

**MINUTES OF THE REGULAR MEETING OF BOARD OF TRUSTEES  
FOR RECLAMATION DISTRICT 1608  
HELD WEDNESDAY, APRIL 6, 2016**

A Regular Meeting of the Board of Trustees of Reclamation District 1608 was held Wednesday, April 6, 2016, at the law office of Neumiller & Beardslee, 509 W. Weber Avenue, 5<sup>th</sup> Floor, Stockton, California, at the hour of 8:00 a.m.

**TRUSTEES PRESENT WERE:**

MICHAEL PANZER  
DREW MEYERS  
BRETT THOLBORN

**OTHERS PRESENT WERE:**

DANIEL J. SCHROEDER  
ANDREW J. PINASCO  
CHRIS NEUDECK  
JEAN L. KNIGHT  
JOE BRYSON  
BOB BENTZ  
JUDITH BUETHE

**Item 1. Public Comment.** Bob Bentz brought a brochure to the meeting that was from the Central Valley Flood Protection Board and put out by San Joaquin County Channel Maintenance. He thought it might be a good source of information for the District Superintendent to hand out to new District's constituents, especially those with levee lots.

**Item 2. Approval of Minutes.** Minutes of the regular meeting of March 2, 2016. After review,

It was moved, seconded, (B. Tholborn/M. Panzer) and  
unanimously carried by the Board of Trustees of Reclamation  
District 1608 that the minutes of the regular meeting of March 2,  
2016 be approved as read.

The following bills, and warrants in payment of same, were approved:

MICHAEL PANZER, #5766, Trustee Fee .....	100.00
DREW MEYERS, #5767, Trustee Fee, Two Meetings.....	200.00
BRETT THOLBORN, #5768, Trustee Fee .....	100.00
JEAN L. KNIGHT, #5769, Secretarial Fee .....	635.00
NEUMILLER & BEARDSLEE, #5770, Inv. #275429 .....	2,511.29
KJELDSSEN, SINNOCK & NEUDECK, #5771, Inv. #s 18727-18732.....	21,500.93
CROCE & COMPANY, #5772, Inv. #2003792.....	441.50
PG&E, #5773, Electrical.....	21.24

PAUL E. VAZ TRUCKING, INC. #5774, Inv. #s 40975, 40976, 40977,  
 40978, 40979, 40980, 40832, 40833, 40834, 40835.....16,153.57  
 JUDITH BUETHE COMMUNICATIONS, #5775, Inv. #5016 .....64.13  
 E&C MAINTENANCE & CONSTRUCTION, #5776, February/March Work.....1,260.00

Timesheets for the following employees were submitted and checks in payment of same, were approved:

GABRIEL P. BANKS, #1251, March 1-15, 2016 Semi-Monthly Salary .....290.80  
 JONATHAN F. NEVAREZ, #1252, March 1-15, 2016 Semi-Monthly Salary .....384.09  
 GABRIEL P. BANKS, #1253, March 16-31, 2016 Semi-Monthly Salary .....829.03  
 JONATHAN F. NEVAREZ, #1254, March 16-31, 2016 Semi-Monthly Salary .....521.45  
 JOE BRYSON, #1255, Payroll, March Salary .....3,250.66

State and Federal Payroll Taxes scheduled to be paid on line, were approved

State Government, Payroll Taxes, March Salary .....284.08  
 Federal Government, Payroll Taxes, March Salary .....1,804.60

**Item 3. Financial Report.** Review, discuss, and accept financial report. Dan Schroeder presented the treasurer’s report. After review,

It was moved, seconded (D. Meyers/B. Tholborn) and unanimously carried by the Board of Trustees of Reclamation District 1608 that the Financial Report be approved.

**Item 4. Engineer’s Report.** Request for directions and approvals.

- (a) Consider new permits requests from homeowners.
  - 1) 6321 Embarcadero Rd. Index No. 7 Lot 2102, APN 098-210-01, Fence Replacement. Mr. and Mrs. Black. Request removal and replacement of existing fence. Mr. Neudeck originally did not recommend approval because the engineers did not have a set of plans. Joe Bryson followed up with the Blacks and was able to get the plans which were separately distributed along with the engineer’s report. Mr. Neudeck handed out what he considered a rough set of plans and now recommend approval. The Blacks have taken down their fence and would like to put the new one up. After discussion, the Trustees approved the permit request. Therefore,

It was moved, seconded (B. Tholborn/D. Meyers) and unanimously carried by the Board of Trustees of Reclamation District 1608 that the amended permit request for the fence replacement for 6321 Embarcadero Rd., Index No. 7, Lot 2102, APN 098-210-01 be approved.

- 2) 6249 Embarcadero Rd. Index No. 9, Lot 1921, APN 098-340-08, Fence Replacement. Mr. Roger Fisher. This again, is similar to the Black's request above in that Mr. Bryson was able to get a permit application, with plans, the day before the meeting. The engineers therefore, changed from not approving the permit request to approving the amended permit request for an "As-Built" fence resulting from the removal and replacement of an existing, rotted fence. Therefore,

It was moved, seconded (D. Meyers/B. Tholborn) and unanimously carried by the Board of Trustees of Reclamation District 1608 that the amended permit request for an "As-Built" fence resulting from the removal and replacement of an existing, rotted fence for 6249 Embarcadero Rd. Index No. 9 Lot 1921, APN 098-340-08, be approved.

- 3) 3730 Fourteen Mile Drive. Index No. 36 Lot 409, APN 098-393-09, Installation of planters. Larry and Renata Mamaril. The engineers are recommending denial as this is not the location (levee landward slope) on which they are supportive of raised planters. They should do on flats of the levee in their backyard - not on the levee. Therefore,

It was moved, seconded (B. Tholborn/D. Meyers) and unanimously carried by the Board of Trustees of Reclamation District 1608 that the permit request for 3730 Fourteen Mile Drive. Index No. 36 Lot 409, APN 098-393-09, Installation of planters, be denied.

- 4) 3821 Falmouth Circle, Index No 134, Lot 2129, APN 098-100-18, Placement of wood chips. Parveen Malik. It was reported that the Maliks had removed circles of ice plant. The ice plant is not totally removed and it was thought that soon, the bark will again be covered up with ice plant. The Maliks have not submitted plans and the engineers do not recommend ice plant and recommend denial of the permit application based on no plans being submitted. Research on whether there is a permit on file for ice plant will be done. The engineers recommend removal of the ice plant and to use bark or gravel as ground cover. The engineers and/or superintendent may have to meet with the Maliks. Therefore,

It was moved, seconded (B. Tholborn/D. Meyers) and unanimously carried by the Board of Trustees of Reclamation District 1608 that the permit request for placement of wood chips at 3821 Falmouth Circle, Index No 134 Lot 2129, APN 098-100-18 be denied due to no plans being submitted. The engineers and/or

superintendent may meet with the Maliks to find the best way to remove the ice plant and place wood chips or gravel.

(b) Consider Pending permits requests from homeowners. No report.

(c) Approval of Agreement with Bulk Credit Mitigation Credits for tree removal at 6201 Embarcadero Rd. Mr. Neudeck reported on this item and noted that during the process of reviewing the levee subvention claims, it was discovered that there had been tree removal at 6201 Embarcadero. and that no mitigation had been done. The engineer's report details the calculation of the mitigation credit which will end up being:

Cost for Bulk Credit Purchase: .29 acres x \$62,295/acre = \$18,065.55. The District's 25% share would be \$4,516.39. This money will be subtracted from the money due the District for the levee subvention claim sent for this last year, as right now, the monies due the District are being held up until this issue can be resolved. A sample Mitigation Agreement was included within the engineer's report and after review,

It was moved, seconded,(B. Tholborn/D. Meyers) and unanimously carried by the Trustees of Reclamation District 1608 that the District enter into an agreement with Westervelt Ecological Services to purchase Bulk Credit Mitigation Credits for tree removal as part of the repair to the District's Levee at 6201 Embarcadero.

(Taken from the engineer's report)

A. Renew the status of the Annual levee encroachment survey along all reaches of the District levee. Mr. Neudeck gave an update on the survey and also noted that letters to applicable homeowners will be going out shortly. He also reported that the computers (including the one within the truck) will be updated with the existing data for the properties on the levees.

(Taken from the engineer's report)

B. Review beaver activity at the Hemmington residence at 3872 Fourteen Mile Slough. Mr. Neudeck reported that the District needs to obtain a deprivation permit and the beaver must be trapped in a manner consistent with an urban setting. The engineers are taking photos and will be meeting with a trapper to get a beaver trap set up.

III. Fema Mapping Status. See exhibit K. Mr. Neudeck is feeling pretty good about this process. They are analyzing out to Alexandria. He is hoping by mid-summer the engineers will get the submittal done. He noted that the City of Stockton has to submit it – the City submits on the District's behalf and the District works with FEMA after that. He noted that the District is still waiting to hear from FEMA and also an explanation of how the District got a letter from Kathy Schaeffer noting the District was out of the flood zone.

**Item 5. Levee Superintendent Report.** Request for directions and approvals. Joe Bryson gave his report.

On number 5 of the report, Mr. Bryson was directed to tell homeowners who are leaving boats on levee rocks to remove these boats. They need to put their boats on their dock, not the rocks.

On number 6. Mr. Bryson said that many homeowners are asking him where the District is on the sediment removal project. He was advised to tell them the District is working on getting the District out of the flood zone and if they had to pay for flood insurance, it could be very expensive and that when the time comes, the District will be working on sediment removal – there are no funds for it right now.

On number 22. Tell Ms. Ogden that the District will help her remove some of the weeds and dead ice plant and that she cannot replace the ice plant and also see if Mr. Bryson can get her to go to gravel.

- (a) **Approval of garbage services contract.** Mr. Bryson reported that he used to take garbage off the rocks and take it over to the marina. Right now the District spends close to \$1500 to \$2000 a year for garbage removal. For \$200 a month, the garbage company will take care of this. Also, this will be a service the District can submit for levee subventions and it was suggested that a “Debris” category be created for the next year’s budget. After discussion,

It was moved, seconded (B. Tholborn/D. Meyers) that unanimously carried by the Trustees of Reclamation District 1608 that the District enter into a garbage services agreement at \$200 a month. This will be scheduled for once a month service and is a verbal arrangement and there will be no written contract.

**Item 6. Newsletter. Direction regarding Spring Newsletter.** Trustees, staff and Ms. Buethe went over the proposed newsletter and made comments and suggestions. Several of the photos will also be redone. Judith Buethe will have it ready in about a week and send an update.

**Item 7. Report by Trustees on meetings attended and upcoming meetings.** Request for direction. Drew Meyers attended a TAC meeting. Mr. Schroeder attended the 2<sup>nd</sup> half of the meeting. Both reported on the meeting.

**Item 8. Report and possible action on Progress of Tasks Assigned at Previous Board Meetings.** Nothing to report.

**Item 9. Discussion and direction on Short-Term and Long-Range Goals.** Discussion. No action.

**Item 10. District Calendar.** Discussion and direction.

- (a) Possible changing of May 4, 2016 Regular Meeting Date. Mr. Schroeder reported that he would be at a League of Cities Conference on the regular meeting date and after discussion, it was agreed that the next meeting of the Board would be moved to May 11<sup>th</sup>.

**Item 11. Correspondence.** Mr. Schroeder noted that the District had received a notice from the Census Bureau requesting quite a bit of information regarding the District. When they called Mr. Schroeder, he noted it took time and resources to do this and perhaps the Census Bureau would like to pick up the bill. The response did not indicate that would be the case. Unless the Trustees feel he should do this, he will not respond. The Trustees authorized him not to respond.

**Item 12. Closed Session.**

- (a) PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: Levee Superintendent

- (b) PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: District Secretary.

**Item 13. Report out of Closed Session.** Closed Sessions were not held.

**Item 14. Discussion and Possible Action regarding District Levee Superintendent and Secretary's Contracts.** There was discussion between Mr. Bryson and the Trustees and Ms. Knight and the Trustees with respect to salaries. The Trustees agreed to an hourly salary of \$35.00 an hour for Mr. Bryson and a \$640 salary and \$50 vehicle allowance for Ms. Knight. Updated contracts will be prepared. Therefore,

Upon motion duly made, seconded (B. Tholborn/D. Meyers) and unanimously carried by the Trustee of Reclamation District 1608 the salaries of Mr. Bryson and Ms. Knight will be adjusted as follows:

Hourly Rate for Mr. Bryson will increase to \$35.00 an hour.

Monthly Rate for Salary for Ms. Knight will increase to \$640 a month and \$50 a month for vehicle allowance.

**Item 15. Approval of Bills.** The bills, as presented, were approved.

**Item 16. Staff Reports.** (a) Attorney. The Agenda for this meeting was posted on the window outside the meeting room at 509 West Weber Avenue, Stockton, California, at least seventy-two (72) hours preceding the meeting.

**Item 16. Adjournment.** The meeting was adjourned at 10:15 a.m.

Secretary: The agenda for this meeting was posted on a 1<sup>st</sup> floor lobby window at 509 W. Weber Avenue, Stockton, California at least 72 hours preceding the meeting.

Respectfully submitted,

Jean L. Knight  
District Secretary