

**MINUTES OF THE ADJOURNED (ADJOURNED FROM MARCH 7, 2018)
REGULAR MEETING OF BOARD OF TRUSTEES
FOR RECLAMATION DISTRICT 1608
HELD FRIDAY, MARCH 23, 2018**

The Adjourned Regular Meeting of the Board of Trustees of Reclamation District 1608 was held March 23, 2018 at the law offices of Neumiller & Beardslee, 509 W Weber Avenue, 5th Floor, Stockton, California at the house of 8:00 a.m.

TRUSTEES PRESENT WERE:

MICHAEL PANZER
BRETT THOLBORN
DAN MacDONNELL

OTHERS PRESENT WERE:

DANIEL J. SCHROEDER
ANDY PINASCO
CHRISTOPHER H. NEUDECK
DIANE DIAS – Substituting for Jean L. Knight
JOE BRYSON
CHRISSY HAINES

ABSENT:

JEAN KNIGHT

Item 1. Public Comment: There was no Public Comment.

Item 2. Approval of Minutes: Minutes of the regular and special meeting of February 7, 2018 were reviewed and

It was moved, seconded (D. MacDonnell/B. Tholborn) and
unanimously carried by the Trustees of Reclamation District 1608
that the Minutes of the February 7, 2018 meeting were approved as
submitted.

After approval of Minutes, Trustee Panzer moved item 4(e) (Item III A. on Engineer's report) up on the agenda since there was a landowner present. Mr. Neudeck stated that the FEMA map revision was a very frustrating process. The City took longer than it should have and requesting more conditions that had to be addressed. After a long process, the map revisions have been done and the District is out of the 100-year flood zone and the landowners are not required to obtain flood insurance. The Map will take effect on July 18. A question was asked about what do the landowners show the mortgage and insurance companies that the flood insurance is no longer mandatory. The engineer replied that there will be a delay of mortgage companies and

insurance companies getting the information. The Engineer said they could provide the information to the mortgage companies and insurance companies showing the new map. Engineer Neudeck reported all in all this issue is done. Engineer Neudeck did try and bring up to the City about the name of the lakes on the Map and the City said it would not reopen the issue. It was suggested that the information regarding the new map be included in the next newsletter. Trustee Panzer asked that Engineer Neudeck help Judith Buethe with getting this information into the newsletter. For further information on this item, see Exhibit G and H in the Engineer's Report.

Item 3. Financial Report. Since Secretary Jean Knight was absent, Attorney Pinasco submitted the Financial Report and he stated after review there was nothing out of the ordinary, the District is 67% through the financial year based on the fiscal year ending June 30. Everything is currently under budget. A question was asked about the \$6,000 for Trustee's fees. Attorney Pinasco stated that the \$6,000 does not reflect the raise of the Trustee's fees that would be on next year's budget.

- (a) Attorney Pinasco reported that they made an error with regard to the resolution adopting a reimbursement policy. Upon further review, the District already adopted a policy back in 2012 so Resolution 2018-01, which was adopted, was duplicative. Attorney Pinasco asked that the Board adopt Resolution 2018-03, which rescinded Resolution 2018-01.

It was moved, seconded (D. MacDonnell/B. Tholborn) and unanimously carried by the Trustees of Reclamation District 1608, that Resolution 2018-03 is hereby adopted rescinding Resolution 2018-01,

- (b) The next item was discussion and direction regarding Trustee stipend. Attorney Pinasco went back to the Water Code and stated that the Trustees were only allowed to increase their stipend 5% per year starting from the last increase. Since the last increase was 17 years ago, the most they can get is \$235 per meeting instead of the \$300 requested. Attorney Pinasco stated that the action to increase the stipend could not be done at this meeting. It would have to be an ordinance, so it would have to be published, then be put on the next agenda. Staff recommended the Board make a motion for staff to begin the ordinance procedure and identify the maximum amount and publish per the Code, then consider the increase of \$235 per meeting. After discussion,

It was moved, seconded (D. MacDonnell/B. Tholborn) and unanimously carried by the Trustees of Reclamation District 1608 that Staff is directed to start the ordinance procedure to increase the Trustee's stipend to \$235 per meeting.

- (c) The next item was discussion on the District insurance plan. Attorney Pinasco stated that the policy was increased by 26% due to the increase in the District's budget for the dredging project as well as the increase in people working on the levee this past

year. Attorney Pinasco stated that although 26% is more than the 15% increase allowed by JPRIMA, the District cannot terminate its policy because the increase was in labor and levee work. Water Plus would have been \$10,000 and \$11,000 so the District is still saving money. JPRIMA is still about 13% cheaper than Water Plus.

It was moved, seconded (D. MacDonnell/B. Tholborn) and unanimously carried by the Trustees of Reclamation District 1608 to approve the 2018-2019 insurance proposal as submitted.

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

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| MICHAEL PANZER, #6023, Trustee Fee | 100.00 |
| BRETT THOLBORN, #6024, Trustee Fee | 100.00 |
| JEAN L. KNIGHT, #6025, Secretary Fee (plus additional \$1.00 copy cost reimbursement from the County Recorder's Office) | 746.00 |
| VOID, #6026 | |
| NEUMILLER & BEARDSLEE, #6027, Inv. # 290508 | 5,253.54 |
| KJELDTSEN, SINNOCK & NEUDECK, #6028, Inv. #s 22402-22407 | 23,274.49 |
| ANIMAL DAMAGE CONTROL, INC., #6029, Inv. #641 & 650 | 800.00 |
| CROCE & COMPANY, #6030, Inv. # 2010084 | 415.00 |
| PAUL E. VAZ TRUCKING, INC., #6031, Inv. #s 54939-54942 | 4,597.89 |
| PG&E, #6032, Electrical | 11.20 |
| RECLAMATION DISTRICT 1608, #6033, Transfer to Checking | 30,000.00 |
| U.S. ARMY CORPS OF ENGINEERS, #6034, Permit | 100.00 |
| U.S. ARMY CORPS OF ENGINEERS, #6035, Application Fee | 3,376.00 |
| STATE OF CALIFORNIA – STATE LANDS COMMISSION, #6036, Filing Fee | 25.00 |
| STATE OF CALIFORNIA – STATE LANDS COMMISSION, #6036, Application Fee | 1,500.00 |
| STATE WATER RESOURCES CONTROL BOARD, #6037, Sediment Volume on fee – no discharge | 720.00 |
| ROBERT BURNS CONSTRUCTION, INC., #6039, Progress Payments | 20,715.40 |
| CALIFORNIA ASSOCIATION OF MUTUAL WATER COMPANIES, #6040, Cal Mutuals 2018 Membership Dues | 100.00 |
| DAN MAC DONNELL, #6041, Trustee Fee | 100.00 |
| VOID, #6042 | |

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

| | |
|---|----------|
| HECTOR BRYAN KENDALL, #1356, 3/1/18 – 3/15/18 | 498.77 |
| JOHN EARL FOSTER, #1357, 3/1/18 – 3/15/18 | 326.12 |
| JOE BRYSON, #1358, 3/1/2018 – 3/30/2018 | 4,174.75 |

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

State Government, Payroll Taxes, February Salaries345.11
Federal Government, Payroll Taxes, February Salaries1,773.36

Electronic Payments were made to the following:

Bank of Stockton Visa Card1,596.39
State Compensation Insurance Fund, Workers Compensation premium569.58

Item 4. Engineer's Report. For full report along with exhibits see attached.

I.A. Engineer Neudeck discussed the letter sent to the District from DWR regarding the 2018 Five Year Plan Solicitation. Engineer Neudeck explained to the Trustee the process. He noted that the District does not currently have a Five Year Plan and suggested that the District respond to DWR their interest in the solicitation. By responding to the letter it does not bind the District for anything. (See Exhibit A of Engineer's Report) After discussion,

It was moved, seconded (D. MacDonnell/B. Tholborn) and unanimously carried by the Trustees of Reclamation District 1608 to authorize the Engineer to respond to DWR regarding the 2018 Five Year Plan Solicitation.

B. KSN completed road repairs on Kent and English Property in the Southeast quadrant.

C. Engineer Neudeck reported on the effort to determine whether the City of Stockton's outfall discharge pipelines were leaking again. He stated that the City is not that easy to work with. A small depression was forming over the repaired surcharge lines. The Manager investigated the problem. The pipe was dug up and they did not find anything. It was confirmed that there was no leak when pump as on, there was no mud. It was backfilled and everything operational. This was an expense reimbursable through subventions.

D. Engineer Neudeck was pleased with the last levee inspection. He is working on getting a more detailed data base for each landowner so it will be easier for the superintendent to note whether landowners are in compliance. Sample letters have been prepared to send out to landowners regarding compliance issues. There is a short version to address vegetation issues and a long version to address permit violations for existing features. Currently there are approximately 20 letters that will go out regarding various violations. Letters will include photos with arrow indicating the violation. Trustees will receive copies of all letters that are going out. Letters will be mailed next week.

E. The Engineer has been working with Cal Trans on developing a fence that vagrants are not able to cut through. They have come up with a product. The Engineer will work on getting pricing and will have a proposal at next meeting.

II.A. There is a pending permit from Landowner to relocate an unpermitted fire pit to the landside levee slope. Engineer Neudeck stated that the retaining walls are in great shape. Engineer recommended the Board approve application to relocate the fire pit.

It was moved, seconded (D. MacDonnell/B. Tholborn) and unanimously carried by the Trustees of Reclamation District 1608 to approve the permit request of Dr. Antonio and Lillian Arrendondo to relocate the fire pit to the landside levee slope.

IV.A. With regard to the sediment removal project, Engineer Neudeck reported that it is moving along well. They are in the process of developing draft permits and alternate disposal sites. Less likely to get permit for this fiscal year, but will keep moving forward. So far the Port works the best.

Engineer Neudeck reported on the LAFCO Municipal Service Review. The document was prepared by LAFCO to give an overall inspection of levee districts in the region. They handpicked certain districts for their report. The Engineer put together about a weeks' worth of work commenting on the report.

Item 5. Superintendent's Report The next item on the agenda was the Superintendent's Report. (For full report see attached).

The Superintendent completed levee patrols. It was stated that in order for the District to recoup the expenses of levee patrols and the work that is done, that a report needs to be filed. KSN prepared a form that the Superintendent can fill out when he does his patrol that indicates work that needs to be done, the date that he patrolled, etc.

Mr. Bryson reported of existing problems of vagrants getting through fences. He said that he and both apartment managers and James at Mr. Space are going to remain diligent about reporting vagrants to the Sheriff.

Mr. Bryson had a meeting with AE Com and USACE in Sacramento and also meeting with the Engineer, Rick Toy, Fish and Game and DWR on levee subventions.

At this point, Acting Secretary Diane Dias left the meeting and attorney Pinasco took notes.

Item 6. Adopt Resolution 2018-02 Authorizing E-Mailing of Documents Responsive to a Public Records Request. Mr. Pinasco presented this item and after discussion,

It was moved, seconded (D. MacDonnell/B. Tholborn) and unanimously carried by the Trustees of Reclamation District 1608 that Resolution 2018-02 Authorizing E-Mailing of Documents Responsive to a Public Records Request be approved.

Item 7. Discussion and Direction on CalMutuals JPRIMA Election of Directors Ballot

The date which CalMutuals JPRIMA held its election was March 16. Due to the fact that the Reclamation District No. 1608 meeting date is March 23, 2018, no action was taken on this item due to the matter being moot.

Item 8. Report by Trustees on meetings attended and upcoming meetings. Request for direction. None.

Item 9. Report and possible action on Progress of Tasks Assigned at Previous Board Meetings.

FPPC Advice 18-021 Regarding Trustee Tholborn's Conflict of Interest Regarding Sediment Removal Project. Mr. Pinasco reported that the FPPC had reversed its 08-112 FPPC Advice Letter thereby allowing Trustee Tholborn's participation in any District governmental decision to fund the dredging of 14-Mile Slough.

Item 10. Discussion and direction on Short-Term and Long-Range Goals. Discussion and direction.

It was moved, seconded (B. Tholborn/ D. MacDonnell) and unanimously carried by the Trustees of Reclamation District 1608 that Item 7, FEMA Levee Certification, from the District's Short Term Goals be removed.

Item 11. District Calendar. Discussion and direction. Trustee Tholborn asked that the item "Annual Review of Trustee Compensation" be added to January and that the July "Follow up with FEMA on Certification Letter (2015 only)" be removed from the calendar.

It was moved, seconded (B. Tholborn/ D. MacDonnell) and unanimously carried by the Trustees of Reclamation District 1608 to cancel the District's April and May regular meetings and hold a special meeting on May 1, 2018.

Item 12. Correspondence. No correspondence to note.

Item 13. Approval of Bills. The bills, as presented, were approved.

It was moved, seconded (B. Tholborn/ D. MacDonnell) and unanimously carried by the Trustees of Reclamation District 1608 to approve the March 2018 bills.

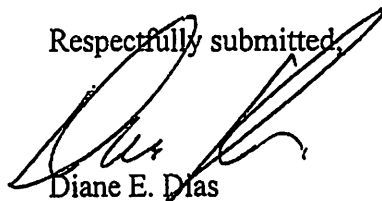
Item 14. Staff Reports. No staff reports.

- (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 15. Adjournment.

The meeting was adjourned at 10:15 a.m.

Respectfully submitted,



Diane E. Dias
Acting District Secretary