

**AGENDA FOR
RECLAMATION DISTRICT NO. 1608
BOARD OF TRUSTEES REGULAR MEETING
8:00 A.M. JUNE 1, 2016
NEUMILLER & BEARDSLEE
509 WEST WEBER AVENUE, FIFTH FLOOR
STOCKTON, CALIFORNIA**

Call to Order.

Roll Call.

Agenda Items.

1. Public Comment. Under Government Code Section 54954.3, members of the public may address the Board on any issue in the District's jurisdiction. The public may address any item on the agenda as it is taken up.
2. Approval of Minutes. Minutes of the special meeting of May 11, 2015.
3. Financial Report. Review, discuss, and accept financial report.
 - (a) Adopt 2016-2017 Budget
 - (b) Adopt Resolution 2016-03 Adopting Appropriations Limit For Fiscal Year 2016-2017.
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 landside levee slope
 - (b) Consider Pending permits requests from homeowners.
 - (c) Status of Activities
 - (d) Discussion and possible action regarding City of Stockton Storm Water Pumping Pipe Incident.
5. Levee Superintendent Report. Request for directions and approvals.
 - (a) Consider and approve hourly wage increase to part-time employees.
6. Report by Trustees on meetings attended and up coming meetings. Request for direction
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).
8. Discussion and direction on Short-Term and Long-Range Goals. Discussion.
9. District Calendar. Discussion and direction.
 - (a) Reschedule or cancel August 3, 2016 Regular Meeting date.
10. Correspondence.
11. Approval of Bills.

This agenda shall be made available upon request in alternative formats to persons with a disability, as required by the Americans with Disabilities Act of 1990 (42 U.S.C. § 12132) and the Ralph M. Brown Act (California Government Code §54954.2). Persons requesting a disability related modification or accommodation in order to participate in the meeting should contact Jean Knight at 209/948-8200 during regular business hours, at least forty-eight hours prior to the time of the meeting.

Materials related to an item on this Agenda submitted to the Trustees after distribution of the agenda packet are available for public inspection in the office of the District Secretary at Neumiller & Beardslee, 509 W. Weber Avenue, 5th Floor, Stockton, California during normal business hours.

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.

13. Adjournment.

This agenda shall be made available upon request in alternative formats to persons with a disability, as required by the Americans with Disabilities Act of 1990 (42 U.S.C. § 12132) and the Ralph M. Brown Act (California Government Code §54954.2). Persons requesting a disability related modification or accommodation in order to participate in the meeting should contact Jean Knight at 209/948-8200 during regular business hours, at least forty-eight hours prior to the time of the meeting.

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**AGENDA PACKET
RECLAMATION DISTRICT 1608
June 1, 2016**

<u>ITEM</u>	<u>COMMENTARY</u>
1.	Self-explanatory.
2.	Please see attached.
3.	Please see attached.
4.	Self-explanatory.
5.	Self-explanatory.
6.	Self-explanatory.
7.	Self-explanatory.
8.	Please see attached.
9.	Please see attached.
10.	Self-explanatory.
11.	Self-explanatory.
12.	Self-explanatory.
13.	Self-explanatory.

ITEM 2

**MINUTES OF THE SPECIAL MEETING OF BOARD OF TRUSTEES
FOR RECLAMATION DISTRICT 1608
HELD WEDNESDAY, MAY 11, 2016**

A Special Meeting of the Board of Trustees of Reclamation District 1608 was held Wednesday, May 11, 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
JEAN L. KNIGHT
BOB BENTZ

ABSENT WAS:

JOE BRYSON

Item 1. Public Comment. There was discussion over an article in the Record regarding a Trustee position for another reclamation district. Mr. Schroeder commented he had seen it also. There was also discussion regarding different types of vegetation that are showing up in the waterways in this region.

Item 2. Approval of Minutes. Minutes of the regular meeting of April 6, 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 April 6, 2016 be approved as read with a change on page 5, correcting the word spelled out as “deprivation” to “depredation” in item B.

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

RECLAMATION DISTRICT 1608, #5777, Transfer to Checking Account.....	40,000.00
VOID, #5778	
JEAN L. KNIGHT, #5779, Secretarial Fee	690.00
MICHAEL PANZER, #5780, Trustee Fee	100.00
DREW MEYERS, #5781, Trustee Fee	100.00

BRETT THOLBORN, #5782, Trustee Fee	100.00
NEUMILLER & BEARDSLEE, #5783, Inv. #276532.....	5,403.50
KJELDEN, SINNOCK & NEUDECK, #5784, Inv. #s 18895-18900.....	85,814.02
CROCE & COMPANY, #5785, Inv. #2004857	586.25
JUDITH BUETHE COMMUNICATIONS, #5786, Inv. #5029	1,530.05
PAUL E. VAZ TRUCKING, INC. #5787, Inv. #s 41500, 41499, 41919, 41920.....	11,585.50
PG&E, #5787, Electrical.....	20.58

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

GABRIEL P. BANKS, #1256, April 1-15, 2016 Semi-Monthly Salary	590.54
JONATHAN F. NEVAREZ, #1257, April 1-15, 2016 Semi-Monthly Salary	362.14
GABRIEL P. BANKS, #1258, April 16-30, 2016 Semi-Monthly Salary	551.66
JONATHAN F. NEVAREZ, #1259, April 16-30, 2016 Semi-Monthly Salary	203.01
JOE BRYSON, #1260, Payroll, March Salary	3,468.63

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

State Government, Payroll Taxes, April Salary	281.18
Federal Government, Payroll Taxes, April Salary.....	1,961.00

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

It was moved, seconded (B. Tholborn/D. Meyers) and unanimously carried by the Board of Trustees of Reclamation District 1608 that the Financial Report be approved and that the reserves remain the same and to ratify the signature and processing of warrant 5777 payable to Reclamation District 1608 for \$40,000, written and signed on April 15, 2016.

(a) Draft 2016-2017 Budget. Attorney Schroeder presented the proposed budget that was included in the agenda packet and Trustees and staff reviewed each line item. Changes were made and Mr. Schroeder will prepare a revised budget and present it at the June meeting for final review and approval. Under Operations & Maintenance Expenses, changes made were under Levee Superintendent to leave that line item for the Superintendent only salary. Underneath that will be “Payroll Taxes and Accounting Services” as a separate line item. This is as a result of paying taxes for both the Superintendent and the temporary part time workers. There will also be a line item created for the “Part-time Temporary Employees” and another line item for “Garbage Service.” Under General Expenses, it was noted that the County Administration Costs were higher than anticipated and further research with the County Auditor’s office will be done. Under Engineering Expenses, “Miscellaneous Expenses (e.g. travel)” will be removed. The Trustees also agreed that, under “Shared District Expenses, RD2119 Elmwood Tract” the budgeted expense of \$30,000.00 will be removed.

Trustee Meyers was interested in discussing budget items related to the Sediment Removal Project. Because of an earlier reported conflict of interest determined by the California Attorney General's office, Trustee Tholborn left the meeting room while this was being discussed.

A copy of the Croce Co. Debt Service Analysis that was done between fiscal years 2012 and 2013 was distributed, along with a sheet listing Fund Balance Calculations from 2002-03 through 2014-2015. Trustee Meyers is interested in looking again at the sediment removal project. With reserves being built up, it was thought that the District would be in a better position in proceeding with the project. The estimated expense was set a \$2.6 million. The Corps of Engineers would have given close to \$1.3 million and the District would have needed to spend \$1.3 million in the funding match proposed. However, since the Corps backed out, the District now has to spend the \$2.6 million itself. There were amendments to the plan with a final estimate of \$1.8 Million with the work stopping at Grupe Park versus going all the way out to close to the I-5 freeway. The bottom line is that there is interest in getting started on a thought process. At this point, the budget would not need to be amended for this project but could be during the fiscal year if needed.

Mr. Neudeck said that his engineering firm (KSN) has a different approach on the sediment removal project. On the KSN analyses profile of the levee, the southwest quadrant is below required elevations and it drops in the southwest quadrant. One solution to this issue would be adding fill in that area and the best access to do this work would be marine access, coming in, in the water versus land access. This would be considered ongoing operations and maintenance as the other levee areas are higher. He noted it is a complicated area to start raising levees and the best way would be from a marine piece of equipment. The District does have an easement. This discussion will continue in future meetings.

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

- (a) Consider new permits requests from homeowners.
- (1) 3738 Fourteen Mile Drive, Index No. 35 Lot 408, APN 098-500-36, Lawn Conversion. The engineers do not recommend approval of this application as the levee landside slope of this lot is already heavily encroached upon and the only area that is truly visible for flood inspection is the current area of lawn. They note that any further encroachment will have a significant adverse impact on the District's ability to visually inspect the District's levee at this particular lot. They do note that historical photos for the property show the substantial encroachments that do all have permits. They would recommend not approving. After review discussion,

It was moved, seconded (B. Tholborn/D. Meyers) by the Trustees of Reclamation District 1608 that the homeowners at 3738 Fourteen Mile Drive request to place boxes with seasonal garden on levee landside slope in lieu of existing lawn be denied.

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

(c) Status of Activities.

(from engineer's report)

B. Enforcement Violation Letters in homeowners (Post 12/15 Levee Inspection)

No action from the Trustees was needed on the items identified in the engineer's report with respect to the letters that went out to homeowners after the 12/15 Levee Inspection. The May 11th engineer's report gives a detailed account of who the letters went out to and the current status of each of these properties. Superintendent Bryson is following up with these property owners and updating the District records.

II. Delta Levee Subventions Program AB360.

Mr. Neudeck reported that at the Hemmington (3872 Fourteen Mile Drive and Dohrmann residence at 3806 Fourteen Mile Drive that the District will be getting a couple of bills for the trapping of beavers.

III. FEMA mapping status.

Review ongoing status and progress of preparation of the Letter of Map Revision (LOMR) application or the District's response to FEMA regarding the mapping status of the District's levee system.

Mr. Neudeck noted that the Attached Exhibit J to the engineer's report was a progress memo from KSN as to the elements of the District's LOMR submittal dated April 6, 2016. Discussion followed.

Item 5. Levee Superintendent Report. Request for directions and approvals. Joe Bryson was not able to attend this meeting. There was no written report.

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. Nothing to report.

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

Item 9. District Calendar. Discussion and direction.

(a) Attorney Schroeder mentioned that it was last August that the Trustees took a tour of the levees and were they interested in doing the same this year. The response was

that they thought it would be helpful for them to do it again. Mr. Schroeder will work with his assistant to check on available dates. Attorney Schroeder also reported that he would not be available for the regular meeting scheduled in August as he would be on vacation hiking the John Muir Trail with his son. He would be gone for 3 weeks. After further consideration, it was decided that meeting alternatives be discussed at a future meeting and that perhaps there could be one meeting that would cover both August and September. Trustee Tholborn also noted that he will have a conflict with times in September as he will be on a cruise and would be gone for 2 weeks. This item will be put on the June agenda.

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 9:30 a.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Jean L. Knight".

Jean L. Knight
District Secretary

ITEM 3

**RECLAMATION DISTRICT 1608
BUDGET FOR FISCAL YEAR 2016-2017**

	<u>2016-2017</u>
<u>OPERATIONS & MAINTENANCE EXPENSES</u>	
LEVEE SUPERINTENDENT	\$ 58,000
PART TIME EMPLOYEES	26,000
PAYROLL TAXES AND EXPENSES	6,300
FENCES & GATES	25,000
LOCKS & SIGNS	2,000
WEED AND RODENT CONTROL & CLEANUP	15,000
LEVEE REPAIR FUND	125,000
PUMP SYSTEM MAINTENANCE	500
CELLULAR TELEPHONE (includes wireless computer service)	1,700
EMERGENCY EQUIPMENT & SUPPLIES	1,000
GARBAGE SERVICE	2,400
DISTRICT VEHICLE (Fuel, maintenance, repairs)	5,600
	<u>\$ 268,500</u>
 <u>GENERAL EXPENSES</u>	
TRUSTEE FEES	\$ 6,000
SECRETARY FEES	9,000
OFFICE EXPENSES	750
LEGAL	55,000
AUDITING	3,200
COUNTY ADMINISTRATION COSTS	7,250
LIABILITY INSURANCE	9,000
WORKERS COMPENSATION INSURANCE	8,750
AUTOMOBILE INSURANCE	2,000
ELECTION COSTS	0
NEWSLETTER & PUBLIC COMMUNICATIONS	9,000
	<u>\$ 109,950</u>
 <u>ENGINEERING EXPENSES</u>	
GENERAL ENGINEERING	\$ 120,000
ASSESSMENT ENGINEERING	5,500
SEDIMENT REMOVAL PROJECT	0
	<u>\$ 125,500</u>
 <u>SHARED DISTRICT EXPENSES</u>	
RD 2119 ELMWOOD TRACT	\$ 0
	<u>\$ 0</u>
 TOTAL EXPENSES	 <u>\$ 503,950</u>

**RECLAMATION DISTRICT 1608
BUDGET FOR FISCAL YEAR 2016-2017**

	<u>2016-2017</u>
<u>INCOME</u>	
PROPERTY TAXES	\$ 200,000
INTEREST INCOME	5,000
ASSESSMENTS	298,000
LEVEE SUBVENTION REIMBURSEMENT	93,904
TOTAL INCOME	<u>\$ 596,904</u>
EXCESS OF REVENUE OVER EXPENDITURES (SHORTAGE)	<u>\$ 92,954</u>

<u>RESERVES</u>	
Capital Improvement Reserve	\$ 500,000
Board-designated Reserve	\$ 900,000
Cash on Hand (Exclusive of Reserves)	\$ 513,044
TOTAL CASH RESERVE (as of July 1, 2016)	\$ 1,913,044

**RECLAMATION DISTRICT NO. 1608
RESOLUTION 2016-03**

**RESOLUTION ADOPTING APPROPRIATIONS
LIMIT FOR FISCAL YEAR 2016-2017**

WHEREAS, Article XIII B of the California Constitution and Division 9, commencing with Section 7900, of Title 1 of the Government Code requires Reclamation District No. 1608 to establish its appropriations limit each year for the following fiscal year; and

WHEREAS, Article XIII B requires the Board of Trustees to select either the percentage change in California per capita personal income from the preceding year; or the percentage change in the local assessment roll from the preceding year for Reclamation District No. 1608 due to the addition of local nonresidential new construction, as a factor to be used in calculating appropriations limits; and

WHEREAS, the Board of Trustees of Reclamation District No. 1608 selects the percentage change in California per capita personal income as the factor to be used; and

WHEREAS, Reclamation District No. 1608 has calculated that its appropriations limit for fiscal year 2016-2017 is \$530,879.58; and

WHEREAS, the documentation supporting such determination is set forth in Exhibit "A", which is attached hereto and incorporated herein by this reference;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of Reclamation District No. 1608 that (1) the Board of Trustees selects the percentage change in California per capita personal income from the preceding year as a factor to be used in calculating appropriations limits; and (2) the Board of Trustees selects the change of population within the unincorporated area of San Joaquin County as the change of population factor to be used in establishing the appropriation limit; and (3) the appropriations limit for the District for fiscal year 2016- 2017 is hereby set at \$530,879.58.

PASSED AND ADOPTED by the Board of Trustees of Reclamation District 1608 at a continued regular meeting thereof held on July 6, 2016, by the following vote, to wit:

AYES: _____

NOES: _____

ABSENT: _____

ABSTENTION: _____

****Signatures on Next Page****

RECLAMATION DISTRICT NO. 1608,
a political subdivision of the
State of California

By: _____
MICHAEL PANZER, President

ATTEST:

JEAN L. KNIGHT, Secretary

EXHIBIT "A"

**RECLAMATION DISTRICT NO. 1608
2016-2017 APPROPRIATIONS LIMIT CALCULATIONS**

1. Price and Population Factors.
 - A. Percentage change in California per capita personal income, 5.37% (1.0537)
 - B. Percentage change in population, City of Stockton .76% (1.0076)
2. Combined Adjustment Factor.
 - A. $1.0537 \times 1.0076 = 1.0617$
3. 2015-2016 Appropriations Limit.
 - A. \$500,027.87.
4. 2016-2017 Appropriations Limit.
 - A. $1.0617 \times \$500,027.87 = \$530,879.58$

CERTIFICATION

I, _____, Secretary of Reclamation District No. 1608, do hereby certify that the foregoing is a full, true and correct copy of a resolution of Reclamation District No. 1608 duly passed and adopted at a regular meeting of the Board of Trustees thereof held on the 6th day of July, 2016.

Dated: _____, 20__

JEAN L. KNIGHT, SECRETARY
Reclamation District No. 1608

PUBLIC NOTICE

RECLAMATION DISTRICT 1608

**Neumiller & Beardslee
509 W. Weber Avenue, 5th Floor
Stockton, CA 95203
Telephone: (209) 948-8200**

The Board of Trustees of Reclamation District 1608 will consider adopting an appropriations limit for the Fiscal Year 2016-2017 at the regular District meeting, scheduled to be held June 1, 2016 at 8:00 a.m.

Pursuant to Article XIII B of the California Constitution, local governments are required to adopt annual appropriations limits according to formulas specified by state law.

Section 7910 of the California Government Code, the documentation used by the local agency in determining the annual appropriations limit shall be made available for public review at least fifteen (15) days prior to the adoption of those limits by the local governing body.

Reclamation District 1608 hereby gives notice that the documentation used in determining the appropriations limits for the Fiscal Year 2016-2017 shall be made available for public inspection no later than May 15, 2016 at the following location, during regular business hours Monday—Friday, 9:00 a.m.—5:00 p.m.:

**NEUMILLER & BEARDSLEE
509 W. Weber Avenue, 5th Floor
Stockton, CA 95203**

ITEM 8

SHORT TERM GOALS
June 1, 2016

1. Sediment Removal Project.
2. Assistance to RD 2119 (Wright Elmwood Tract), and other Districts if necessary.
Status: on-going.
3. Participate in County TAC and stakeholder groups. Status: Ongoing.
4. Work on slumping areas. In progress.
5. Monitor SJAFCA meetings re Calaveras and Fourteen Mile Slough uncertified levees.
6. Vegetation encroachments
7. Annual Levee Inspection.
8. FEMA Levee Certification

LONG TERM GOALS

9. CVFP Plan

ITEM 9

RD 1608: MASTER CALENDAR

JANUARY

- Update Levee Property DVD

FEBRUARY

- Send out Form 700s, remind Trustees of April 1 filing date

MARCH

- Yearly Employee Evaluations
- Submit Verification Request Form (VRF) for the Annual Levee Maintenance Project to the California Department of Fish & Game.
- Submit payment to the California Department of Fish & Game for prior year Levee Maintenance Project(s).
- Spring Newsletter

APRIL

- April 1: Form 700s due
- Letter to Property owners on levee regarding levee standards and permit requirements
- Schedule an Annual Joint meeting with RD 2074 (Brookside) and RD 2119 (Wright Elmwood Tract).

MAY

- Draft Budget
- Annual Department of Fish & Wildlife Maintenance Agreement Renewal.
- Tour of Levee System

JUNE

- June 15: Provide notice/make available to the public, documentation/materials regarding determination of Appropriations (15 days prior to meeting at which Appropriations will be adopted) (*Government Code* §7910).
- Approve Audit Contract for expiring fiscal year
- Adopt the Annual Budget

JULY

- Adopt Resolution for setting Appropriations and submit to County Assessor's Office.
- Follow up with FEMA on Certification Letter (2015 only).

AUGUST

- August 1: Deadline to certify assessments for tax-roll and deliver to County (duration of current assessment: FY 2025).

- Send handbills for collection of assessments for public entity-owned properties
- In election years, opening of period for secretary to receive petitions for nomination of Trustees (75 days from date of election.) (*Cal. Wat. Code §50731.5*)
- Submit End of the Year Financial Report.

SEPTEMBER

- In election years, last legal deadline to post notice that petitions for nomination of Trustees may be received (7 days prior to close of closure.) (*Cal. Wat. Code §50731.5*).
- In election years, closing of acceptance of petitions for nomination of Trustees (54 days from date of election.) (*Cal. Wat. Code §50731.5*).

OCTOBER

- Publish Notice of Election, odd numbered years (once per week, 4 times, commencing at least 1 month prior to election.)
- Fall Newsletter.
- Update District Information Sheet.
- Review District Emergency Supplies
- Emergency Plan Review in 2018 (every three years thereafter)

NOVEMBER

- Election: to be held first Tuesday after first Monday of each odd-numbered year.

DECEMBER

- Review Emergency Plan.
- New Trustee(s) take office, outgoing Trustee(s) term(s) end on first Friday of each odd-numbered year.
- Provide updated version of electronic copies of properties within District

Term of Current Board Members:

Name	Term Commenced	Term Ends
Drew Meyers	2013	First Friday of Dec 2017
Brett Tholborn	2015	First Friday of Dec 2019
Michael Panzer	2015	First Friday of Dec 2019

Assessment Expires 6/30/2025

Reclamation District Meetings

- **First Wednesday of each month, at 8:00 A.M.
at the offices of:
Neumiller & Beardslee
509 W. Weber Avenue, Suite 500
Stockton, California 95242**