

**MINUTES OF THE REGULAR MEETING OF BOARD OF TRUSTEES
FOR RECLAMATION DISTRICT 1608
HELD WEDNESDAY, JUNE 1, 2016**

A Regular Meeting of the Board of Trustees of Reclamation District 1608 was held Wednesday, June 1, 2016, at the law office of Neumiller & Beardslee, 509 W. Weber Avenue, 5th 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
JOE BRYSON
RHONDA OLMO
LARRY MAMARIL
RENATA MAMARIL

ABSENT WAS:

JEAN KNIGHT

Item 1. Public Comment. Mr. Mamaril stated his application for a planter he added expires today and requested an extension. Mr. Neudeck said this application was denied earlier and that the Mamaril's are appealing. Mr. Neudeck told Mr. Mamaril that there will be no enforcement during the next 30 days to their June 1st deadline, and this matter will be discussed at the next Board meeting.

Item 2. Approval of Minutes. Minutes of the special meeting of May 11, 2015. 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 special meeting of May 11,
2016 be approved as read.

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

MICHAEL PANZER, #5789, Trustee Fee	100.00
DREW MEYERS, #5790, Trustee Fee	100.00
BRETT THOLBORN, #5791, Trustee Fee	100.00

JEAN L. KNIGHT, #5792, Secretarial Fee	690.00
NEUMILLER & BEARDSLEE, #5793, Inv. #277593	2,600.55
KJELDSSEN, SINNOCK & NEUDECK, #5794, Inv. #s 19025-19031.....	46,707.00
JUDITH BUETHE COMMUNICATIONS, #5795, Inv. #5048	4,453.61
PG&E, #5796, Electrical.....	21.41
E&C MAINTENANCE & CONSTRUCTION, #5797, (Security Wire East Plymouth)	1,410.00

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

GABRIEL P. BANKS, #1261, May 1-15, 2016 Semi-Monthly Salary	629.44
GABRIEL P. BANKS, #1262, May 16-30, 2016 Semi-Monthly Salary	760.82
JOE BRYSON, #1263, Payroll, May Salary	3,513.60

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

State Government, Payroll Taxes, May Salary	303.41
Federal Government, Payroll Taxes, May Salary	1,898.70

Item 3. Financial Report. Review, discuss, and accept financial report. Attorney Dan Schroeder presented the treasurer’s report for the second to the last month of the fiscal year. Mr. Schroeder stated that the District is fiscally healthy and prepared for any crisis that may arise. 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.

(a) Adopt 2016-2017 Budget.

Mr. Schroeder referred to the proposed final budget in the Agenda packet. All requests for changes to the draft budget that he received since the last Board meeting have been incorporated into this final budget. After review and approval Mr. Schroeder will increase the Levee Repair Fund (Operations & Maintenance Expense) another \$10K to \$135,000 to account for road work.

It was moved, seconded (D. Meyers/B. Tholborn) and unanimously carried by the Board of Trustees of Reclamation District 1608 that the Fiscal Year 2016-2017 Budget be approved as presented.

- (b) Adopt Resolution 2016-03 Adopting Appropriations Limit For Fiscal Year 2016-2017.

Mr. Schroeder said that every year the District receives a portion of the property taxes that are generated from within the District. Under the California Constitution, the District is limited to the amount of property taxes that can be received during the year. Mr. Schroeder explained the formula demonstrating how the calculations were calculated (see Exhibit A to Resolution 2016-03). The calculations were based off an increase or decrease in the population within the area that the District is in. Mr. Schroeder said this is an exercise that is required off all Public Agencies this time of year. President Panzer asked for questions/comments. None were had. Therefore,

Upon motion duly made, seconded (D. Meyers/B. Tholborn) and unanimously carried, the Trustees of Reclamation District 1608 adopt Resolution 2016-03 Adopting Appropriations Limit for Fiscal Year 2016-2017.

Item 4. Engineer's Report. Request for directions and approvals.

- (a) Consider new permits requests from homeowners.
(1) 3821 Falmouth Court, Index No. 134 Lot 2129, APN 098-100-18
Review request to place sod (lawn) on the landscape levee slope.

District Engineer, Mr. Chris Neudeck, stated that this matter has been discussed at length over the last several years. He said that Dr. Parveen Malik's request to put wood bark on the back slope of the levee was denied. Dr. Malik has since followed the recommendation made by KSN (remove all ice plant and either 1) go to the gravel methodology that the District has been endorsing, or 2) go to sod). Dr. Malik chose sod. Mr. Neudeck now recommends approval of this application with the rolled out sod with the condition that the landowner keep the trees on the slope trimmed up a minimum of six (6) feet from the ground surface, in addition to the standard conditions that are listed in the application. Mr. Schroeder pointed out that this request is consistent with Mr. Neudeck's levee encroachment standards as well as the encroachment easement that is on the section of the levee. President Panzer asked for discussion/questions. None were had. Therefore,

Upon motion duly made, seconded (B. Tholborn/D. Meyers) and unanimously carried, the Trustees of Reclamation District 1608 approve Dr. Parveen Malik's Application for Approval of Plans and/or Encroachment Permit for 3821 Falmouth Court, Index No. 134 Lot 2129, APN 098-100-18.

- (b) Consider Pending permits requests from homeowners. No report.
- (c) Status of Activities.

(from Engineer's Report)

Enforcement Violation Letters in homeowners (POST 12/15 Levee Insp.)

Mr. Neudeck referred to the seven violation letters to homeowners shown in his Engineer's Report and noted the italicized sections under each section dated 5/27/16; whereby he and Mr. Joe Bryson met and discussed each one. Mr. Neudeck said that many of these are being resolved on their own by compliance and/or with some additional research being done. Mr. Neudeck went over each italicized section and the following is noted as him seeking direction from the Board:

Gerald N. & Mary Bock
3860 Fourteen Mile Drive, Stockton, CA 95219
Index No. 24 Lot 1152
Assessor's Parcel No. 098-370-08
(209) 957-0720

"5/27/16 The fence on the waterside slope remains unpermitted yet Joe Bryson researched and located a permit application in March of 2012 for the fence but apparently action was never taken on the permit application. If the permit application was acted on in March 2012 it probably would have been approved whereas now our amended guidelines do not allow a fence in this location."

Mr. Schroeder referred to the April 6, 2012 notes written on the application by previous District Engineer, Johnnie Mack. Mr. Mack listed his instructions regarding what needed to be taken care of to the applicant and then recommended resubmittal of the application once completed. Mr. Neudeck and Mr. Bryson stated the work was done but the application was never resubmitted. Mr. Schroeder pulled up the Minutes from the April 6, 2012 meeting which stated that there was a motion (adopted unanimously) rejecting 3860 Fourteen Mile Bock property and removal of the encroachments was instructed. Interim Secretary, Rhonda Olmo, instructed to send Chris Neudeck a copy of the April 6, 2012 minutes.

Mr. Schroeder said that the record was made very clear that the application was submitted and the Board of Directors voted to reject it, and no other application (according to the Minutes) was resubmitted. Mr. Schroeder said that this is technically an unpermitted encroachment. Mr. Neudeck and/or Mr. Bryson to speak with the Bock's to relay this information and seek to have the fence removed.

II. Delta Levee Subvention Program AB 360.

Mr. Neudeck said that this relates to the incident that occurred at the City of Stockton Storm Water Discharge Pump Station (North Lake System). This last week a

hole on the landside hinge point of the levee was discovered. Mr. Neudeck was called to take a look at it and said that the hole was right above the discharge lines. He did an investigation and brought in a back hoe from Holt Repair & Mfg. Mr. Neudeck said the pipe was cracked and split underneath but the top looked fine. The City was notified and the pump was shut off immediately. Mr. Neudeck said it was in serious condition. The City is in the process of developing a plan to repair. Mr. Neudeck said he is in a holding pattern for now and is recommending that the District draft a letter affirming its relationship with the City (that this is District levee and any work that they do on the Districts' levee needs to be endorsed by this Reclamation District). Mr. Neudeck is optimistic a proposal will be received from the City by the next Board meeting to evaluate. Mr. Neudeck to send a letter to the City letting them know that the District will work with them, but this work will require a permit and no work will be done until the permit is approved by the District's Engineer and Board. Mr. Neudeck to also evaluate cost.

III. FEMA Mapping Status.

See Exhibit C of Engineer's Report. Mr. Neudeck said that he is tracking to wrap this matter up by mid-July. At the next District meeting this should be near completion. Mr. Neudeck has not heard back from FEMA and will not submit an application until a response is heard. Mr. Neudeck said that he is confident this will be a successful submittal.

- (d) Discussion and possible action regarding City of Stockton Storm Water Pumping Pipe Incident. See above.

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

On number 5 of the report, Mr. Neudeck told Mr. Bryson to be careful as there have been serious health contamination issues with barrels in the water. He instructed Mr. Bryson that if a barrel is sealed to not touch it and instead contact County Health to let them take care of this.

On number 12. Mr. Neudeck will update his files with the new homeowner information.

On number 13. Mr. Neudeck and Mr. Bryson to look further into the ivy situation at Lincoln Village Apartments.

On number 21. Mr. Schroeder wanted to know if it's possible to speak with the property owner to get a gate installed. Mr. Bryson said the property may be in foreclosure and will look into this.

On number 24. Mr. Bryson wanted it known that he was very impressed with the response received from KSN and this was a learning experience for him.

- (a) Consider and approve hourly wage increase to part-time employees.

Mr. Bryson says he has an employee that is very responsible and does good work (Gabriel P. Banks). He currently makes \$12/hr. and he would like to increase his pay to \$14/hr. The Board previously gave Mr. Bryson authority to pay his employees up to \$15/hr. President Panzer said that this increase in pay to \$14/hr. should give the employee the incentive to remain employed with the District. Effective with the next pay cycle the pay for this employee will now be \$14/hr. and Mr. Schroeder will amend the Employment Agreement.

Item 6. Report by Trustees on meetings attended and upcoming meetings. Request for direction. No Report.

Item 7. Report and possible action on Progress of Tasks Assigned at Previous Board Meetings.

- (a) Review and Update Sediment Removal Project Funding Options (July meeting).

This will take place at the July meeting.

Item 8. Discussion and direction on Short-Term and Long-Range Goals. No action.

Item 9. District Calendar. Discussion and direction.

- (a) Reschedule or cancel August 3, 2016 Regular Meeting date.

The August/September Special meeting will be held on August 19th at 8:00 a.m. Upon completion of the Special Meeting the Board will reconvene for their tour.

Upon motion duly made, seconded (B. Tholborn/D. Meyers) and unanimously carried, the Trustees of Reclamation District 1608 approve holding a Special meeting on August 19, 2015, at 8:00 a.m., which will combine their August and September meetings.

Item 10. Correspondence. None.

Item 11. Approval of Bills. The bills, as presented, were approved.

Item 12. 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 13. Adjournment. The meeting was adjourned at 10:10 a.m.

Respectfully submitted,

Rhonda L. Olmo
Acting District Secretary