

Reclamation District No. 150

MERRITT ISLAND YOLO COUNTY, CALIFORNIA

RESOLUTION No. 23-02

A RESOLUTION OF THE BOARD OF TRUSTEES OF RECLAMATION DISTRICT NO. 150 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. 150 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. 150 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; Warren Bogle
- b. Any single Trustee; #1 Matt Hemly, #2 David Ogilvie, #3 Peter Anderson & #4 Claire Connor
- 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

2. Such emergency decision-making authority includes the following powers:

Reclamation District No. 150

MERRITT ISLAND YOLO COUNTY, CALIFORNIA

- 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. 150, or an imminent threat of flooding of Reclamation District 150, 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 9th day of January, 2023, by the following vote, TO
WIT:

AYES: 5/5

NOES: 0/5

ABSENT: Ø

ABSTENTION: Ø

Reclamation District No. 150

MERRITT ISLAND YOLO COUNTY, CALIFORNIA

RECLAMATION DISTRICT NO. 150

By: 

President, Board of Trustees

ATTEST:



Secretary, Board of Trustees