

**MINUTES OF THE SPECIAL MEETING OF BOARD OF TRUSTEES
FOR RECLAMATION DISTRICT 1608
HELD TUESDAY, MAY 1, 2018**

A Special Meeting of the Board of Trustees of Reclamation District 1608 was held May 1, 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
JEAN L. KNIGHT
JOE BRYSON

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. Trustee Panzer reported that looking off the back of his property, the Penny Wart has about choked off the levee area. He said it is a continuing problem with top weed and underwater weeds also. Joe Bryson said on the east side of I-5 on 14 Mile Slough, there are a lot of weeds and mud. Chris Neudeck said that Boating and Waterways are working on this but right now, it is not apparent. He also said on 14 Mile Slough, they found a giant garter snake. Some say it came off a harvester when they were harvesting off 14 Mile Slough. Trustee Panzer said he has not seen any boat to date at 14 Mile Slough.
2. **Approval of Minutes.** Minutes of the regular meeting of March 7, 2018 and adjourned March 7, 2018, regular meeting held on March 23, 2018. Upon review, it was discovered that two sets of minutes for the March 23, 2018 meeting were included in the agenda packet. The minutes signed by Diane Dias are the correct and official minutes of that meeting. After review,

It was moved, seconded (B. Tholborn/D. MacDonnell) and
unanimously carried by the Trustees of Reclamation District 1608
that the minutes of the adjourned March 7, 2018, regular meeting
held on March 23, 2018 be approved.

3. **Financial Report.** **Review, discuss, and accept financial report.** Secretary Jean Knight presented the financial reports for the months ending March and April, 2018. After review,

It was moved, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Trustees of Reclamation District 1608 that the financial reports for the months ending in March and April 2018 be approved as presented.

- (a) Draft 2018-2019 Budget. Attorney Schroeder presented this item. A draft budget was prepared and distributed to Trustees and staff for review. Each line item was reviewed and edited as needed. Attorney Schroeder will e-mail the revised budget to the Trustees and staff for review over the next month and the revised budget will be presented at the June, 2018 meeting.

Items edited on the proposed budget include:

Increasing payroll taxes and expenses from \$12,000 to \$14,000
Increasing fences and gates from \$5,000 to \$50,000
Levee Repair Fund (General Operations & Maintenance) \$50,000
Levee Repair fund (Levee Capital Improvement Projects) \$175,000
Pump System Maintenance increased from \$500 to \$1,000
Wireless Services (Cell and Mobile computer) increased from \$1,500 to \$1,800
Liability Insurance increased from \$7,200 to \$7,300
Workers Compensation Insurance increased to \$8,000
Automobile Insurance decreased from \$2,400 to \$1,600
Newsletter & Public Communications increased to \$12,000

On engineering expenses, the only change at this time is to change:

Assessment Engineering from last year's budget of \$5,800 to \$2,000

Other changes will be the addition of income and expense for the Five Year Plan and to take off the Wright Elmwood line item under Shared District Expenses.

Mr. Neudeck will work on the other budget items under the Engineering Expenses and present at the June meeting.

On Income, interest income was increased to \$15,000 from last year's budget of \$9,500

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

(March, 2018 Payments)

JEAN L. KNIGHT, #6043 Secretarial Fee	745.00
NEUMILLER & BEARDSLEE, #6044, Inv. # 291045	2,664.80
KJELDSSEN, SINNOCK & NEUDECK, #6045 Inv. #s 22569-22578.....	32,398.73
PAUL E. VAZ TRUCKING., INC., #6046, Inv. #s 55246-55247	541.41
JUDITH BUETHE COMMUNICATIONS, #6047, Inv. #6220	3,506.39
PG&E, #6048, Electrical.....	30.82

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

HECTOR BYRON KENDELL, #1356, 3-1-18 – 3-15-18.....	498.77
JOHN EARL FOSTER, #1357, 3-1-18 – 3-15-18.....	326.12
JOE BRYSON, #1358, 3-1-18 – 3-31-18	4,174.75
HECTOR BYRON KENDELL, #1359, 3-15-18 – 3-31-18.....	334.35

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

State Government, Payroll Taxes, February Salaries	400.89
Federal Government, Payroll Taxes, February Salaries	81.18

Electronic Payments were made to the following:

Bank of Stockton Visa Card	1,596.39
State Compensation Insurance Fund, Workers Compensation premium	569.58

(April 2018 Payments)

MICHAEL PANZER, #6049, Trustee Fee.....	100.00
BRETT THOLBORN, #6050, Trustee Fee	100.00
DAN MAC DONNELL, #6051, Trustee Fee	100.00
JEAN L. KNIGHT, #6052, Secretarial Fee	745.00
NEUMILLER & BEARDSLEE, #6053, Inv. # 291748.....	3,145.49
KJELDTSEN, SINNOCK & NEUDECK, #6054 Inv. #s 22742-22749.....	27,655.99
VOID, #6055	
DOHRMANN INSURANCE AGENCY, #6056, Inv. #s 25873, 25874 & 25878	8,500.00
THE RECORD, #6057, Order #1117999	74.58
CROCE & COMPANY, #6058, Invoice #2010548	537.13
PG&E, #6059, Electrical.....	11.88

Timesheets for the following employees were submitted and checks in payment of same, were approved: Completed to date except Visa amount

JOHN EARL FOSTER IV, #1360, 4/1/18 - 4/15/18.....	448.77
HECTOR BRYAN KENDALL, #1361, 4/1/18 – 4/15/18	723.48
CALIFORNIA STATE DISBURSEMENT UNIT, #1362.....	50.00
JOE BRYSON, #1363, 4/1/18 – 4/30/18.....	3,986.58
JOHN EARL FOSTER IV, #1364, 4/16/18 - 4/30/18.....	512.72
HECTOR BRYAN KENDALL, #1365, 4/16/18 – 4/30/18	476.85
CALIFORNIA STATE DISBURSEMENT UNIT, #1366.....	50.00

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

State Government, Payroll Taxes, March Salaries401.63
 Federal Government, Payroll Taxes, March Salaries2,057.04

Electronic Payments were made to the following:

Bank of Stockton Visa Card2,837.36
 State Compensation Insurance Fund, Workers Compensation premium569.58

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

- (a) Consider new permits requests from homeowners. No report.
- (b) Consider Levee Encroachment Standard Violation Enforcement
 - 1. 3759 Hatchers Circle, APN 098-020-67, Index No. 98, Lot No. 1989, Owner Garrett Isaacson - Removal of slope vegetation.

After meeting with Mr. Isaacson, Mr. Neudeck said the property owner did not want the vegetation and wanted gravel. The engineer's report stated the need to review and seek authority of RD1608 to remove slope vegetation and replace with rock in exchange for permit revision for no levee slope vegetation. With both the homeowner and the District agreeing to such action,

It was moved, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Trustees of Reclamation District 1608 that at the location of property owner Garrett Isaacson, 3759 Hatchers Circle, APN 098-020-67, Index No. 98, Lot No. 1989, the District will remove the slope vegetation and replace with rock in exchange for a permit revision for no levee slope vegetation.

- 2. 7045 Kennesaw Court, APN 098-030-14, Index No. 78, Lot No. 1844, Owners Edward J. and Michelle Miles – Chain link fence location. It was discovered that the District does have an amendment and the homeowners are in compliance. If they remove the fence, then they are not. The additional condition makes it not an actionable item anymore.
- 3. 3603 Stone River Circle, APN 100-020-04, Index No. 73, Lot No. 1215, Owners Luis and Alicia Bustamente – Landside slope landscaping maintenance. With respect to the Bustamente property, it was reported that each year the District is sending them letters because their vegetation is not always kept trimmed. The owners responded to the letter written to them with respect to violations and said they had complied with the items requested in the report sent to them by the engineers. The engineers reported that the problem with the 2 foot wide path along the fence line is that from a truck driving on the levee, one cannot see the path or cleared out area. The engineers are also requesting the owners to keep trimmed, 2

foot wide spaces every 15 feet horizontal to the fence. The owners responded in their letter to the District that this alteration of their landscape breaks the harmony and aesthetics of their backyard and they do not believe it is necessary. Further, they state there is not mention of this requirement in the District Standards. The engineer's response to this is that in Chapter 6, Vegetation, Section 6.0.4.Maintenance Standards, "Plants will be trimmed and maintained to allow maximum visibility for inspection of the levee slope and toe areas." After consideration,

Upon motion duly made, seconded, (B. Tholborn/D. MacDonnell) and unanimously carried by the Trustees of Reclamation District 1608 the Trustees authorized the District's engineer to maintain the 2 foot strips every 15 feet and also to have the District's engineer negotiate on what has been recommended. In addition, the engineer is authorized to discuss any other type of material (that is not maintenance intensive) that could be agreed upon between the District and the property owners.

- (c) Discussion and Direction regarding Sediment Removal Project. See below under Engineer's agenda.

From engineer's agenda:

- I. A. Review status of KSN Inc. Annual Levee Inspection to evaluate landowner encroachments and landowner violations notices and corresponding responses from land owners. Chris Neudeck referred to Exhibit A, a spreadsheet entitled "Lincoln Village West Violation/Remedy Tracking 2018" and reported on this item noting that 2/3 of the people that had letters written to them have not yet responded – although the District only gave them 7 days to do so. They will give them another week and if no response, the attorney is authorized to write letters to these homeowners.

See above for action on three responses identified in agenda.

- II. A. Review progress of permitting process with eh Board of trustees. See Exhibit H: KSN Inc. Summary of work activities associated with the sediment removal project dated 3/26/18.

Exhibit H. details a progress update on the sediment removal project. There has been a complication where a giant garter snake has been found and identified on Lower Roberts Island, on Port of Stockton property, near one of the proposed disposal sites for the project. The snake was found approximately one mile west of Windmill Cove (the secondary proposed disposal site) near Holt Road. It is thought the snake was potentially transported from 14 Mile Slough during hyacinth removal by the Division of Boating and Waterways. More research is

being done on this issue but the snake is an endangered species so this could potentially complicate the whole process. Another part to this is that the Port is going to charge to deposit and this is going to eat up the District's contingency and keep costs up at a higher level. There may be consideration in talking to Windmill Cove where Stockton Sailing Club disposed. Mr. Neudeck also said he might talk to Dominick Guilli about this area as a disposal site.

5. **Levee Superintendent Report.** Request for directions and approvals. Superintendent Bryson discussed, and there was input given to his May, 2018 report. He also reported he has moved residences and is now across the street from his previous residence and can do a lot of work from the new house as it is close to levee access and neighbors who have questions are nearby.
6. **Public Hearing. Ordinance Increasing the Compensation for Meeting Attendance.** Michael Panzer opened the public hearing at 9:55 a.m. Mr. Schroeder reported that the District needs to repeal the exiting ordinance with compensation and policy and then adopt Ordinance 2018-01 Establishing Trustee Compensation for Meeting Attendance and then Adopt Resolution 2018-04 Establishing a New Policy for Reimbursement of Trustee Expenses and Compensation. Based on research, the compensation for the Trustees can be \$235 per meeting. This Public Hearing Notice for the Ordinance was also published twice (as required) in the Stockton Record. Before action could begin, it was asked if there was any public comment. However, no public appeared at this hearing. The hearing closed at 10:00 a.m.

At this time the following actions took place:

- (a) Adopt Ordinance 2018-01 Establishing Trustee Compensation for Meeting Attendance. Ordinance 2018-01 Establishing Trustee Compensation for Meeting Attendance was presented by attorney Schroeder. After discussion,

It was moved, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Trustees of Reclamation District 1608 that Ordinance 2018-01 Establishing Trustee Compensation for Meeting Attendance be approved.

- (b) Adopt Resolution 2018-04 Establishing a New Policy for Reimbursement of Trustee Expenses and Compensation. Resolution 2018-04 Establishing a New Policy for Reimbursement of Trustee Expenses and Compensation was presented by attorney Schroeder. After discussion,

It was moved, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Trustees of Reclamation District 1608 that Resolution 2018-04 Establishing a New Policy for Reimbursement of Trustee Expenses and Compensation be approved.

The change in the Trustee compensation will become effective at the July, 2018 meeting.

7. **Report by Trustees on meetings attended and upcoming meetings.** Request for direction.
No report.
8. **Report and possible action on Progress of Tasks Assigned at Previous Board Meetings.**
No report.
9. **Discussion and direction on Short-Term and Long-Range Goals.** No action.
10. **District Calendar.** Discussion and direction. At the next meeting, the attorney will bring back a draft budget for adoption. Attorney Schroeder also said he hopes to have a contract for auditing services. He will also be putting together the determination of Appropriations.
11. **Correspondence.** None, other than in agenda packet.
12. **Approval of Bills.** The bills, as presented, were approved.
13. **Staff Reports.** Trustee Tholborn said he will be on vacation from May 21st – June 6th. Since he will not be returning before the June meeting, it was determined that a quorum would still be present so the meeting will go as scheduled.
 - (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.
14. **Adjournment.** The meeting was adjourned.

Respectfully submitted,



Jean L Knight
District Secretary