

**AUBURN AREA RECREATION AND PARK DISTRICT
SPECIAL MEETING OF THE BOARD OF DIRECTORS AGENDA
THURSDAY, MARCH 26, 2026, 5:45 PM
CANYON VIEW COMMUNITY CENTER, BOARD ROOM
471 MAIDU DRIVE
AUBURN, CA**

Materials related to an item on this Agenda submitted to the District after distribution of the agenda packet are available for public inspection by contacting the District Administrator at kmuscott@auburnrec.com or by calling (530) 537-2186 (M-F).

The public may participate in the meeting in-person or through Zoom. The link for this meeting is <https://us06web.zoom.us/j/85960160655>. The public can use this link and/or call 1 669 900 6833 Webinar ID: 859 6016 0655 participate.

People using the Zoom website will be able to see and hear the Board, and the Board will be able to hear the public. The Board will not receive any visual/video from the public. This is done to avoid inappropriate visual content at the meeting.

Questions and comments can be sent via email to the District Administrator no later than one hour before the meeting. These emails will be read aloud at the meeting and responded to accordingly. Emails can be sent during the meeting, and staff will work to ensure that all are read, however the best way to have your comment heard is through the Zoom meeting or the associated phone number.

If you are a person with a disability and need an accommodation to participate in the District's programs, services, activities and meetings, contact Kahl Muscott at (530) 537-2186 or kmuscott@auburnrec.com at least 48 hours in advance to request an auxiliary aid or accommodation.

1.0 CALL TO ORDER

Roll Call

Ainsleigh ____ Lynch ____ Gray ____ Holbrook ____ Ingle ____

2.0 AGENDA REVIEW, CHANGES, AND APPROVAL

Motion by _____ Second by _____ to _____

Ainsleigh ____ Lynch ____ Gray ____ Holbrook ____ Ingle ____

Roll Call Vote

3.0 PUBLIC COMMENT – This is the time wherein any person may comment on any item notion the agenda within the subject matter jurisdiction of the Board of Directors. After you are recognized by the Board Chairperson, please come to the lectern and state your name, and address for the record (optional). There is a time limitation of three minutes.

4.0 NEW BUSINESS

4.1 Resolution #2026-06 Canyon View Community Center Flooding Remediation
Emergency Approval (Pages 3-16)

Shall the Auburn Area Recreation and Park District (ARD) Board of Directors approve Resolution #2026-06, a resolution that; finds emergency repairs were needed to remediate for flooding that occurred at the Canyon View Community Center (CVCC); that finds that an exemption to public bidding is necessary to mitigate the immediate public health issues resulting from this flooding; approves the contract signed with Kustom Restoration to start the needed remediation; and authorizes the District Administrator to enter into future contracts with Kustom Restoration to finish the needed remediation work at CVCC?

Motion by _____ Second by _____ to _____

Ainsleigh _____ Lynch _____ Gray _____ Holbrook _____ Ingle _____

ADJOURNMENT

AUBURN AREA RECREATION AND PARK DISTRICT
This agenda is hereby certified to have been posted as follows:

March 24, 2026
Date

10:00 Am
Time

Cathy Wayford
Clerk to the Board

4.1 Cover sheet – Resolution #2026-06 Canyon View Community Center Flooding Remediation Emergency Approval

Auburn Area Recreation and Park District Special Meeting March 26, 2026

The Issue

Shall the Auburn Area Recreation and Park District (ARD) Board of Directors approve Resolution #2026-06, a resolution that; finds emergency repairs were needed to remediate for flooding that occurred at the Canyon View Community Center (CVCC); that finds that an exemption to public bidding is necessary to mitigate the immediate public health issues resulting from this flooding; approves the contract signed with Kustom Restoration to start the needed remediation; and authorizes the District Administrator to enter into future contracts with Kustom Restoration to finish the needed remediation work at CVCC?

Background

On March 18th, 2026, staff became aware of flooding occurring in the lower floor (“downstairs”) at the Canyon View Community Center (471 Maidu Dr. Auburn, CA 95603). This flooding covered the +/- 6,100 sq.ft. of the lower floor in approximately 1” of water. There are approximately 15 separate rooms and a walk-in safe in the lower floor of CVCC. At the same time this leak was discovered, ARD also experienced leaks in water pipes in the CVCC parking lot and in two locations at the Auburn Bike Park.

Staff immediately contacted Kustom Restoration to have them arrive and begin the process of remediation. A not exceed contract of \$10,000 was approved by ARD staff.

Since that time, Kustom has opened up all areas and has been drying out every room. Testing for lead and asbestos has also been completed (both were found). Kustom sent a subsequent Authorization for Emergency Services not to exceed \$46,000 for continued drying and for the testing. This work includes removal of wet and damaged materials, cleaning and drying out.

Kustom Restoration has indicated that we will see two more contract requests in the near future, for work that includes, but is not limited to lead/asbestos abatement and removal and replacement of tiles in the bathrooms and janitor’s closet.

ARD staff has been working with CAPRI since the beginning of this process, notifying and seeking approval to move forward at each step. CAPRI has recommended moving forward at each step, including the authorization for the N.T.E. \$46,000.

ARD staff has also notified the U.S. Bureau of Reclamation, owners of CVCC. ARD manages CVCC as part of a Managing Partner Agreement with Reclamation.

Investigations are on going as to the cause of this flooding.

Recommendation for the Board of Directors

Approve Resolution #2026-06, a resolution that; finds emergency repairs were needed to remediate for flooding that occurred at the Canyon View Community Center (CVCC); that finds that an exemption to public bidding is necessary to mitigate the immediate public health issues resulting from this flooding; approves the contract signed with Kustom Restoration to start the needed remediation; and authorizes the District Administrator to enter into future contracts with Kustom Restoration to finish the needed remediation work at CVCC.

Fiscal Impact

At this point, ARD has authorized Kustom Restoration for \$56,000 worth of work.

ARD's deductible, through CAPRI, is \$10,000. It should be noted that investigations continue into the cause of this leak.

Attachments

Resolution #2026-06
Authorization for Emergency Services with Kustom Restoration
Map and pictures of the various leaks that occurred on March 18, 2026
California Public Contract Code, §22050

RESOLUTION NUMBER 2026-06

A RESOLUTION OF THE GOVERNING BOARD OF DIRECTORS OF THE AUBURN AREA RECREATION AND PARK DISTRICT A RESOLUTION THAT; FINDS EMERGENCY REPAIRS WERE NEEDED TO REMEDIATE FOR FLOODING THAT OCCURRED AT THE CANYON VIEW COMMUNITY CENTER (CVCC); THAT FINDS THAT AN EXEMPTION TO PUBLIC BIDDING IS NECESSARY TO MITIGATE THE IMMEDIATE PUBLIC HEALTH ISSUES RESULTING FROM THIS FLOODING; APPROVES THE CONTRACT SIGNED WITH KUSTOM RESTORATION TO START THE NEEDED REMEDIATION; AND AUTHORIZES THE DISTRICT ADMINISTRATOR TO ENTER INTO FUTURE CONTRACTS WITH KUSTOM RESTORATION TO FINISH THE NEEDED REMEDIATION WORK AT CVCC

WHEREAS, the Auburn Area Recreation and Park District (ARD) manages and operates the Canyon View Community Center (471 Maidu Dr. Auburn, CA 95603) as part of a Managing Partner Agreement with the U.S. Bureau of Reclamation, and

WHEREAS, flooding occurred in the lower floor at the Canyon View Community Center (CVCC) on March 18th, 2026 that resulted in approximately 1” of water covering the entire lower floor area, and

WHEREAS, ARD staff and the District Administrator entered into two separate agreements with Kustom Restoration for the immediate response and initial clean up (\$10,000) and for continued clean up and environmental testing (\$46,000), and

WHEREAS ARD policy states that when the Board of Directors, by four-fifths vote, specifically waives the competitive bid process and authorizes staff to purchase equipment or award a contract due to extraordinary circumstances, and

WHEREAS ARD policy states The District Administrator may authorize the purchase of materials, supplies, equipment and services where an emergency is deemed to exist and it is determined that service involving public health, safety or welfare would be interrupted if the normal procedures were followed. All emergency purchases which would otherwise require formal bidding shall be submitted to the Board of Directors for ratification at the next Board meeting after the purchase is allowed, and

WHEREAS, the Board of Directors finds that this situation is emergency, as defined by California Public Contract Code, section 1102, specifically in that it is an impairment of public health, and

WHEREAS, the Board of Directors finds that this situation requires immediate action and must be exempt from public bidding laws, policies and practices, per California Public Contract Code §22050 and District policy, and

WHEREAS, the Board of Directors finds that this situation will not permit a delay resulting from a competitive solicitation of bids, and that the action is necessary to respond to the emergency, and

WHEREAS, the emergency work performed to this point totals \$56,000, and

WHEREAS, Kustom Restoration has indicated that future remediation and restoration is required, with quotes still to come.

THEREFORE, the Auburn Area Recreation and Park District Board of Directors does hereby find and authorizes the following:

Emergency repairs were needed to remediate for flooding that occurred at the Canyon View Community Center (CVCC); that emergency services and related expenses of \$56,000 were needed for the initial remediation; that finds that an exemption to public bidding is necessary to mitigate the immediate public health issues resulting from this flooding; approves the contracts signed with Kustom Restoration to start the needed remediation; and authorizes the District Administrator to enter into future contracts with Kustom Restoration to finish the needed remediation work at CVCC

APPROVED, PASSED, AND ADOPTED ON March 26, 2026 by the following roll call vote:

Ayes:

Noes:

Absent:

Abstain:

Michael G. Lynch
Chairperson of the Governing Board

ATTEST:

Clerk to the Governing Board



2372 Gold River Rd
Gold River, CA 95670
(916) 631-1693

License #988872

1070 Horizon Dr., Ste B
Fairfield, CA 94533
(707) 419-7560

AUTHORIZATION FOR EMERGENCY SERVICES

Property Owner Kahl Muscott Property Address 471 Maidu Dr Auburn , CA , 95603
City _____ St _____ Zip _____ Cell Phone 530-308-6105 Work Phone _____
Home Phone _____ Email kmuscott@auburnrec.com
Insurance Company _____ N/A Policy No. _____ Claim No. _____ N/A
Amount Collected 0.0

As **Property Owner**, I hereby authorize **Five Star Restoration a Division of Kustom Us**, to proceed with emergency services to prevent or mitigate further or additional damage to the property set forth below and to take those steps necessary to board up, clean, dry, or remove damaged property in preparation for future restoration or repair of the above listed property and/or contents from damage caused by water heater on 03/18/26

Property Owner understands that the total cost of these emergency services described below shall be payable upon completion of work and, **if Property Owner signs the Direction to Pay Authorization below, will thereby authorize and instruct that direct payment be made by Property Owner's insurance company to Five Star Restoration a Division of Kustom Us, 2372 Gold River Road Gold River, CA 95670.** Property Owner understands that he/she is liable for the payment of any deductible and for any and all charges not covered by Property Owner's insurance company.

(initial)
km

Services to be Provided:

- Water Damage Mitigation, Drying, and Dehumidifying
- Fire Damage Mitigation
- Mold Remediation
- Board Up
- Other Environmental testing

The cost of these emergency services shall not exceed \$ 46,000.00, based on the following description of work to be performed:

Removal of wet and damaged materials, cleaning, and dry out.
Environmental testing as required.

The cost of these emergency services shall not exceed the above amount without written authorization for additional services by Property Owner in the event the need for additional services is discovered after work has been commenced.

Property Owner understands that emergency services are necessary steps taken to prevent additional damages to the building and/or contents and these emergency services may include cleaning, drying, storage, removal of damaged structures and property, any necessary boarding up and/or sequestering damaged areas of the property for safety and prevention or reduction of further damage to the property and to help prepare for future restoration and repairs. **These services do not include the repair or restoration of the property.**

Page | 1 | (initial)
km



2372 Gold River Rd
Gold River, CA 95670
(916) 631-1693

License #988872

1070 Horizon Dr., Ste B
Fairfield, CA 94533
(707) 419-7560

Five Star Restoration a Division of Kustom Us, agrees to perform emergency services in a workmanlike manner using reasonable care to help mitigate the damage or prevent further damage to the building and contents and sequestering damaged areas of the property for safety reasons until the property can be repaired or restored.

DocuSigned by:

Kahl Muscott

3/23/2026 | 2:04 PM PDT

Property Owner/Authorized Agent

Date

Austin Hsu

03/23/2026

Five Star Restoration a Division of Kustom Us

Date

Date _____ Time of Crew Arrival _____ Five Star a Division of Kustom Us Representative _____

Service or finance charges are applicable on past due accounts at the rate of 10 % per annum on amounts 30 days past due, plus cost of collection and reasonable attorney fees.

DIRECTION TO PAY

I hereby authorize and direct my insurance carrier covering the emergency services, to hold any funds for payment of the work, and to make payment by check, draft, or electronic funds transfer directly to Five Star Restoration a Division of Kustom Us I shall execute and deliver any further documents that may reasonably be necessary to authorize the payment of funds to Five Star Restoration a Division of Kustom Us for the work.

In the event the insurance carrier makes payment for the work directly to me, the insured:
I shall immediately notify Five Star Restoration a Division of Kustom Us;
I shall hold the funds in trust for payment to Five Star Restoration a Division of Kustom Us; and
I shall use the funds to pay Five Star Restoration a Division of Kustom Us for the work according to the contract.

DocuSigned by:

Kahl Muscott

3/23/2026 | 2:04 PM PDT

Property Owner/Authorized Agent

Date

Austin Hsu

03/23/2026

Five Star Restoration a Division of Kustom Us

Date

Service or finance charges are applicable on past due accounts at the rate of 10 % per annum on amounts 30 days past due, plus cost of collection and reasonable attorney fees.

Map and photos of leaks from 3/18/26

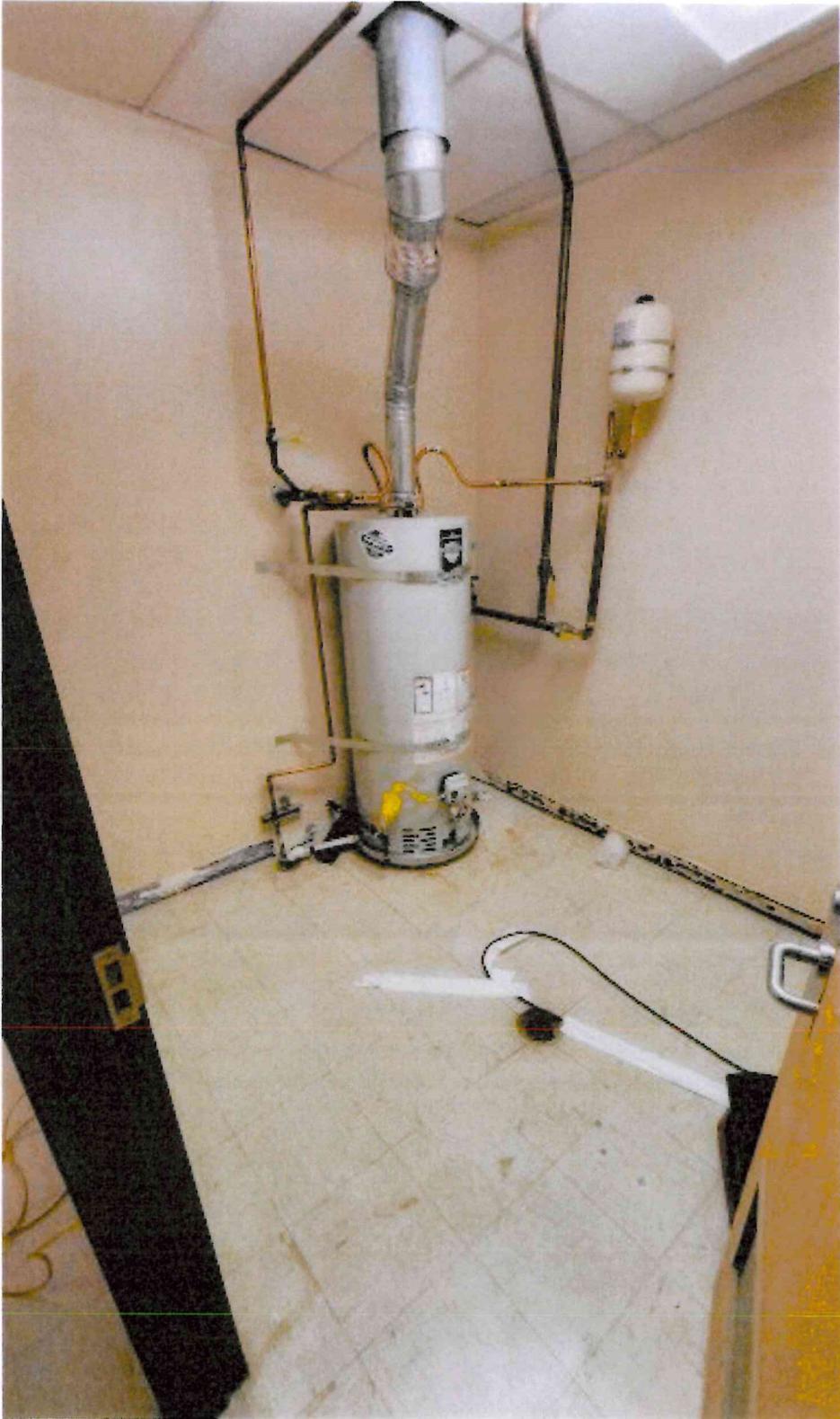


Leak #1

Water heater, lower floor ("downstairs") at the Canyon View Community Center



Leak #1 (continued)



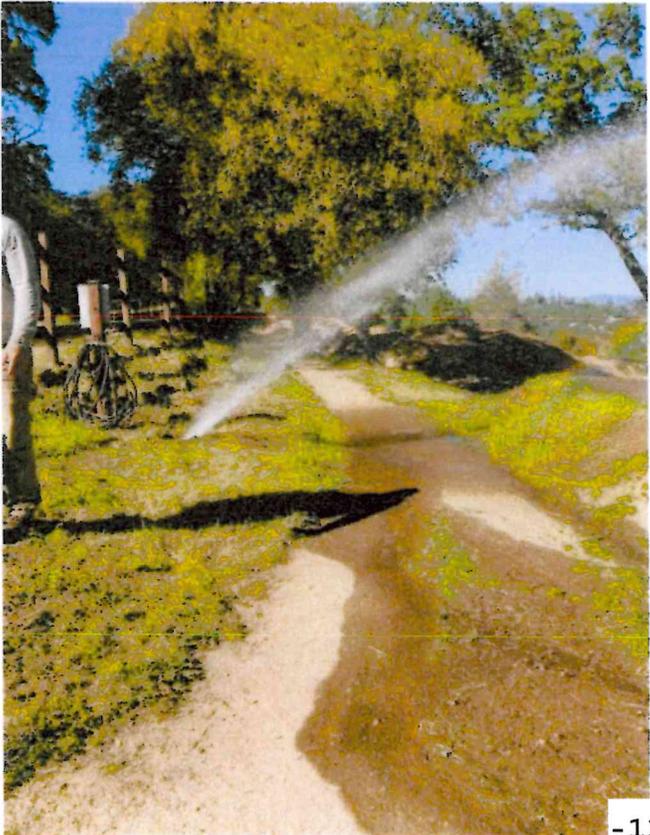
Leak #2 – Canyon View Community Center parking lot (leak damage not fully assessed at this point)



Leak #3 – near Auburn Bike Park pump track



Leak #4 – Auburn Bike Park jump section



Search all cases and statutes...

JX

Statutes, codes, and regulations / CALIFORNIA CODES / ...
/ Chapter 2.5 - EMERG... / Section 22050 - Gen...

Cal. Pub. Contract Code § 22050

[Download PDF](#)

Current through the 2023 Legislative Session.

Section 22050 - Generally

(a)

(1) In the case of an emergency, a public agency, pursuant to a four-fifths vote of its governing body, may repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts.

(2) Before a governing body takes any action pursuant to paragraph (1), it shall make a finding, based on substantial evidence set forth in the minutes of its meeting, that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action is necessary to respond to the emergency.

(b)

(1) The governing body, by a four-fifths vote, may delegate, by resolution or ordinance, to the appropriate county administrative officer, city manager, chief engineer, or other nonelected agency officer, the authority to order any action pursuant to paragraph (1) of subdivision (a).

paragraph (1) of subdivision (a).

(3) If a person with authority delegated pursuant to paragraph (1) or (2) orders any action specified in paragraph (1) of subdivision (a), that person shall report to the governing body, at its next meeting required pursuant to this section, the reasons justifying why the emergency will not permit a delay resulting from a competitive solicitation for bids and why the action is necessary to respond to the emergency.

(c)

(1) If the governing body orders any action specified in subdivision (a), the governing body shall review the emergency action at its next regularly scheduled meeting and, except as specified below, at every regularly scheduled meeting thereafter until the action is terminated, to determine, by a four-fifths vote, that there is a need to continue the action. If the governing body meets weekly, it may review the emergency action in accordance with this paragraph every 14 days.

(2) If a person with authority delegated pursuant to subdivision (b) orders any action specified in paragraph (1) of subdivision (a), the governing body shall initially review the emergency action not later than seven days after the action, or at its next regularly scheduled meeting if that meeting will occur not later than 14 days after the action, and at least at every regularly scheduled meeting thereafter until the action is terminated, to determine, by a four-fifths vote, that there is a need to continue the action, unless a person with authority delegated pursuant to subdivision (b) has terminated that action prior to the governing body reviewing the emergency action and making a determination pursuant to this subdivision. If the governing body meets weekly, it may, after the initial review, review the emergency action in accordance with this paragraph every 14 days.

(3) When the governing body reviews the emergency action pursuant to paragraph (1) or (2), it shall terminate the action at

as defined in Section 22002.

(e) A three-member governing body may take actions pursuant to subdivision (a), (b), or (c) by a two-thirds vote.

(f) This section applies only to emergency action taken pursuant to Sections 20134, 20168, 20205.1, 20213, 20223, 20233, 20253, 20273, 20283, 20293, 20303, 20313, 20331, 20567, 20586, 20604, 20635, 20645, 20682, 20682.5, 20736, 20751.1, 20806, 20812, 20914, 20918, 20926, 20931, 20941, 20961, 20991, 21020.2, 21024, 21031, 21043, 21061, 21072, 21081, 21091, 21101, 21111, 21121, 21131, 21141, 21151, 21161, 21171, 21181, 21191, 21196, 21203, 21212, 21221, 21231, 21241, 21251, 21261, 21271, 21290, 21311, 21321, 21331, 21341, 21351, 21361, 21371, 21381, 21391, 21401, 21411, 21421, 21431, 21441, 21451, 21461, 21472, 21482, 21491, 21501, 21511, 21521, 21531, 21541, 21552, 21567, 21572, 21581, 21591, 21601, 21618, 21624, 21631, 21641, and 22035.

Ca. Pub. Cont. Code § 22050

Amended by Stats 2017 ch 387 (SB 205), s 16, eff. 1/1/2018.

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