

Jaclyn Moreno, President  
Gil Albiani, Vice President  
Rod Brewer, Director  
Orlando Fuentes, Director  
Jim Luttrell, Director



Joshua Green, General Manager  
Sigrid Asmundson, District Counsel  
Felipe Rodríguez  
Paul Mewton  
Phil Lewis

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**REGULAR BOARD OF DIRECTORS MEETING  
WEDNESDAY, AUGUST 3, 2022  
REGULAR MEETING – 6:30 P.M.**

As of February 16, 2022, with the Sacramento County Health Officer rescinding the July 26 Health Order requiring all individuals to wear face coverings indoors, as well as the January 6 Health Order directing all public meetings to be held virtually. The District will resume normal operations and will allow public access to Board meetings. *Per order of the California Department of Public Health, all unvaccinated individuals will continue to be required to wear face coverings in all indoor public settings.*

**AGENDA**

**REGULAR BOARD MEETING – 6:30 P.M.**

**A. CALL TO ORDER**

1. Session Roll Call
2. Pledge of Allegiance
3. Moment of Silence

**B. ANNOUNCEMENTS/PRESENTATIONS**

4. Update on Community Engagement Efforts. (K. Gonzalez/M. Lebed)

**C. COMMUNICATIONS FROM THE PUBLIC (Non-agendized items)**

This is the time and place for the public to address the Board of Directors. State law prohibits the Board from addressing any items not previously included on the Agenda. The Board of Directors may receive testimony and set the matter for a subsequent meeting. Comments are to be limited to three minutes per individual at the discretion of the President. Individuals representing a group, or an organization shall be permitted five minutes. Comments relating to similar issues should be brief, concise, and non-repetitious. Speakers should state their home or business address when commenting to the Board.

**Note:** Under the provisions of the California Government Code, the Board is prohibited from discussing or taking immediate action on any non-agendized item unless it can be demonstrated to be of an emergency nature or the need to take immediate action arose after the posting of the agenda.

## **D. CONSENT CALENDAR**

The following Consent Calendar items are expected to be routine and non-controversial. They may be acted upon by the Board at one time without discussion. Any item may be removed by a Board Member for discussion or clarification. Members of the public wishing to comment on any Consent Calendar item may do so before Board action.

5. Approve July 20, 2022, Regular Board Meeting Minutes.
6. Approve Resolution No. 2022-50, Rejecting in Whole Claim Filed by Odyssey Landscaping Inc.
7. Approve Resolution No. 2022-51, Honoring Annaclare and Jim Entrican.

## **E. PUBLIC HEARINGS**

None

## **F. STAFF REPORTS**

8. **SUBJECT:** Public Works Contract Award for Jack Hill Park Revitalization. (P. Mewton)

### **RECOMMENDATIONS:**

1. Award the contract for construction of Jack Hill Park Revitalization to Saenz Landscape Construction Co. in the amount of \$732,238 plus a contingency in the amount of \$51,257 (7%) for a total of \$783,495;
2. Authorize additional funding allocation of \$253,495 from Landscape and Lighting Assessment Funds; and
3. Authorize the General Manager or their designee to approve change orders up to the contingency amount and sign the Contract Completion Notice upon acceptance of the project.

## **G. BOARD OF DIRECTOR'S BUSINESS**

9. Miscellaneous Reports
10. Meeting/Event Approval
11. Meeting/Event Reports

## **H. IDENTIFICATION OF ITEMS FOR FUTURE MEETING**

This is the time for the Board of Directors to identify the items they wish to discuss at a future meeting. These items will not be discussed at this meeting, only identified for a future meeting. This is also the time for scheduling Board Workshops or special meetings.

## **I. ADJOURNMENT**

**Note:** *Disabled Accommodations.*

*The Cosumnes Community Services District will make reasonable accommodations for persons having special needs due to disabilities. Please contact Elenice Gomez, District Clerk at 8820 Elk Grove Blvd. Elk Grove, CA 95624, phone (916) 405-7169, at least 48 hours before the meeting, to allow time to provide for special accommodations.*

**Note:** *Review and Copies of Agenda, Agenda Reports, and Material.*

*Before each meeting, copies of the Agenda, Agenda Reports, and other materials, as well as any public record relating to an open session agenda item that is distributed within 72 hours before the meeting, are available for public review at the Cosumnes Community Services District's website at <https://www.yourcsd.com/AgendaCenter/Board-of-Directors-2>.*

*Certificate of Posting of Agenda*

*I hereby declare that the foregoing Agenda for the August 3, 2022, Regular Meeting of the Cosumnes Community Services District Board of Directors was posted on July 29, 2022, at 8820 Elk Grove Blvd., Elk Grove, California, 95624, and was available for public review at that location.*

*Signed this 29<sup>th</sup> day of July 2022.*

A handwritten signature in blue ink, appearing to be "J. Perry", is written in a cursive style.

**COSUMNES COMMUNITY SERVICES DISTRICT  
EXECUTIVE SESSION – 5:30 PM  
REGULAR BOARD MEETING – 6:30 PM  
WEDNESDAY, JULY 20, 2022  
MINUTES**

**EXECUTIVE SESSION – 5:00 PM**

1. CALL TO ORDER

President Moreno called the meeting to order at 5:30 p.m.

2. COMMUNICATIONS FROM THE PUBLIC

None

3. RECESS TO EXECUTIVE SESSION

President Moreno recessed to Executive Session at 5:38 p.m.

a. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1)

Name of case: Bralley v. Cosumnes Community Services District et al,  
Sacramento Superior Court Case No: 34-2019-00259458

**REGULAR BOARD MEETING – 6:30 PM**

**ATTENDANCE**

Directors present included Gil Albiani, Rod Brewer, Orlando Fuentes, Jim Luttrell, and Jaclyn Moreno.

General Manager/CEO Joshua Green, District Counsel Sigrid Asmundson, Fire Chief Felipe Rodriguez, and Chief of Planning, Design, and Construction Paul Mewton were also in attendance.

**A. CALL TO ORDER/PLEDGE OF ALLEGIANCE**

1. President Moreno had nothing to report out of the Executive Session.
2. President Moreno called the meeting to order at 6:34 p.m.
3. Sr. Building Maintenance Worker Gary Salinas led the Pledge of Allegiance.
4. A moment of silence was observed in honor of anyone who is affected by fires worldwide.

**B. ANNOUNCEMENTS/PRESENTATION**

5. April 1 to June 30 New Hires and Promotions

Fire Chief Felipe Rodriguez presented a slide show introducing recently promoted and new staff.

6. Firefighters Burn Institute Plaque Presentation – 2022 Boot Drive

Chief Felipe Rodriguez introduced Fire Department Personnel: Kavita Takhar, Kayla Mai, Courtland Fisher, and others, who were involved in the planning of this year's boot drive.

Joe Pick, Executive Director, for the Firefighters Burn Institute, presented event coordinators Firefighters Manuel Carter and Eric Jackson with an appreciation plaque and the 40 Grand Club trophy. This year Cosumnes Fire raised \$42,000 in donations during the Fill the Boot for the Burn fundraiser.

Battalion Chief Courtland Fisher offered his gratitude to personnel involved in the planning and coordination of the fundraiser.

The parent of one of the victims of the tragic plane crash and subsequent fire at Farrell's Ice Cream parlor that occurred in 1972, said a few words about her personal experience which inspired her to support the Firefighters Burn Institute.

#### 7. Fourth of July After Action Report

Fire Chief Felipe Rodriguez introduced Assistant Chief, Fire Marshall Lantz Rey and Battalion Chief Courtland Fisher who presented the report recapping the efforts during the Fourth of July Holiday.

Chief Rey offered to return to the Board with recommendations for discussion on how to mitigate the illegal fireworks problem in our community. The Board asked staff to prepare a report with recommendations and an assessment of the pros and cons of implementing mitigation measures.

### C. COMMUNICATIONS FROM THE PUBLIC

None

### D. CONSENT CALENDAR

8. Approve July 6, 2022, Regular Board Meeting Minutes.
9. Approve Amendments to June 15, 2022, Adopted Decision Package 31 to Include a methodology for the inclusion of Certain Part-time Personnel.
10. Approve the Schedule of Meetings of the Board of Directors for Fiscal Year 2022-2023.
11. Approve Resolution No. 2022-49, Rejecting in Whole Claim Filed by Madhu Lada and De Xie.
12. Approve Women's Equality Day Proclamation.
13. Receive and File the District Wide Report for June.
14. Receive and File the Quarterly Project Status Update from the Facility and Development Department.

Director Albiani moved to approve consent items 8 to 14, seconded by Director Luttrell. The vote was 5 yes and 0 noes. The motion carried.

### E. PUBLIC HEARINGS

None

### F. STAFF REPORTS

15. **SUBJECT:** Purchase of Park Property

#### **RECOMMENDATIONS:**

1. Approves the General Manager to enter into a Purchase and Sale Agreement for the purchase of 100 acres of property consisting of portions of APN 134-0220-062-0000 and APN 134-0220-066-0000; and

2. Authorizes the General Manager to finalize and execute the Purchase and Sale Agreement and all other necessary documents to effectuate the purchase of the property.

Chief of Planning, Design, and Construction Paul Mewton reviewed the staff report.

Director Brewer moved to accept staff's recommendations, seconded by Director Albiani. The vote was 5 yes and 0 noes. The motion carried.

#### **G. BOARD OF DIRECTOR'S BUSINESS**

16. Miscellaneous Reports
17. Meeting/Event Approval
18. Meeting/Event Reports

#### **H. IDENTIFICATION OF ITEMS FOR FUTURE MEETING**

None.

#### **I. ADJOURNMENT**

With no further business, the meeting was adjourned at 7:32 p.m.

Approved: \_\_\_\_\_  
Board President

Attest: \_\_\_\_\_  
Secretary to the Board

# STAFF REPORT

**DATE:** August 3, 2022  
**TO:** Board of Directors  
**FROM:** Joshua Green, General Manager  
**BY:** Tiffany Piper, Management Analyst and  
 Jeffrey Alvarez, Administrative Specialist



**SUBJECT: REJECTION OF CLAIM – ODYSSEY LANDSCAPING INC.**

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## RECOMMENDATION

The Board of Directors:

1. Adopts Resolution No. 2022-50, rejecting in whole the claim filed by Odyssey Landscape Inc.

## BACKGROUND/ANALYSIS

Odyssey Landscaping Inc., filed a claim against the District on June 30, 2022, alleging breach of contract for landscaping services. Following the legal review of the claim, rejection of the claim on its merits has been recommended.

The attached Resolution formally rejects the tort claim.

## FINANCIAL ANALYSIS

There is no fiscal impact related to this action.

## SUSTAINABILITY ANALYSIS

The action requested in this report has no impact on the District's sustainability practices.

Respectfully submitted,

Joshua Green  
 General Manager

**Attachment A:** Resolution No. 2022-50

Staff Report recommendation authorized by:

Approved as to Form:

Joshua Green, General Manager

Sigrid Asmundson, District Counsel

# **Attachment A**

Resolution No. 2022-50



**RESOLUTION NO. 2022-50**

**RESOLUTION OF THE GOVERNING BOARD OF THE  
COSUMNES COMMUNITY SERVICES DISTRICT**

**Rejection of Government Claim**

**RESOLVED** by the Governing Board of Directors (“Board”) of the Cosumnes Community Services District (the “District”), County of Sacramento, State of California, that:

**WHEREAS**, a claim for monetary damages (“Claim”) has been presented by Odyssey Landscaping, Inc., dated June 30, 2022, against the Cosumnes Community Services District for alleged breach of contract for landscaping services; and

**WHEREAS**, California Government Code Section 912.4(a) provides that when a claim is presented to a local public entity, that local public entity has forty-five (45) days to act upon said claim; and

**WHEREAS**, California Government Code Section 912.6(a)(1) provides that when a claim is made against a local public entity, a Board may reject the claim if it finds the claim is not a proper charge against the local public entity; and California Government Code Section 912.6(a)(4) provides that when a claim is made against a local public entity, the board may reject the claim if the legal liability of the public entity is disputed; and

**WHEREAS**, that the Governing Board of the Cosumnes Community Services District has considered the Claim filed by Odyssey Landscaping, Inc.

**NOW, THEREFORE BE IT RESOLVED** that the Governing Board of the Cosumnes Community Services District has concluded that the Claim is rejected in its entirety.

**BE IT FURTHER RESOLVED** that the District’s General Manager, or their designee, is authorized to give notice to Odyssey Landscaping, Inc. of this Governing Board’s decision to reject, in its entirety, the Claim, and further advise that said claimant has six (6) months from the date the rejection is deposited in the mail to file a court action on the claim. Such notice, together with a copy of this Resolution, shall be served upon Odyssey Landscaping, Inc. on or before August 14, 2022.

**PASSED AND ADOPTED** this 3<sup>rd</sup> day of August by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Cosumnes Community Services District

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Jaclyn Moreno, President

ATTEST:

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Joshua Green, Secretary

# STAFF REPORT



**DATE:** August 3, 2022  
**TO:** Board of Directors  
**FROM:** Phil Lewis, Administrator of Parks and Recreation  
**BY:** Jenna Brinkman, Public Affairs Manager  
**SUBJECT: APPROVAL OF RESOLUTION 2022-51 IN HONOR OF ANNACLARE AND JIM ENTRICAN**

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## RECOMMENDATION

The Board of Directors:

1. Approves the attached resolution in honor of Annaclare and Jim Entrican for their years of service to the Elk Grove community.

## BACKGROUND/ANALYSIS

The Board approved the naming of Jim and Annaclare Saner Entrican Park on August 5, 2015. The naming honored Jim and Annaclare whose leadership and commitment to preserving Elk Grove's history has greatly enriched and impacted the community of Elk Grove. Their most notable contributions stem from their active participation with the Rhoads School and the Elk Grove Historical Society. Entrican Park is now open, and a grand opening celebration is planned for August 4, 2022.

## FINANCIAL ANALYSIS

There is no impact on District resources with the approval of the attached resolution.

## SUSTAINABILITY ANALYSIS

There will be no environmental impact as a result of the recommended Board action.

Should you have any questions, please contact me prior to the Board meeting.

Respectfully submitted,

Phil Lewis, Administrator of Parks and Recreation

**Attachment A:** Resolution No. 2022-51

Staff Report recommendation authorized by:

General Manager/ CEO

Approved as to Form:

District Counsel

# **Attachment A**

Resolution No. 2022-51

## RESOLUTION NO. 2022-51

### IN HONOR OF JIM AND ANNACLARE SANER ENTRICAN

**WHEREAS**, Annaclare Marie Saner was the first of three children born to Sloughhouse natives Herman and Sarah Grimshaw Saner; and James Daryl Entrican (Jim) was the third of four children born to George and Ruth Van Doren Entrican, historic business leaders of Elk Grove; and

**WHEREAS**, Jim and Annaclare are lifelong residents of Elk Grove and have been married for over 26 years; and

**WHEREAS**, Jim and Annaclare's leadership and commitment to preserving Elk Grove history has greatly enriched and impacted the community; and

**WHEREAS**, Jim and Annaclare have been instrumental members of numerous service groups and organizations that preserve the past; and

**WHEREAS**, Jim and Annaclare's most notable contributions stem from their active participation in the Rhoads School and the Elk Grove Historical Society; and

**WHEREAS**, Jim and Annaclare's contributions were recognized when they were named the 2014 "Volunteers of the Year" and the 2016 "Citizens of the Year" by the *Elk Grove Citizen*; and

**WHEREAS**, Jim and Annaclare continue to preserve and share Elk Grove's proud heritage, thus strengthening the fabric of the community and carrying its shared values into the future; and

**WHEREAS**, On August 5, 2015, the Board approved the naming of Jim and Annaclare Saner Entrican Park to honor the vast impact they have made on the community; and

**WHEREAS**, The Jim and Annaclare Saner Entrican Park grand opening and dedication ceremony will be held on August 4, 2022, in celebration.

**NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE COSUMNES COMMUNITY SERVICES DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:**

**Section 1. Item of Section.** Recognize Jim and Annaclare Saner Entrican for their many contributions and service to the Elk Grove community by dedicating this park in their honor.

**Section 2. Recitals.** The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference

**Section 3. Necessary Acts.** The General Manager or designee is hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution.

**Section 4. Effective Date of Resolution.** This Resolution shall take effect immediately upon its adoption.

**PASSED AND ADOPTED** by the Board of Directors of the Cosumnes Community Services District, this third day of August 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Jaclyn Moreno, President

**ATTEST:**

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Joshua Green, Secretary



# STAFF REPORT

**DATE:** August 3, 2022

**TO:** Board of Directors

**FROM:** Paul Mewton, Chief of Planning, Design & Construction

**BY:** Christine Manitta, Senior Landscape Architect

**SUBJECT: AWARD OF CONTRACT FOR JACK HILL PARK REVITALIZATION CONTRACT #PC-22-004**

## RECOMMENDATIONS

The Board of Directors:

1. Awards the contract for the construction of Jack Hill Park Revitalization to Saenz Landscape Construction Co. in the amount of \$732,238 plus a contingency in the amount of \$51,257 (7%) for a total of \$783,495;
2. Authorizes additional funding allocation of \$253,495 from Landscape and Lighting (L&L) Assessment Funds; and
3. Authorizes the General Manager, or their designee, to approve Change Orders up to the Contingency amount and sign the Contract Completion Notice upon acceptance of the project.

## BACKGROUND/ANALYSIS

Jack Hill Park is a 7.5-acre neighborhood park built in 1993 and is located in the Waterman/Park Village area within L & L Benefit Zone 9. Renovations will include replacing the existing play structure, installing a new play structure, adding a new prefabricated shade structure, an adult fitness station, site furnishings, electrical upgrades with new restroom lighting, and pedestrian accessibility improvements.

### **Bid Recommendation**

On July 19, 2022, the following three (3) bids were received for the construction of Jack Hill Park Revitalization, #PC-22-004.

Bidder	Base Bid	Base Bid w/ Add Alternates 1&2
Saenz Landscape Construction Co.	\$700,461.00	\$732,238.00
Martin General Engineering, Inc.	\$1,019,698.65	\$1,097,238.65
Olympic Land Construction, Inc.	\$824,425.00	\$863,905.00

The base bid amount was the basis of the award for this contract. After a review of the bids, staff has determined that Saenz Landscape Construction Co. is the lowest bidder submitting the lowest responsive bid of \$700,461.00.

Saenz Landscape Construction Co. has completed similar projects for other public agencies and is currently performing construction work for the District on the Elk Grove Veterans Memorial Phase 2 project.

The work to be performed under this contract includes furnishing all labor, materials, equipment, transportation, and services necessary to renovate an existing park. Work generally includes clearing, grubbing, and removal of existing improvements, including export soil, concrete, site furnishings, wood fiber and play equipment; installation of concrete flatwork and curbing; installation of a new shade structure, play equipment, wood fiber and site furnishings; irrigation modifications; electrical upgrades and landscaping.

Construction is anticipated to begin in August/September of 2022. The contract allows 120 working days to complete the required work. Jack Hill Park Revitalization will likely be complete and open to the public in mid-2023.

### **FINANCIAL ANALYSIS**

All bids exceeded the current construction budget of \$530,000 in the Fiscal Year 22/23 Capital Improvement Plan (CIP). The project was bid with two Add Alternates in anticipation of increased costs. Staff recommends the award of both Add Alternates for a total of \$31,777. The Add Alternates add a much-needed bicycle and pedestrian connection to the existing bike trail from the parking lot for increased safety and an adult fitness station to bring the park up to the District's current park standards identified in the Park Design Principles. The lowest base bid, in the amount of \$700,461 with Add Alternate #1 for \$24,602 and #2 for \$7,175, plus a construction contingency of 7% equals a total of \$783,495. This exceeds the construction budget by \$253,495 or 48%.

Bid analysis reveals continued cost increases in all areas of construction work with no indication of normalization in the near future. Contractors indicate increased steel, concrete, pipe, and raw materials costs due to supply and demand shortages caused by the pandemic, inflation, and labor shortages.

While the District could rebid the project, it is unlikely that, given the current bidding climate, rebidding the project will result in cost savings. In addition, rebidding would add a minimum of three months to the project schedule. As a consequence, staff recommends awarding the contract in full with a 7% contingency.

Staff will amend the 2022-2027 Capital Improvement Plan (CIP) to reflect the required additional funds of \$253,495 to construct the project. It is recommended that additional required funds be allocated from L & L assessment funds from the corresponding zone.

**COSTS**

	<b><u>Current 22-27 Project Budget</u></b>	<b><u>Revised 22-27 Project Budget</u></b>
Construction	\$ 530,000	\$ 783,495
Design Costs	\$ 71,082	\$ 73,000
Construction Management	\$ 33,600	\$ 34,682
Permit Fees	\$ 15,000	\$ 12,000
Project Contingency	\$ 0	\$ 0
Misc. Project Costs	\$ 0	\$ 0
<b>TOTAL</b>	<b>\$ 649,682</b>	<b>\$ 903,177</b>

**SUSTAINABILITY ANALYSIS**

The Jack Hill Park Revitalization project meets the following Climate Action Plan measures:

- BD-2 Lighting Efficiency – All new exterior restroom lighting is being replaced with LED fixtures to increase energy efficiency.
- LM-4 Water Efficient Irrigation Practices – A large turf and spray irrigation area will be removed to make room for the new play area. This will result in irrigation water savings.
- LP-1 Bicycle Parking – New bike racks will be installed at the park.
- LP-2 Bicycle and Pedestrian Infrastructure – Jack Hill Park is connected to a heavily used pedestrian and bicycle trail. The new adult fitness station will be a welcomed addition to the bicycle and pedestrian infrastructure.

Should you have any questions, please contact me prior to the Board meeting.

Respectfully submitted,



Paul Mewton  
Chief of Planning, Design & Construction

Staff Report recommendation authorized by:



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General Manager/ CEO

Approved as to Form:



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District Counsel