

**MINUTES OF THE SPECIAL MEETING OF BOARD OF TRUSTEES
FOR RECLAMATION DISTRICT 1608
HELD FRIDAY, AUGUST 19, 2016**

A Special Meeting of the Board of Trustees of Reclamation District 1608 was held Friday, August 19, 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

ABSENT WAS:

JEAN L. KNIGHT

Item 1. Public Comment. President Panzer called the meeting to order at 8:00 a.m. Trustee Tholborn not in attendance at this time. President Panzer stated that the superficial weed is growing like crazy in fourteen-mile slough.

Item 2. Approval of Minutes. Minutes of the regular meeting of July 6, 2016. After review,

It was moved, seconded, (D. Meyers/M. Panzer) and unanimously carried by the Board of Trustees of Reclamation District 1608 that the minutes of the Regular Meeting of July 6, 2016 be approved as read.

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

MICHAEL PANZER, #5809, Trustee Fee	100.00
DREW MEYERS, #5810, Trustee Fee	100.00
BRETT THOLBORN, #5811, Trustee Fee	100.00
JEAN L. KNIGHT, #5812, Secretarial Fee	690.00
NEUMILLER & BEARDSLEE, #5813, Inv. #278661	4,055.22
KJELDEN, SINNOCK & NEUDECK, #5814, July 12 and July 27 Invoices	69,536.43
CROCE & CO., #5815, Inv. #2005233	637.50
CROCE, SANGUINETTI & VANDER VEEN, #5816	150.00
HOLT REPAIR & MANUFACTURING, INC., #5817, Inv. # 11555	6,933.86
VOID, #5818	
PG&E, #5819, Electrical.....	22.07

VOID, #5820
PAUL E. VAZ TRUCKING, #5821, Inv. #s 42774, 42775, 43160 & 43161 1,040.80

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

GABRIEL P. BANKS, #1268, July 1-15, 2016 Semi-Monthly Salary 889.14
GABRIEL P. BANKS, #1269, July 16-31, 2016 Semi-Monthly Salary 768.87
JOE BRYSON, #1270, Payroll, July Salary 3,714.99
CALIFORNIA STATE DISBURSEMENT UNIT, #1271,
Income Withholding Order (Gabriel P. Banks) 185.62

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

State Government, Payroll Taxes, July Salary 351.85
Federal Government, Payroll Taxes, July Salary 2,211.88

Item 3. Financial Report. Review, discuss, and accept financial report. Dan Schroeder presented the financial report. Mr. Schroeder said that the District’s Bank of Stockton account (account used for payroll) is not reflected on the financial report. Mr. Schroeder will work with Jean Knight to make sure that the report reflects the funds that are sitting in that account going forward. Mr. Schroeder said that he wants this information reflected under the “cash on hand” area of the report.

Mr. Schroeder said that 1/12 of the fiscal year is now gone and that the financial report presented reflects current expenses. He said that there was nothing else important to note with the report. He noted that there was a typo under “Election Cost” in the formula field and will point this out to Jean Knight also.

8:15 a.m. - Trustee Tholborn arrived.

Upon motion duly made seconded (D. Meyers/B. Tholborn) and unanimously carried, the Trustees of Reclamation District 1608 approved the financial report.

(a) Copy of Finalized 2016-2017 Budget.

Mr. Schroeder handed out a copy of the draft 2016/2017 Budget. He stated that the cash on hand, as of July 1st, was updated and accurate. Mr. Schroeder will confirm with Jean Knight what the fund balance was with the Bank of Stockton on June 30th and factor this information in. Mr. Neudeck said the General Engineering costs will also be confirmed. Mr. Schroeder stated that if any substantive changes are made to the expenditures then he will bring the report back for action, if not he will provide a final budget next month.

(b) Approval of 2015-2016 Audit Contract with Croce, Sanguinetti & Vander Veen.

Mr. Schroeder said that Croce, Sanguinetti & Vander Veen (CSV) submitted their proposal to do the District’s audit. He stated that the proposal is the same as in the past and asked if anyone had any questions. Trustee Tholborn noted that on page two under “Other Relevant Information” it states “We expect our fees for the services set forth in this letter for the fiscal year ended June 30, 2016 not to exceed \$200.” It should read “...not to exceed \$3,150.00.” Mr. Schroeder will bring this to CSV’s attention.

Upon motion duly made seconded (B. Tholborn/D. Meyers) and unanimously carried, the Trustees of Reclamation District 1608 approve

the 2015-2016 Audit Contract with Croce, Sanguinetti & Vander Veen subject to the correction of page two to the Financial Transaction Report to state not to exceed \$3,150.00.

- (c) Status on Sediment Removal Project Revised Projected Project Costs and 5 Year Expenditure Plan.

8:21 a.m. – Because of an earlier reported conflict of interest determined by the California Attorney General’s office, Trustee Tholborn left the meeting room before this item was discussed.

In order to give a complete picture of the District’s trend/expenses, Mr. Schroeder provided an overview of their last five years of expenses and income. This report will be used to analyze questions; i.e., Where is the subvention money?, Why didn’t we get any here?, etc. It will also provide a better understanding with whatever determinations the Board chooses to make. It can be a good tool to use when reviewing the budget. Mr. Schroeder noted that the payroll is missing from the report and will confirm the fund balance. He said that Mr. Neudeck and his staff are also working with this to review their projects and will be providing new estimates, reviewing prior work, etc. Mr. Schroeder asked President Panzer and Trustee Meyers to review this report and let him know if there is anything else they would like to see reflected before the next Board Meeting. Trustee Meyers noted “General Engineering” was skewed due to the FEMA issue and asked about riprap. Mr. Neudeck said that the riprap was ok. Further discussion was held. A final document will be presented at the next Board Meeting.

8:35 a.m. – Trustee Tholborn returned. Mr. Schroeder explained the budget discussions to him and asked that he please review the draft document and let him know if he wanted anything added/changed prior to the next Board Meeting.

President Panzer said that he will not be available on October 6th if two Trustees are needed to discuss the sediment removal project. He asked Mr. Schroeder if the meeting date should be moved. It was decided to move the next Board meeting to October 19, 2016.

Upon motion duly made seconded (B. Tholborn/D. Meyers) and unanimously carried, the Trustees of Reclamation District 1608 approve moving the October 6, 2016 Board Meeting to October 19, 2016.

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

- (a) Consider new permits requests from homeowners.
 - (1) 4131 Fort Donelson Drive, Kenneth E. and Hsin J. Norton, Index No 126 Lot 2221, APN 098-420-17, Review request and seek Board of Trustees approval to remodel back yard surfacing features.
 - (2) 4149 Fort Donelson Drive, Morgan S. and Susan W. Mayfield Index No 126 Lot 2221, APN 098-420-17, Review request and seek Board of Trustees approval to Construct Fence in backyard.
- (b) Consider Pending permits requests from homeowners.
 - (1) 3821 Falmouth Court, Parveen S. Malik, Index No 134 Lot 2129, APN 098-100-18, Status on Permit Compliance.
- (c) Consider Violations of District Levee Encroachment Standard.
 - (1) 7050 Bridgeport Circle, Index No. 47 Lot 1560, APN 097-560-39
 - (2) 3802 Fourteen Mile Drive, Index No. 33 Lot 406, APN 098-393-06
- (d) Discussion and possible action regarding City of Stockton Storm Water Pumping Pipe Incident.

- (e) FEMA Mapping Status.

From Engineers Report:

I. PLAN REVIEW

A. Current Permit requests from homeowners.

- a. 4131 Fort Donelson Drive
Kenneth E. and Hsin J. Norton
Josh Borges General Contractor
(209) 483-5418
Index No. 126 Lot 2221
APN 098-420-17
Review request and seek Board of Trustees approval to remodel back yard surfacing features.

KSN Inc. recommends approval of this application with the following condition(s):

- 1. The landowner must keep vegetation on the levee landside slope trimmed up to allow inspection of the levee slopes at all times throughout the year.

Exhibit A: Norton's Application for Approval of Plans and/or Encroachment Permit;
Exhibit B: Levee Inspection Report December 2015 (included with Engineer's Report,
and

Exhibit C: Photograph's of the existing landside slope condition and backyard.

Mr. Neudeck referred to Exhibit's A, B, and C where it shows the homeowner took and remodeled their backyard grass surfaces to more of a deck, grass, pavers, etc. landscape. He is recommending approval with the standard condition noted above. Mr. Neudeck said that this project is nearly constructed and is problematic. He has spoken with Mr. Joe Bryson numerous times on a whole series of matters relating to this. Mr. Bryson has been working diligently to maintain some sort of compliance to get applications into permit. Mr. Neudeck said that the contractor is ignoring authority and continuing his work. He said the work being done is rather nominal and the integrity of the levee system is not being threatened. Mr. Neudeck said that had this work been an integrity issue that he would have made a more aggressive move. Mr. Neudeck wants to exercise his authority when he feels it is appropriate. Discussion was held.

Upon motion duly made seconded (B. Tholborn/D. Meyers) and unanimously carried, the Trustees of Reclamation District 1608 approve the Application for Approval of Plans and/or Encroachment Permit at 4131 Fort Donelson Dr. noting the conditions boxes needing to be checked under Endorsements.

- b. 4149 Fort Donelson Drive
Morgan S. and Susan W. Mayfield
(209) 518-2966 (Morgan)
(209) 969-7789 (Susan)
Index No 127 Lot 2220
APN 098-420-17

Review request and seek Board of Trustees approval to Construct Fence in backyard.

KSN Inc. recommends approval of this application with the following condition(s):

1. The landowner must keep vegetation on the levee landside slope trimmed up to allow inspection of levee slopes at all times throughout the year.

Exhibit D: Mayfield's Application for Approval of Plans and/or Encroachment Permit;

Exhibit E: Levee Inspection Report December 2015, and

Exhibit F: Photograph's of the existing landslide slope condition and backyard.

Mr. Neudeck referred to Exhibits D, E, and F reminding the Trustee's that this is the application with the heavy vegetation. He said that the vegetation has been substantially trimmed since the photo in Exhibit E, and the access to their backyard has improved. This is a simple fence matter and he is recommending approval associated with the conditions noted above. Discussion was held.

Upon motion duly made seconded (B. Tholborn/D. Meyers) and unanimously carried, the Trustees of Reclamation District 1608 approve the Application as amended for Approval of Plans and/or Encroachment Permit at 4149 Fort Donelson Dr. noting the conditions boxes needing to be checked under Endorsements.

Mr. Schroeder stated Item c was submitted after the Regular Agenda deadline. At 8:55 a.m. President Panzer made the following motion:

Upon motion duly made seconded (D. Meyers/B. Tholborn) and unanimously carried, the Trustees of Reclamation District 1608 approve taking a recess from this Regular meeting to convene the Special Meeting of August 19, 2016 to address Item C of the Engineer's Report.

9:05 a.m

Upon motion duly made seconded (D. Meyers/B. Tholborn) and unanimously carried, the Trustees of Reclamation District 1608 approve adjourning from the Special Meeting of August 19, 2016 to resume this Meeting.

- d. 3821 Falmouth Court
Parveen S. Malik
(209) 609-9610
Index No 134 Lot 2129
APN 098-100-18

Review status of approval to place sod under trees on the landside slope of the levee for the length of the levee area, along with meeting condition of keeping the trees on the slope trimmed up a minimum of six (6) feet from the ground surface.

Exhibit J: Photos of Mrs. Malik's landside slope from Joe Bryson dated 8/16/16.

Mr. Neudeck said that this has been an ongoing issue to approve the placement of sod. He referred to Exhibit J where it shows the sod had been installed. He said that approvals were conditioned, as stated above, and this item is just a status report.

II. DELTA LEVEE SUBVENTIONS PROGRAM AB 360

- A. Review recent City of Stockton's stormwater discharge pipe failure through levee from the North Lake system. Review letter to City of Stockton Municipal Utilities Department regarding District's concern about City of Stockton discharge pipeline repair work within the District's levee section.

Exhibit K: Letter of Transmittal Correspondence from KSN Inc. dated August 5, 2016 regarding the City of Stockton's storm water pump station from North Lake discharge pipe encroachment permit.

This item relates back to the stormwater discharge pipe failure. Mr. Neudeck said that Exhibit K constitutes a series of documents inclusive to the encroachment permit agreement, plans of the existing pumping plant, and an explanation of what he is seeking from the City of Stockton as far as conditions. Mr. Neudeck has sent several emails to the City of Stockton. With each email, Mr. Neudeck copied the acting Director of their Municipal Utilities Dept. (he wanted this issue elevated). The acting Director said that they were going to go out and fix this. Mr. Neudeck said that was fine, but he had some issues with what was being contemplated. He wants a commitment that the District is going to be paid back all or most of its expenses. He is also not going to approve a patch repair because he wants the work done properly. A meeting was called and the acting Director was not able to attend (he sent his Engineer and Superintendent). Both individuals acknowledged Mr. Neudeck's request and said they would take care of it. Mr. Neudeck then proceeded to tell the Contractor that he wants to know what the condition of pipe is outside the area of the angle points. This issue is pending, and for now the pump is going to stay off. The permit has been presented and Mr. Neudeck is waiting to see what the response is. Discussion was held.

III. SAN JOAQUIN COUNTY HYACINTH REMOVAL

- A. Review the status Hyacinth Removal from 5 Mile Slough at the east end near I-5. SJCo point of contact is Eric Ambriz, General Foreman of SJCo Channel Maintenance Division 209.468.9698 (office) and 209.969.8355 (cell).

Exhibit L: Photo summary of Hyacinth removal by SJCo.

Mr. Neudeck said that a permit was granted to San Joaquin County, in cooperative form, to remove the hyacinth within 5 mile slough off of the District's bank near I-5. He referred to the photos in Exhibit L showing the undergoing work. He said that the County is not making good progress as they do not have the tools they need to do this project properly. Mr. Neudeck said this will take a while to complete.

At this point Item V. was addressed next.

V. FEMA MAPPING STATUS

- A. Review ongoing status and progress of preparation of the Letter of Map Revision (LOMR) application for District's response to FEMA regarding the mapping status of the District's levee system. Review meeting with the City of Stockton introducing this matter to the Director of Community Development David Kwong who is the Community Official for FEMA matters in the City of Stockton. Others in attendance at the meeting with the COS were Jacob Bejarano, KSN Inc., Tom Pace, COS Comm Dev, Michael McDowell, COS Comm Dev. & John Maguire, COS Flood Control.

Exhibit M: Progress memo from KSN Inc as to the elements of the District's LOMR
submittal date August 16, 2016.

Mr. Neudeck said that the FEMA Map is coming to conclusion. He said that he cannot submit the map revisions under his signature block, it needs to come from a community official and he will notify the City. Mr. Neudeck met with some employees from the City (noted above), outlined the project, showed them a couple of the binders, and presented the MT2 Form that he needs. Mr. Neudeck said that he is going to be submitting in the latter part of August and will be seeking their signature by September 12, 2016. Discussion was held.

IV. SEDIMENT REMOVAL PROJECT

A. Review with the Board of Trustees the task and scope that needs to be evaluated in order to provide a reliable project estimate. Discuss project design elements and our plan to work with Legal Counsel to evaluate District reserves and budgetary constraints.

- Design Surveying & Mapping
 - Channel profile
 - Pre-Dredge Survey of Control Section – 13 max
- Design Documents
 - Update Quantities Estimate
 - Update Plans
- Disposal Site
 - Design Containment
 - Sample Soils and Analysis
 - Negotiate Agreement w/ COS
- Environmental
 - Biological Evaluation
 - CEQA/NEPA Documents
- Permitting
 - 404 Permitting
 - 401 Permitting
 - Section 7 Consultation
 - CVFPB Permitting
 - City of Stockton Dredge Disposal
- Water Quality
 - Soil Boring
 - Sediment/Decant Water Analysis
 - Prepare Sediment Analysis Report
- Construction
 - Management
 - Inspection
 - Post-Dredge Survey of Control System
 - Environmental Monitoring

9:22 a.m. – Trustee Tholborn was excused from the meeting.

Mr. Neudeck took a long hard look at this project. He wants to analyze the nature of what is being proposed and wants to develop a reliable estimate. He said these are complicated related projects, a lot of moving parts, and a lot of money has been spent. He referred to the bulleted items above and said that he

is developing those items internally. He said that he and Mr. Schroeder will be using those points as a basis for their economic projections. Discussion was held.

9:38 a.m. – Trustee Tholborn returned to the meeting.

Item 5. Levee Superintendent Report. Request for directions and approvals. Mr. Bryson went through the Superintendent’s Report. Following are details about several of the items.

On item 6, Mr. Bryson said he didn’t know that there was a sub drain system at Seagull. He said it has not been inspected since he has been employed with the District. Mr. Bryson to work with Dave Carr for possible inspection next month.

On item 8, Mr. Bryson stated he fixes the issue but it keeps happening. He will install security wire.

On item 9, Mr. Bryson will meet with the homeowner and look into the leaks.

On item 10, Mr. Bryson said that it was a major sprinkler break and it was fixed.

On item 12, Mr. Bryson said that he and Mr. Neudeck need some type of form created that they can give to homeowners to get permission to clean up vegetation. Mr. Schroeder will create a letter agreement extinguishing existing items in the permits in exchange for the District doing the work.

On item’s 17 - 20, Mr. Bryson said additional letters are needed to the homeowners.

Item 6. Report by Trustees on meetings attended and upcoming meetings. Request for direction. Trustee Meyers said he attended two TAC meetings. One of which was on July 20th where a lot of discussion was on aquatic progress findings for RD 17. Trustee Meyers said that last Wednesday they discussed the San Joaquin River Basin-Wide Feasibility Study, Delta Stewardship Council Levee Strategies, and MOU of RD 17 agencies. Mr. Schroeder said the draft Feasibility Study is coming out next month.

Trustee Meyers mentioned that Mike Cokerall wants the District’s to sign a commitment letter for partnership for equipment and training. Mr. Neudeck said that he is planning to send letters to all of his clients explaining this. He said it is an endorsement of Round Two funds. Round One was the Flood Contingency Map and Emergency Operations Plan. Round Two is to develop training protocols and budgets to develop regional resources and caches of flood fight supplies, and other elements that relate to emergency response. In order to do this Mr. Cokerall would like an endorsement letter, as he is representing RD 1608’s interest, by September 26, 2016. Mr. Schroder said he will do the letter and the Board can ratify this action in October.

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

- (a) Review and Update Sediment Removal Project Projected Costs. – addressed.
- (b) 5 Year Expenditure Plan – addressed.

Item 8. Discussion and direction on Short-Term and Long-Range Goals. Discussion. None.

Item 9. District Calendar. Discussion and direction. The next Board Meeting will be on October 19, 2016.

Item 10. Correspondence.

1. Memorandum dated August 1, 2016, from KSN, re Fee Schedules for 2016/2017, and
2. Letter dated August 4, 2016, from Dept. of Water Resources, re 2016 Preseason Flood Coordination Meetings.

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. At 10:00 a.m. the Trustees, District Attorney, Engineer, and Superintendent proceeded to take a tour/levee inspection of RD 1608.

11:21 a.m.:

Upon motion duly made seconded (B. Tholborn/M. Panzer) and unanimously carried, the Trustees of Reclamation District 1608 adjourn the Special Meeting of August 19, 2016.

Respectfully submitted,

Rhonda L. Olmo
Acting District Secretary