

**MINUTES OF THE REGULAR MEETING OF BOARD OF TRUSTEES  
FOR RECLAMATION DISTRICT 1608  
HELD WEDNESDAY, APRIL 5, 2017**

The Regular Meeting of the Board of Trustees of Reclamation District 1608 was held Wednesday, April 5, 2017 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  
CHRISTOPHER NEUDECK  
JEAN KNIGHT  
JOE BRYSON  
JUDITH BUETHE  
BOB BENTZ  
DOMINECK GULLI, Owner of Property at 50 Fischer Court, Stockton, CA

**Item 1. Public Comment.** Dominic Gulli wanted to know if letters he sent were received by the District and he was informed that they were.

**Item 2. Approval of Minutes.** Minutes of the regular meeting of March 1, 2017 and the special meeting of March 1, 2017. After review,

It was moved, seconded (B. Tholborn/D. Meyers) and unanimously carried by the Board of Trustees of Reclamation District 1608 that the minutes of the regular meeting of March 1, 2017 and the special meeting of March 1, 2017 were approved.

**Item 3. Financial Report.** Review, discuss, and accept financial report. Attorney Schroeder presented the financial report and noted that the District is 75% of the way through this fiscal year. There was discussion on levee subventions monies to be received for this last fiscal year (2015-2016) and Mr. Neudeck reported that he was informed that the money should be coming in the middle of June. He noted that they were trying to work on handling the funds through EFT's that could shorten the 8-10 weeks it takes to get the checks down to about 3 weeks. As seen on the current financial report, this item is noted on two lines – one for 2014-2015 monies (already received) and one for 2015-2016 monies in the amount of \$148,405 that should be coming within the next several months. After discussion,

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.

(a) Approval of Cal Mutuals JPRIMA Insurance Policy. Dan Schroeder presented this item and noted the premium for this policy will be \$7,342. This policy had been discussed at the December District meeting wherein the District opted to go with the Cal Mutuals JPRIMA policy. However, the renewal date needed to begin April 1<sup>st</sup> so at that meeting, a portion of the premium was paid to bring it to the current renewal date. The policy is now being presented as an annual policy with the premium amount due for a 4/1/17 – 4/1/18 policy period. After presenting, there were no questions and

It was moved, seconded (B. Tholborn/D. Meyers) and unanimously carried by the Board of Trustees of Reclamation District 1608 that the Cal Mutuals JPRIMA Insurance Policy for the period 4/1/17 – 4/1/18 be approved.

(b) Update on 2017/2018 Draft Budget. Dan Schroeder reported that Trustee Tholborn, Chris Neudeck, Jean Knight and himself met to review the budget. After this was done, attorney Schroeder sent a draft budget to everyone but noted there is still a need to review the numbers and make sure the blending of the numbers makes sense. This will be brought to the next meeting. One item that will be changed is posting charges applicable to certain new line items – especially with the engineering fees that are currently being posted to one line item. Chris Neudeck will be working on this portion of the budget.

**Item 4. Engineer’s Report.** Request for directions and approvals. Chris Neudeck went through his engineering report and discussed the FEMA Mapping issue with respect to the lakes in Lincoln Village West (Lake Lincoln and North Lake). Mr. Neudeck also reported that the information that will be submitted to FEMA will all be submitted under a letter of map revision (LOMR). Engineer Jacob Bejarano submitted a board meeting update located in the engineer’s report that gave a FEMA mapping update.

- (a) Consider new permits requests from homeowners.
- (1) Application regarding deck replacement at 3872 Fourteen Mile Drive, Stockton. Herb and Judy Hemington. They are replacing (reconstructing) an old rotted deck. The engineer’s recommend approval of the project with the following condition: The landowner must trim vegetation as part of this project on the levee landside and waterside slopes up to allow inspection of levee slopes at all times throughout the year. It was recommended that the District have the levee superintendent enforce the conditions. After discussion,

It was moved, seconded (B. Tholborn/D. Meyers) and unanimously carried by the Board of Trustees of Reclamation District 1608 that the permit application regarding deck replacement at 3872 Fourteen Mile Drive, Stockton, CA, be approved with the condition that “The landowner must trim vegetation as part of this project on the levee landside and waterside slopes up to allow inspection of levee slopes at all times throughout the year.” It was recommended that the District have the levee superintendent enforce the conditions.

- (2) Application to add additional fencing to existing encroachment permit for 6375 Embarcadero Drive, Stockton. Ed Turpin & Deepshikha Dosanji (representative Rupert Asuncion). The owners of the property wanted to have Reclamation District 1608 Board approval. The request was to seek approval to amend the Board's prior approval to reconstruct homeowner's fence along District's Easement adjacent to Marina parking lot to include additional fence that needs repair along the same alignment. The engineers recommend approval of this permit request. Mr. Neudeck noted that Mr. Ascension is very forthright and wants to replace more of the fence than previously approved. After review,

It was moved, seconded (B. Tholborn/D. Meyers) and unanimously carried by the Board of Trustees of Reclamation District 1608 that the permit application for 6375 Embarcadero Drive (Ed Turpin & Deepshikha Dosanji) to reconstruct homeowner's fence along District's Easement adjacent to Marina parking lot to include additional fence that needs repair along the same alignment, be approved.

- (b) Approve Change Order No. 1 to Erosion Repair Contract with Asta Construction Co. The change order, in the amount of \$1,786.63, is requested to approve to replace the roadway that suffered damage during the construction of the project, mostly due to the amount of truck traffic and the short turning radius's in the tight work zone. After discussion,

It was moved, seconded (B. Tholborn/D. Meyers) and unanimously carried by the Board of Trustees of Reclamation District 1608 that Change Order No. 1 for Erosion Repair Contract with Asta Construction Co. in the amount of \$1,786.63 be approved.

Mr. Neudeck reported that the engineers are continuing to see high water events with the snow melt and runoff. It changes almost daily. When it gets to high tide, they will consider additional inspections. There is a Disaster Systems Declaration that can be done and at this time they did not have enough data and detail. They are working with the Department of Water Resources. All the District can qualify for is overtime. They are uncertain as to whether they will make a FEMA claim. They prefer not to – so far a limited amount of expense. DWR does know the District had a flood season, if the District needs to pursue through FEMA, but likely it will not be worth the expense of application. He will keep the District posted. They are developing an estimate on RD1608 but, again, they prefer not to file a claim.

**Item 5. Levee Superintendent Report.** Request for directions and approvals. Joe Bryson went through the April levee report. He also asked if he could change the change the tour of the levee system from May to June, as is set out in the District's Master Calendar. He may be going on vacation but he is also concerned about run-off from the high water events. Mr. Bryson also reported that the District has a clean levee everywhere with no grasses and vegetation.

On item number 5. in his report, he is trying get the tenant's name who has done damage to the District's fence east of I-5. The management company says they are trying to evict the tenant. On item number 6. where it is reported the District has a beaver and nest east of I-5, although Mr. Bryson called the Nick Katrina of Beaver Busters about setting a trap, Mr. Katrina is concerned about setting a trap. It also appears that the property may be within the County so it was thought that Mr. Bryson could notify the County of San Joaquin and they can get rid of the beaver. Asked about getting another storage bin, Chris Neudeck said the District should be able to get one through a grant with the County but it may be later this year.

(a) Increase Maximum Amount Levee Superintendent can Pay Employees. Joe Bryson would like to have the authority to pay more to the workers the District hires. Right now the pay can go up to \$15 an hour. He said at some time Gabe Banks will be moving on as he's a hard worker and to keep him as long as he can, he would like authority to pay him more at some time. After discussion, it was decided that the cap would be raised to \$17.00 an hour. Therefore,

It was moved, seconded (B. Tholborn/D. Meyers) and unanimously carried by the Board of Trustees of Reclamation District 1608 that the District Superintendent be allowed to raise the hourly salary for the part time help up to \$17.00 an hour.

**Item 6. Newsletter. Request Direction.** Judith Buethe was present to discuss the newsletter. Additions, changes and revisions were made, along with adding the District's website to the newsletter. Several pictures will be replaced and one showing poor vision of a levee toe will be added. Ms. Buethe will revise per suggestions and send a new draft of the newsletter to attorney Schroeder who will forward it on to the Trustees and staff for review.

**Item 7. Report by Trustees on meetings attended and up coming meetings. Request for direction.** Brett Tholborn attended the budget meeting. No other meetings were attended by Trustees.

**Item 8. Report and possible action on Progress of Tasks Assigned at Previous Board Meetings.**

(a) Review and Update Sediment Removal Project Projected Costs. Chris Neudeck reported that the Levee Subventions Program is under extraordinary review at this time, where the tunnels stand, etc., and getting signals that are not good. He said some counter parts are looking at a 50/50 share of expenses.

(b) Develop Long Term Expenditure Plan. Chris Neudeck noted he has made some changes to the spreadsheets and may need to get some accounting assistance. He noted that the assumptions he has are his and again, he may need some help for a long term spending plan.

Trustee Meyers wanted to know what the basic costs were of running the District and thinks the District needs a five year budget. Mr. Schroeder said that when they bring the budget to the meeting for this next year, they could be the Long Term Expenditure Plan to look at it in conjunction with the current budget. He said he could do this.

Dominic Gulli made a comment about the sediment removal project and his property.

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

**Item 10. District Calendar.** Discussion and direction. For the month of April, it was decided to remove the “Schedule an Annual Joint meeting with RD2017 (Brookside) and RD2119 (Wright Elmwood Tract)”.

**Item 11. Correspondence.** No correspondence.

**Item 12. Closed Session.**

- (a) CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: One (1) case. A closed session was held.

**Item 13. Adjourn from Closed Session.** Open Session Disclosure of Reportable Action. No reportable action. All trustees were present.

**Item 14. Employment Agreements.** Discussion and possible action regarding amendments to Levee Superintendent and District Secretary.

Discussion about Employment Agreements started with that of Joe Bryson. Trustees feel Mr. Bryson is doing a great job. They think under the Employment Contract that the last sentence which reads: It is anticipated that Employee will work approximately ten (10) hours per week. should be removed. Section 6. Vacation and Sick Leave should also be amended unless otherwise provided by law. Attorney Schroeder will research this. Regarding compensation, it was decided that the hourly wage be increased from \$35/hr. to \$36/hr. Therefore,

Upon motion duly made, seconded (B. Tholborn/D. Meyers) and unanimously carried by the Trustees of Reclamation District 1608 that the Employment Contract for Joe Bryson be revised as follows:

Under Section 5., remove last sentence stating: “It is anticipated that Employee will work approximately ten (10) hours per week.”

Under Section 6., this language needs to be amended unless otherwise provided by law. (will be researched by Attorney Schroeder)

Hourly Pay Rate will increase from \$35 an hour to \$36 an hour.

For Secretary Jean Knight, it was determined that the salary will change from \$640 per month to \$675 per month. The vehicle allowance in B. will remain the same. Therefore,

Upon motion duly made, seconded (B. Tholborn/D. Meyers) and unanimously carried by the Trustees of Reclamation District 1608 that the Employment Contract for Jean Knight be revised as follows:

5. Compensation:

A. Base compensation: District shall pay Secretary for services performed, except as provided in Section 5.B. below, the sum of \$675 per calendar month, plus \$250 for each meeting attended in excess of one meeting per month.

B. to remain the same.

The new contracts are effective April 1, 2017.

**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 17. Adjournment.** The meeting was adjourned at 10:00 a.m.

Respectfully submitted,

Jean L. Knight  
District Secretary