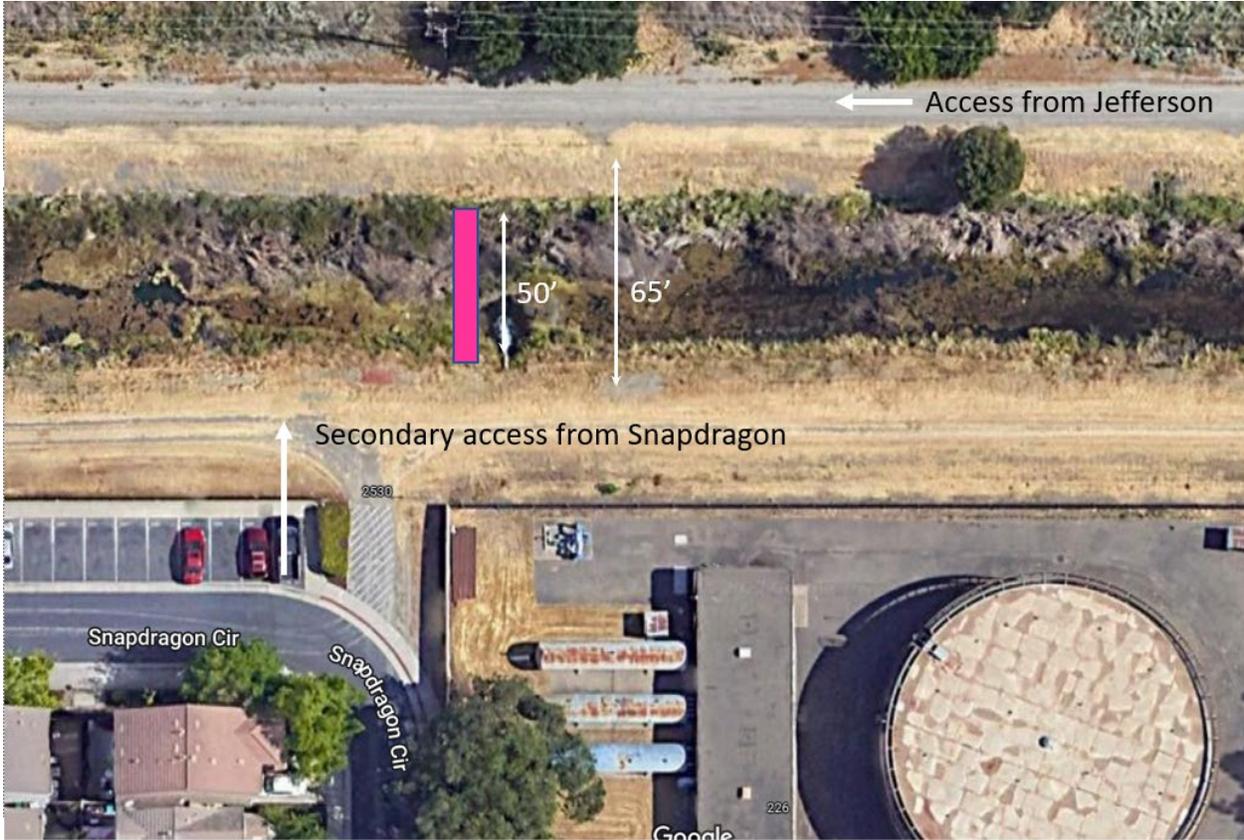


Image 2: Main Drain Canal Snap Dragon Circle and Lake Washington Blvd.at Well 20

PERMIT # 2022-01



Image 3: Main Drain Canal/Blacker Canal junction between Venice Street and Violet Drive

PERMIT # 2022-01

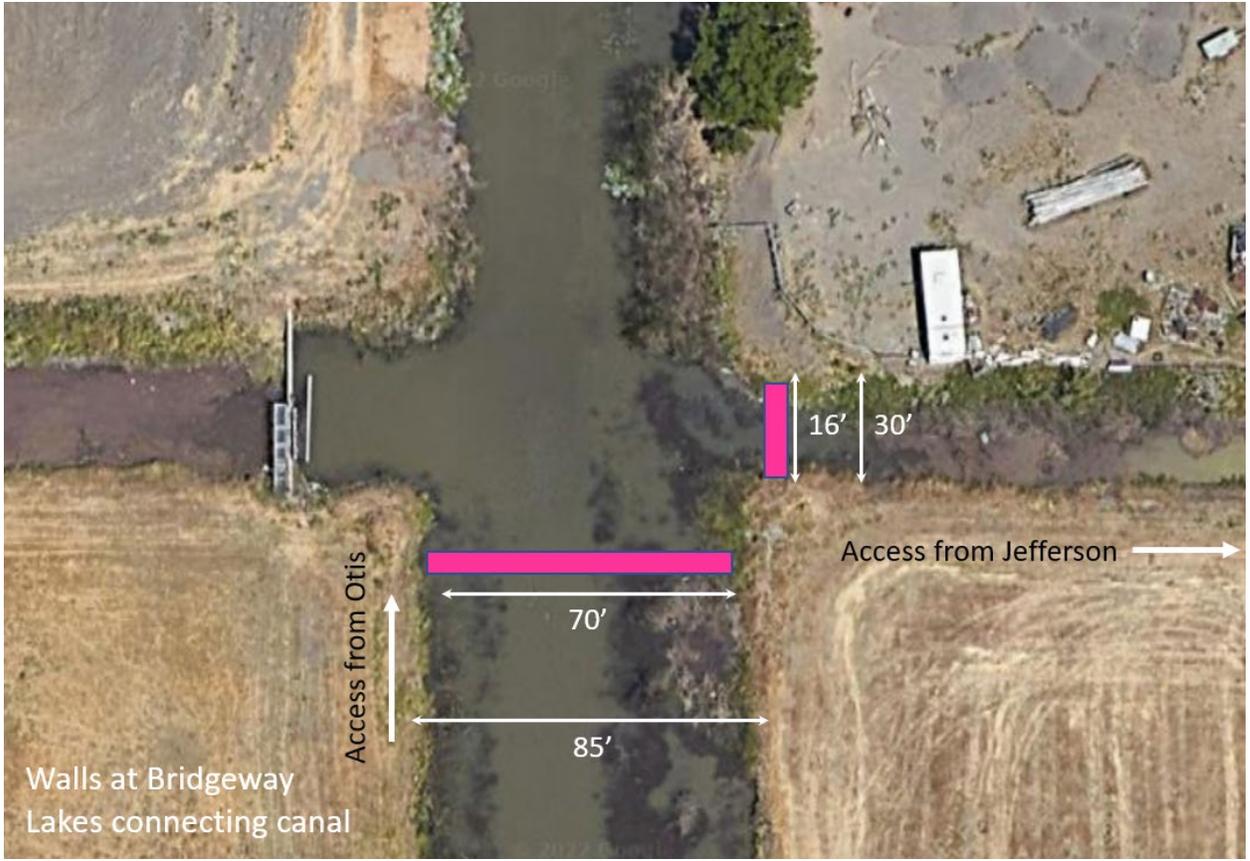


Image 4: Main Drain Canal at Bridgeway Lakes Connecting Canal east of 3745 Otis Ave.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – OWNERS, LESSEES OR CONTRACTORS – SCHEDULED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s)	Location(s) Of Covered Operations
Blanket As Required By Written Contract	Blanket As Required By Written Contract
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.	

A. Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by:

1. Your acts or omissions; or
2. The acts or omissions of those acting on your behalf;

in the performance of your ongoing operations for the additional insured(s) at the location(s) designated above.

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

B. With respect to the insurance afforded to these additional insureds, the following additional exclusions apply:

This insurance does not apply to "bodily injury" or "property damage" occurring after:

1. All work, including materials, parts or equipment furnished in connection with such work, on the project (other than service, maintenance or repairs) to be performed by or on behalf of the additional insured(s) at the location of the covered operations has been completed; or
2. That portion of "your work" out of which the injury or damage arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as a part of the same project.

C. With respect to the insurance afforded to these additional insureds, the following is added to **Section III – Limits Of Insurance:**

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or

2. Available under the applicable limits of insurance;
whichever is less.

This endorsement shall not increase the applicable limits of insurance.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – OWNERS, LESSEES OR CONTRACTORS – COMPLETED OPERATIONS

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART
PRODUCTS/COMPLETED OPERATIONS LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s)	Location And Description Of Completed Operations
Blanket As Required By Written Contract	Blanket As Required By Written Contract

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

A. Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury" or "property damage" caused, in whole or in part, by "your work" at the location designated and described in the Schedule of this endorsement performed for that additional insured and included in the "products-completed operations hazard".

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

B. With respect to the insurance afforded to these additional insureds, the following is added to **Section III – Limits Of Insurance:**

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or
 2. Available under the applicable limits of insurance;
- whichever is less.

This endorsement shall not increase the applicable limits of insurance.

OLD REPUBLIC GENERAL INSURANCE CORPORATION

CHANGES ADDITIONAL INSURED PRIMARY WORDING SCHEDULE

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

THIS ENDORSEMENT MODIFIES INSURANCE PROVIDED UNDER THE FOLLOWING:

COMMERCIAL GENERAL LIABILITY COVERAGE FORM

**Name of Additional Insured Person(s)
Or Organization(s):**

Location(s) of Covered Operations

Where required by written contract.

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

The insurance provided by this endorsement is primary insurance and we will not seek contribution from any other insurance of a like kind available to the person or organization shown in the schedule above unless the other insurance is provided by a contractor other than the person or organization shown in the schedule above for the same operation and job location. If so, we will share with that other insurance by the method described in paragraph 4.c. of Section IV – Commercial General Liability Conditions.

All other terms and conditions remain unchanged.

Named Insured	Ford Construction Company, Inc.		
Policy Number	A1CG50151815	Endorsement No.	000
Policy Period	01/01/2022-01/01/2022 <input type="checkbox"/>	Endorsement Effective Date:	01/01/2022
Producer's Name:	OLD REPUBLIC CONSTRUCTION INSURANCE AGENCY, INC.		
Producer Number:	7000		



AUTHORIZED REPRESENTATIVE

01/01/2022

DATE

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

DESIGNATED INSURED FOR COVERED AUTOS LIABILITY COVERAGE

This endorsement modifies insurance provided under the following:

AUTO DEALERS COVERAGE FORM
BUSINESS AUTO COVERAGE FORM
MOTOR CARRIER COVERAGE FORM

With respect to coverage provided by this endorsement, the provisions of the Coverage Form apply unless modified by this endorsement.

This endorsement identifies person(s) or organization(s) who are "insureds" for Covered Autos Liability Coverage under the Who Is An Insured provision of the Coverage Form. This endorsement does not alter coverage provided in the Coverage Form.

This endorsement changes the policy effective on the inception date of the policy unless another date is indicated below.

Named Insured: Ford Construction Company, Inc.

Endorsement Effective Date: 01/01/22

SCHEDULE

Name Of Person(s) Or Organization(s):

WHERE REQUIRED BY WRITTEN CONTRACT.

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

Each person or organization shown in the Schedule is an "insured" for Covered Autos Liability Coverage, but only to the extent that person or organization qualifies as an "insured" under the Who Is An Insured provision contained in Paragraph A.1. of Section II – Covered Autos Liability Coverage in the Business Auto and Motor Carrier Coverage Forms and Paragraph D.2. of Section I – Covered Autos Coverages of the Auto Dealers Coverage Form.

OLD REPUBLIC GENERAL INSURANCE CORPORATION

AMENDMENT OF OTHER INSURANCE

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

THIS ENDORSEMENT MODIFIES INSURANCE PROVIDED UNDER THE FOLLOWING:

BUSINESS AUTO COVERAGE FORM

Section IV – Business Auto Conditions, B. – General Conditions, 5. – Other Insurance, a. is replaced by the following:

- a. For any covered "auto" you own, this Coverage Form provides primary insurance. However, if there is other collectible insurance, the insurance provided by this Coverage Form with respect to such covered auto, is excess over such other collectible insurance. For any covered "auto" you don't own, the insurance provided by this Coverage Form is excess over any other collectible insurance. However, while a covered "auto" which is a "trailer" is connected to another vehicle, the Liability Coverage this Coverage Form provides for the "trailer" is:
- (1) Excess while it is connected to a motor vehicle you do not own;
 - (2) Primary while it is connected to a covered "auto" you own. However, if there is other collectible insurance with respect to such "trailer," the insurance provided by this Coverage Form is excess over such other collectible insurance.

Named Insured	Ford Construction Company, Inc.		
Policy Number	A1CA50151815	Endorsement No.	
Policy Period	01/01/22-01/01/22 <input type="checkbox"/>	Endorsement Effective Date:	01/01/22
Producer's Name:	Stan Ward		
Producer Number:			



AUTHORIZED REPRESENTATIVE

01/01/22

DATE

OLD REPUBLIC GENERAL INSURANCE CORPORATION

WAIVER OF OUR RIGHT TO RECOVER FROM OTHERS ENDORSEMENT

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

THIS ENDORSEMENT MODIFIES INSURANCE PROVIDED UNDER THE FOLLOWING:

WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY INSURANCE

We have the right to recover our payments from anyone liable for an injury covered by this policy. We will not enforce our right against the person or organization named in the Schedule. This agreement applies only to the extent that you perform work under a written contract that requires you to obtain this agreement from us.

This agreement shall not operate directly or indirectly to benefit anyone not named in the Schedule.

Schedule

WHEN REQUIRED BY WRITTEN CONTRACT.

The premium charge for this endorsement is \$0.00

Named Insured	FORD CONSTRUCTION COMPANY, INC.		
Policy Number	A-1CW-501518-11	Endorsement No.	000
Policy Period	01/01/2022 to 01/01/2023	Endorsement Effective Date:	01/01/2022
Producer's Name:	ALLIANT INSURANCE SERVICES, INC.		
Producer Number:	02P08		

AUTHORIZED REPRESENTATIVE

DATE



General Manager Update

September 15, 2022

ADMINISTRATION/FINANCE

CALOES/FEMA GRANT – BLACKER CANAL REIMBURSEMENT REQUEST

The District's environmental consultant (Marcus Bole & Assoc./ECORP) submitted a pre-application meeting with the USACE for permitting (Section 404 Clean Water Act). District is on target for 2023 construction.

The Flood Maintenance Assistance Program (FMAP) Application for 22/23 has been submitted to DWR by District's consultant (MHM). Waiting on comments from DWR and final agreement.

Discussion for a different permanent time/date for RD 900 Board Meetings.

OPERATION AND MAINTENANCE

LEVEE MAINTENANCE

Waiting on insurance company for final payout of tractor/mower that was lost in a fire on June 16, 2022. Spoke with sales representative regarding the purchase of a new tractor. Not many tractors available at this time.

Mowing levee slopes, spraying weeds in the numerous ponds.

PROJECTS

RD900 OFFICE, 889 DREVER ST.

ROOF REPLACEMENT

Working with District Engineer to prepare specifications for roof repair/replacement.

OFFICE LANDSCAPING

Staff working on a Request for Proposal available in the next few weeks for landscape design.

OFFICE SIGNAGE

Staff should have a Request for Proposal available in the next few weeks for office signage.

PERIODIC LEVEE INSPECTIONS

DWR/USACE

Staff will be meeting with DWR inspectors for year-end levee inspection (September 30). Preliminary levee inspection performed during the spring. District Levee Report due to the State on September 30 for corrective measures based on preliminary inspection.

EMERGENCY PREPAREDNESS

2022 EMERGENCY PREPARATION/FLOOD SEASON COORDINATION

The Regional Flood Exercise was held August 25, 2022. Four staff members attended along with the City, Police and Fire Departments, and Yolo County. Different storm scenarios were provided see how the District/City handled each event. Scenarios included high water event, boils, significant erosion and lack of staff. District, City, Police and Fire staff all worked together to "fend" off potential catastrophies.

COORDINATION WITH OTHER PROJECTS

Nothing at this time

COORDINATION WITH OTHER AGENCIES

CITY OF WEST SACRAMENTO

Greg Fabun set up a meeting with City Public Works and the District to discuss a new shared agreement for a broader agreement where both entities could share the following:

1. Administration Support
2. Managerial Support
3. Operational Support

Rates would be established for each labor category.

Great discussion on the needs of each agency and how we could help each other - from equipment use to personnel skill sets.

FUTURE

October 20, 2022 – WSAFCA Board Meeting (Teleconference), 9 am

October 20, 2022 – RD 900 Board Meeting (Teleconference), 6 pm