

Reclamation District No. 1607

VAN SICKLE ISLAND-SOLANO COUNTY, CALIFORNIA

Minutes of Meeting

A Special Meeting of the Van Sickle Island Board of Trustees
February 19, 2024 at 4 pm held at the District Office at 4301 Inverness Drive,
Pittsburg, CA

An online component was also available for those who would prefer to participate remotely.

The meeting of the Board of Trustees was called to order by President Gerald Dinelli at 4:00 pm. Also present were Board members Kevin Confetti, Robert Pinkston and Steve Thomas. Trustee Edmund Linscheid was present via Zoom. Also present were Secretary Chris Lanzafame, Phylis Pinkston, and Matt Stretch.

The minutes of December 6, 2023 were unanimously approved as read. (motion Confetti, second Thomas)

Mr. Lanzafame went over the financial statements which are attached to these minutes. The financial position is very bad with payables that will not be cleared for a good part of the year if there are no new levee breaks. Mr. Lanzafame discussed and showed pictures of the recent new damage that has threatened our levee system including new severe damage at marker 102 and some cracks in the sheet-pile wall causing the island to take on a lot more water. Mr. Lanzafame stated that the water levels will be rising each day and won't stop until we reach equilibrium with the outside tides on the river. Mr. Lanzafame suggested that the water level would rise another foot before it reaches that point.

Mr. Lanzafame said that receiving a large contribution from the state was unlikely but that we had discussed with them the opportunity to apply and receive two \$50,000 emergency grants from DWR to repair our two worst spots. These grants could be used to help repair our emergencies but they do not allow for an advance payment. The hope would be that we get reimbursed by FEMA before the levee fails

Mr. Lanzafame and the board discussed the need to declare an emergency to let the State know that we are very likely fail and that we would be applying for emergency funding. Mr. Lanzafame stated that FEMA had obligated to pay for our request for debris removal but that we couldn't do the work until access was repaired to get to the Sacramento River levee. Mr. Lanzafame was hopeful that our claim for Category D work would be approved soon so that we could get reimbursed for the work that we have already completed and make needed repairs that we currently don't have funds for.

Emergency Resolution 2024.1

EMERGENCY RESOLUTION No. 2024-01

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

WHEREAS, since February 4, 2024 the Sacramento River has experienced 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 created 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 February 19, 2024 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:

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1. As of February 13 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. The District will make an attempt to reach out to the Department of Water Resources, CalOES, Solano County OES and any other regulatory agency to help inform and to secure a source of funding to take any necessary action to the secure the levees.
 5. 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 February 19, 2024, by the following vote:

The question was called by Kevin Confetti and seconded by Steve Thomas. A roll call vote was held: Dinelli Yes, Thomas Yes, Pinkston Yes, Confetti Yes, Linscheid Yes.

Emergency Resolution 2024.2

RESOLUTION No. 2024-02

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;

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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
 - Day Phone: (916) 456-4400
 - Mobile Phone: (916) 761-1281
- d. Manager/Secretary Name: Chris Lanzafame
 - Cell Phone (925) 698-9252
 - Reclamation District No. 1607
 - VAN SICKLE ISLAND-SOLANO COUNTY, CALIFORNIA
 - 4301 Inverness Drive Pittsburg, CA 94565 Phone: 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 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.

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

The question was called by Kevin Confetti and seconded by Steve Thomas. A roll call vote was held: Dinelli Yes, Thomas Yes, Pinkston Yes, Confetti Yes, Linscheid Yes.

6. 2024-2025 Subventions Application

Action: *Resolution 2024.3: Resolution 2024.3*

RESOLVED that the work included in Reclamation District No. 1607's ("District") 2024-2025 Delta Levee Subventions Program Application consists of the maintenance and/or repair of existing levee improvements which involves negligible or no expansion of said improvements' existing uses and, hence, falls within the categorical exemption to the California Environmental Quality Act set forth in California Code of Regulations, title 14, section 15301; that said work does not constitute an exception to the exemptions of the California Environmental Quality Act; and that the District's Engineer is authorized to prepare and file with the County of Solano the appropriate Notice of Exemption on behalf of the District.

The question was called by Kevin Confetti and seconded by Steve Thomas. A roll call vote was held: Dinelli Yes, Thomas Yes, Pinkston Yes, Confetti Yes, Linscheid Yes.

Action: *Resolution 2024.4 Resolution 2024.4*

RESOLVED that the President or Secretary of Reclamation District No. 1607 be and hereby is authorized to execute on behalf of this District that Agreement between The Reclamation Board of the State of California and Reclamation District No. 1607 covering participation in the Delta Levee Subventions Program pursuant to Part 9, Division 6 of the Water Code as amended by SB 34, Chapter 28, Statutes of 1988 for fiscal year 2022-2023 and the work to be reported to the State thereunder is determined to be categorically exempt under the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.) for the reasons set forth above.

The question was called by Kevin Confetti and seconded by Steve Thomas. A roll call vote was held: Dinelli Yes, Thomas Yes, Pinkston Yes, Confetti Yes, Linscheid Yes.

7. SCI Consulting

Action: *Resolution 2024 .5 Should the District contract with SCI Consulting to prepare an engineer's report and organize an election to move forward with an assessment increase beginning in July 2024?*

Proposed Fee Schedule: In consideration for the work accomplished, as outlined in this proposal, SCI will be compensated as detailed below:

Phase of Work Fee Initial Data Research and Feasibility Analysis \$ 3,500
Assessment Engineering and Engineer's Report \$ 25,500
Proposition 218 Balloting Services \$ 6,500

Note: Payment due April 15, 2025

The question was called by Kevin Confetti and seconded by Steve Thomas. A roll call vote was held: Dinelli Yes, Thomas Yes, Pinkston Yes, Confetti Yes, Linscheid Yes.

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Changing of gate lock code... deciding on new combination of main gate lock change on March 1st. The board instructed the secretary to change the lock combination and distribute the new code to the landowners.

**The question was called by Kevin Confetti and seconded by Steve Thomas. A roll call vote was held:
Dinelli Yes, Thomas Yes, Pinkston Yes, Confetti Yes, Linscheid Yes.**

President Dinelli asked for an adjournment. The meeting was adjourned at 5:15 pm
The question was called by Kevin Confetti and seconded by Steve Thomas. A roll call vote was held:
Dinelli Yes, Thomas Yes, Pinkston Yes, Confetti Yes, Linscheid Yes.

*Approved
8/9/2022
[Signature]*