

Reclamation District No. 1607

VAN SICKLE ISLAND-SOLANO COUNTY, CALIFORNIA

Minutes of Board Meeting

8pm Thursday January 5, 2023

A Zoom meeting of the Board of Trustees of RD1607 was called to order at 8:05pm by President Dinelli with Directors Ed Linscheid, Mike Warriner and Kevin Confetti present. Also in attendance were Secretary Chris Lanzafame, Matt Stretch, Mike Coniglio, Bob Pinkston and District Engineer Emily Pappalardo.

Meeting Agenda

The meeting was called to order by President Gerald Dinelli at 8:05 pm. Mr. Lanzafame explained that due to severe damage to our levees by a multitude of storms that Van Sickle Island was likely going to flood. Two emergency proposals were presented and discussed and were voted on.

RESOLUTION No. 2023-01

RESOLUTION OF THE BOARD OF TRUSTEES OF RECLAMATION DISTRICT
NO. 1607
DECLARING A STATE OF EMERGENCY DUE TO FLOOD AND WEATHER
CONDITIONS

And

RESOLUTION No. 2023-02

A RESOLUTION OF THE BOARD OF TRUSTEES OF
RECLAMATION DISTRICT NO. 1607 SETTING PRIORITIES FOR
DECISION MAKING AUTHORITY IN EVENT OF EMERGENCY

Adjournment. 10.15am This motion was approved unanimously (Dinelli, Confetti)

Both Resolutions were moved by Board member Confetti and Seconded by Board member Warriner and were passed unanimously. Both Resolutions are attached to these minutes.

Reclamation District No. 1607

VAN SICKLE ISLAND-SOLANO COUNTY, CALIFORNIA

RESOLUTION No. 2023-01

RESOLUTION OF THE BOARD OF TRUSTEES OF RECLAMATION DISTRICT NO. 1607 DECLARING A STATE OF EMERGENCY DUE TO FLOOD AND WEATHER CONDITIONS

WHEREAS, the Sacramento River is experiencing high water levels resulting from heavy rainfalls, runoff, and high winds, creating an imminent risk of flooding and levee damage within Reclamation District No. 1607's boundaries; and

WHEREAS, these conditions create an immediate risk that severely impairs public health and safety, consistent with the emergency declaration requirements of the Government Code and the Public Contracting Code; and

WHEREAS, after consultation with the District staff and engineers the District finds and declares on December 27, 2022 that an emergency situation exists, and immediate action is required to respond to these conditions.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Trustees of the Reclamation District No. 1607, as follows:

1. As of December 27, 2022 an emergency situation exists within the District due to on-going flooding and flood damage, and a forecast of further precipitation which will compound the existing flood conditions. The public interest and necessity demand the immediate expenditure of public money to safeguard life, health, and property to respond to this emergency.
2. The District's engineer is authorized to take immediate action to repair or replace public facilities, to take any directly related and immediate action required by that emergency, and to procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts. The District engineer shall take these actions in consultation with District Trustees.
3. Pursuant to Public Contracting Code 20926, the District shall expend any sum reasonably required to respond to this emergency. District personnel will, if practicable, informally solicit bids or requests for proposals to seek to obtain the best terms possible, including the lowest price term, given the urgent circumstances of the emergency, and, promptly after the emergency ends, shall document the circumstances of the emergency and the bid or proposal accepted.
4. This emergency declaration will be revisited by the Board of Trustees at the earlier of its next regularly scheduled meeting, or within 7 days of this declaration.

PASSED AND ADOPTED by the Board of Trustees of Reclamation District No. 1607 Trustees this 5th day of January, 2023 by the following vote:

AYES: *Diwelli, Warriner, Confetti, Linscheid* ABSENT: *[Signature]*
NOES: *[Signature]* ABSTAIN: *[Signature]*

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VAN SICKLE ISLAND-SOLANO COUNTY, CALIFORNIA

RESOLUTION No. 2023-02

A RESOLUTION OF THE BOARD OF TRUSTEES OF RECLAMATION DISTRICT NO. 1607 SETTING PRIORITIES FOR DECISION MAKING AUTHORITY IN EVENT OF EMERGENCY

WHEREAS, in the event any or all Trustees of the Reclamation District are not available, and an emergency action requires that authority be exercised, there is a need to establish a chain of command for such emergency decision making authority;

WHEREAS, pursuant to California Public Contract Code section 20926 and section 22050, Reclamation District No. 1607 may take action to negotiate and award a contract for construction of work to prevent damage or repair damaged works, and procure necessary equipment, services, and supplies, without advertising for bids and expend any sum reasonably required in an emergency; and

WHEREAS, such action either requires a 2/3 vote of the Board of Trustees, and/or such authority may be delegated to an appropriate person or persons;

WHEREAS, the Board of Trustees desires to delegate such authority as set forth in this Resolution.

NOW, THEREFORE, BE IT RESOLVED, AND IT IS HEREBY RESOLVED BY THE BOARD OF TRUSTEES OF RECLAMATION DISTRICT NO. 1607 AS FOLLOWS:

1. In the unavailability either in person or telephone of a majority of the Board of Trustees, emergency decision-making authority relative to emergencies may be exercised by the following persons in the order of priority listed.

- a. The President of the Board of Trustees;
- b. Any single Trustee;
- c. Engineers for the District, who are presently MBK Engineers:
Name: Michael Moncrief or Emily Pappalardo
Day Phone: (916) 456-4400
Mobile Phone: (916) 761-1281 or (916)-205-0770
- d. Manager/Secretary Name: Chris Lanzafame
Cell Phone (925) 698-9252

Reclamation District No. 1607
VAN SICKLE ISLAND-SOLANO COUNTY, CALIFORNIA
P.O. Box 350 Pittsburg, CA 94565 Phone: 925-432-4757 Fax: 925-432-4887
District Cell: 925-698-9252

2. Such emergency decision-making authority includes the following powers:
- a. In case of emergency, the person designated above as the emergency

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decision-maker may negotiate and award a contract for construction of work to prevent damage or repair damaged works, and procure necessary equipment, services, and supplies, and take any directly related and immediate action required by that emergency, without advertising for bids, and expend any sum reasonably necessary to cure the emergency.

b. The emergency decision-maker shall, if practicable, informally solicit bids or request for proposals to seek to obtain the best terms possible, including the lowest price term, given the urgent circumstances of the emergency, and, promptly after the emergency ends, shall document the circumstances of the emergency and the bid or proposal accepted.

c. The emergency decision-maker shall report to the Board of Trustees the reasons justifying why the emergency did not permit a delay resulting from a competitive solicitation for bids and why the action was necessary to respond to the emergency. Such report shall be made at the next regular meeting of the District, if such meeting occurs within 14 days of the emergency, or if no such meeting will occur within 14 days, the decision-maker shall call a special meeting of the Board of Trustees within 7 days after the emergency, and make such report at that time, and, for this purpose only, shall have the power to call such meeting.

3. For the purpose of this Resolution, "emergency" is defined as an imminent threat to public health, safety, or welfare or an imminent threat to the flood control or drainage facilities of Reclamation District No. 1607, or an imminent threat of flooding of Reclamation District 1607, and action is necessary to respond to such threat, and the imminence of such is that it will not permit a delay resulting from a competitive solicitation of bids.

4. All previous resolutions relating to the subject of this resolution are repealed.

PASSED AND ADOPTED this 5th day of January, 2023, by the following vote, TO WIT:

AYES: Dinelli, Linsched, Worrier, Contatti

NOES: Ø

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