

RECLAMATION DISTRICT NO. 1000

OPERATION AND MAINTENANCE FUND

RESOLUTION NO. 2006-01-A

WHEREAS, Reclamation District No. 1000 maintains an Operation and Maintenance Fund held by the Sacramento County Treasurer; and

WHEREAS, Reclamation District No. 1000 also maintains a Revolving Fund pursuant to Water Code Section 50657, with a maximum balance of \$200,000.00; and Reclamation District No. 1000 assumes responsibility for disbursement of such Revolving Fund and agrees to hold and save the Sacramento County Treasurer harmless from any improper disbursement of such Revolving Fund as required by Water Code Section 50658; and

WHEREAS, the Board of Trustees by this resolution desires to set forth the names and specimen signatures of the officers and Trustees of Reclamation District No. 1000 and set forth the names and required signatures for withdrawal or payment of funds from such accounts;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The following are the names and specimen signatures of Trustees of Reclamation District No. 1000:

Thomas Barandas

David Christophel

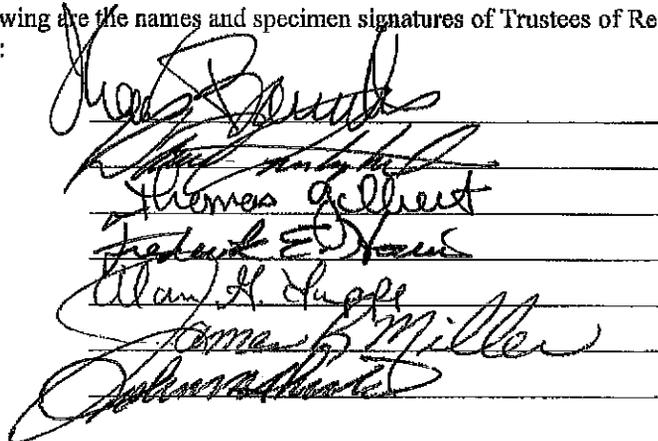
Thomas Gilbert

Frederick Harris

Alan G. Lauppe

James Miller

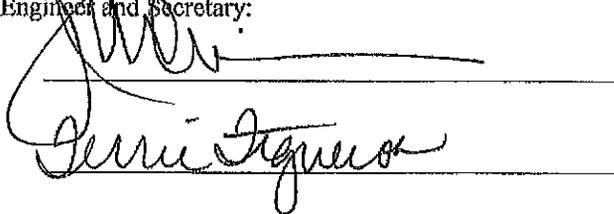
John Shiels



2. The following are the names and specimen signatures of the Reclamation District No. 1000 District Engineer and Secretary:

J.N. Clifton
District Engineer

Terrie Figueroa
District Secretary

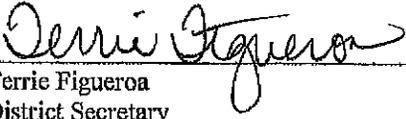


3. Funds held in the Reclamation District No. 1000 Operation and Maintenance Fund held by the Sacramento County Treasurer may be withdrawn or paid solely by warrant signed by any four or more of the Trustees of the District as identified in Paragraph 1 of this resolution and attested to by the Secretary of the Board of Trustees or the District Engineer as identified in paragraph 2 of this resolution.
4. Funds on deposit in the District's revolving fund may be withdrawn or paid solely by check signed by any one of those identified in paragraph 1 or this resolution or the District Engineer as identified in paragraph 2 of this resolution, for amounts less than \$5,000.00 and any two of the Trustees as identified in paragraph 1 or the District

Engineer as identified in paragraph 2 and a Trustee as identified in paragraph 1 of this resolution for amounts exceeding \$5,000.00.

CERTIFICATION

I, Terrie Figueroa, Secretary of Reclamation District No. 1000, hereby certify that the foregoing Resolution was duly adopted by the Board of Trustees of Reclamation District No. 1000 at the regular meeting held January 13, 2006 and made a part of the minutes thereof.



Terrie Figueroa
District Secretary

RESOLUTION NO. 2006 – 1A

**RECOMMENDING PROPERTY OWNERS MAINTAIN FLOOD
INSURANCE POLICIES**

WHEREAS, as a result of improvements to the levees along the Sacramento and American Rivers in conjunction with the modifications to operations at Folsom Reservoir and improvements to District drainage facilities, the area within our District's jurisdiction has been removed from the 100-year regulatory floodplain as determined by the Federal Emergency Management Agency (FEMA); and

WHEREAS, in recognition of the reduced flood risk to properties because of these improvements, FEMA offers a Preferred Risk Policy (PRP) for flood insurance with premiums which are about half of the flood insurance premiums previously paid by property owners; and,

WHEREAS, by being removed from the FEMA floodplain, property owners are not required to purchase flood insurance but have discretion based on their flood risk; and

WHEREAS, 100-year flood protection is equivalent to a 1% chance of being flooded in any given year and equates to a 1 in 4 chance of being flooded during a typical 30-year mortgage; and

WHEREAS, in addition to the flood risk from the Sacramento and American Rivers, there are other potential sources of flooding such as local drainage systems whose capacities may be exceeded during brief, but intense rain events resulting in local street flooding which may result in damage not covered by standard home owner's insurance policies.

NOW, THEREFORE BE IT RESOLVED

The Board of Trustees of Reclamation District No. 1000 believes it is prudent for property owners who live behind levees to maintain flood insurance policies as a means to protect their homes and/or business.

BE IT FURTHERED RESOLVED

The Board recommends that Natomas property owners, all of whom are outside the FEMA 100-year floodplain, seek a Preferred Risk Policy for flood insurance underwritten by the National Flood Insurance Program and available through their insurance company.

PASSED, APPROVED and ADOPTED this 13 day of January, 2006.

RECLAMATION DISTRICT NO. 1000
RESOLUTION NO. 2006-1B

RESOLUTION APPROVING FINANCING FOR THE PURPOSE OF FUNDING COSTS ASSOCIATED WITH THE IMMEDIATE EMERGENCY REPAIR OF THE PUMPING PLANT NO. 2 AND NORTH DRAINAGE CANAL ADJACENT TO THE SACRAMENTO RIVER EAST RIVER BANK

WHEREAS, Reclamation District No. 1000 (RD 1000) proposes to conduct immediate emergency repairs of Pumping Plant No. 2 and the associated North Drainage Canal adjacent to the Sacramento River East River Bank; and

WHEREAS, to prevent the risk of levee failure and consequent flooding it is necessary to complete the Pumping Plant No. 2 and North Drainage Canal repairs due to the fact that heavy seepage is entering these areas through the adjacent Sacramento River levee and because boils have occurred which are likely undermining the Sacramento River levee; and

WHEREAS, the District Engineer estimates that expenditures greater than \$25,000 are reasonably necessary to complete the emergency repair; and

WHEREAS, California Public Contracts Code § 20921 ordinarily would require contracts involving expenditures greater than \$25,000 to be submitted to competitive bidding, with the contract going to the lowest responsive, responsible bidder; and

WHEREAS, following the above bidding procedures would require that the Board of Trustees (Board) to prepare detailed bid specifications, then advertise for bids by placing at least two insertions not less than five days apart in a newspaper of general circulation. The delay caused by following these procedures would enhance the risk of levee failure; and

WHEREAS, California Public Contracts Code § 22050(a) authorizes RD 1000 to take action without competitive solicitation of bids if the Board finds that the emergency will not permit a delay resulting from competitive solicitation of bids, and that the action is necessary to respond to the emergency; and

WHEREAS, California Public Contracts Code § 20926 authorizes, in the event of any emergency, the Board to negotiate and award a contract for construction of work to prevent damage or repair damaged works without advertising for bids, expending any sum reasonably required in the emergency; and

WHEREAS, California Public Contracts Code § 20926(b) requires the Board to, 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, to document the circumstances of the emergency and the bid or proposal accepted; and

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WHEREAS, the Board finds that it is not practicable to informally solicit bids or request proposals from more than one contractor, and that Nordic Industries, given the nature of the emergency and the fact that Nordic Industries is a U.S. Army Corps of Engineers' designated supplier of rock and riprap, is particularly well suited to immediately conducting the required emergency work; and

WHEREAS, California Public Contracts Code § 22050(c)(3) requires that the Board terminate the action at the earliest possible date that conditions warrant so that the remainder of the emergency action may be completed by giving notice to let contracts; and

WHEREAS, in conducting emergency repairs to the Pumping Plant No. 2 and North Drainage Canal, RD 1000 is required to comply with the Federal Water Pollution Control Act ("Clean Water Act") (33 U.S.C.A. §§ 1251-1387), Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. § 403), the Endangered Species Act (16 U.S.C.A. §§ 1531-1544), California Fish and Game Code § 1602, and the California Environmental Quality Act (Public Resources Code § 21000 et seq.) ("CEQA"), (together the "Environmental Laws"); and

WHEREAS, California Public Resources Code § 21080(b)(4) exempts from CEQA's requirements specific actions necessary to prevent an emergency; and

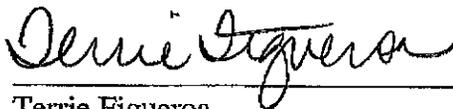
WHEREAS, California Public Resources Code § 21060.3 defines an "emergency" as "a sudden, unexpected occurrence, involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to, life, health, property, or essential public services."

NOW, THEREFORE, BE IT RESOLVED BY A FOUR-FIFTHS VOTE OF THE BOARD OF TRUSTEES THAT:

1. An immediate emergency exists, which constitutes a clear and imminent danger that demands immediate action to prevent loss of, or damage to, life, health, property, and essential public services. This emergency necessitates emergency repair work on the Pumping Plant No. 2 and North Drainage Canal.
2. The board finds that the recitals set forth above are true and correct and that the conditions therein described and those set forth in the attached January 12, 2006 e-mail from Wendy Bogdan constitute an immediate emergency involving an imminent threat to persons and property which will not permit a delay resulting from competitive solicitation of bids, and that the action is necessary to respond to the emergency.
3. The District Engineer is authorized to negotiate a contract with Nordic Industries for the emergency repair on the Pumping Plant No. 2 and North Drainage Canal.
4. The District Engineer will make all notifications and/or obtain all permits or take such other actions as may be required under all applicable laws, including the applicable Environmental Laws.

CERTIFICATION

I, Terrie Figueroa, Secretary of Reclamation District No. 1000, hereby certify that the foregoing Resolution was duly adopted by the Board of Trustees of Reclamation District No. 1000 at a regular meeting held January 13, 2006, and made a part of the minutes thereof.



Terrie Figueroa
District Secretary