

W.S.A.F.C.A.

CITY OF WEST SACRAMENTO RECLAMATION DISTRICT #900 RECLAMATION DISTRICT #537

BOARD MEETING MINUTES

May 9, 2013
10:30 AM
West Sacramento, CA

ATTENDANTS:

William E. Denton	JPA Director, RD 900 Trustee
Edward Bryan	JPA Alt Director, RD 900 Trustee
William Kristoff	JPA Director, City Council Member
Kent Lang	JPA Alt. Director, RD 537 Trustee
Kenneth Ruzich	JPA Manager
Jim Day	JPA Attorney
Ralph Nevis	JPA Attorney
Greg Fabun	City Public Works Director
Paul Dirksen	City Flood Protection Staff
Derek Larsen	MBK
Mark Zollo	City Finance Staff

The meeting was called to order by President Denton.

Attorney Day reported that the Board had met in closed session to confer with real property negotiator on one item and legal counsel on two items and no action had been taken.

It was moved by Director Lang and seconded by Director Kristoff to approve the agenda. The motion passed 3-0.

Kim McDonald expressed to the board her concern that the proposed setback levee in Reach B was not necessary, and that a fix in place solution was the better choice for the levee in front of her home. She asked that the board only take land for safety purposes, and not for mitigation.

Mark Zollo presented the monthly review of revenue and expenses through the end of March 2013. Cash position at the end of that period was 7.2 million dollars.

It was moved by Director Kristoff to approve the consent agenda for Items 5,6, and 7. The motion was seconded by Director Lang and passed 3-0.

Paul Dirksen presented the agenda report on Item 8, requesting the WSAFCA board approve two resolutions authorizing the initiation of eminent domain proceedings to acquire certain real property rights needed for construction and maintenance of levee improvements necessary to achieve at least a 200 year level of flood protection throughout the City and at this section of the Sacramento River North as part of the Rivers Early Implementation Project.

President Denton then opened the Public Hearing for the Resolution of Necessity. Mr. Glen Campora addressed the board, and stated that he was also conveying the concerns of Simona Copaciu. Mr. Campora discussed the impact of the easement on the value of his property, and the difficulty he faced in obtaining discretionary permits for construction of improvements on his property. He then requested a three month delay to allow further negotiations, and a possible land swap with an adjacent parcel.

David Williams, Chief, Levee Improvement Section, Central Valley Flood Protection Board, addressed the board in regards to current requirements by the State and Corps of Engineers for waterside encroachments. He stated that waterside encroachments, such as those proposed by Mr. Campora, were a problem with Corps of Engineers inspections and could impact the ability of the local maintaining agency to keep eligibility for PL 84-99 assistance after flood events.

Paul Dirksen stated that the State discretionary permits and the suggested land swap were not within the purview of this agency.

President Denton then closed the Public Hearing.

Director Kristoff then made a motion for that the Board approve the findings and adopt Resolutions 13-05-01 and Resolution 13-05-02,

- A. Determining that the public interest and necessity require the Project; and
- B. Determining that the Project is planned and located in the manner that will be most compatible with the greatest public good and least private injury; and
- C. Determining that the property owned by Simona Copaciu, located at 1010 River Crest Drive, West Sacramento, CA (APN 014-690-089) is necessary for the Project and the property owned by Glen and Deborah Campora, located at 1020 River Crest Drive, West Sacramento, CA (APN 014-690-090) is necessary for the Project;
- D. Determining that the offer required by Section 7267.2 of the Government Code has been made to the owners of record; and
- E. Authorizing WSAFCA's attorney to file a complaint in eminent domain to acquire such property interest, to apply for an order for possession before judgment, and to prosecute that action to final judgment; and
- F. Authorizing the deposit of the amount of probable compensation in the amount of \$6,100 for the Copaciu property and \$14,200 for the Campora property

The motion was seconded by Director Lang and passed 3-0.

Greg Fabun updated the Board on WSAFCA activities. The EIS/EIR documents have been send to Corps Division for review and comment. The next step for the West Sacramento Project General re-Evaluation Report is for the selection of a Tentatively Selected Plan by early this fall. The cost and schedule are still be evaluated in light of the new Corps criteria for such plans.

Greg Fabun informed the board that the Department of Water Resources is scheduled to make a presentation at the next WSAFCA board meeting to review the State's determination of the 200 year floodplain for this area.

There being no further business, the meeting was adjourned to May 9, 2013.

Kenneth A. Ruzich
Manager, WSAFCA