

**MEETING AGENDA FOR
RECLAMATION DISTRICT NO. 1608
BOARD OF TRUSTEES REGULAR MEETING
8:00 A.M. AUGUST 1, 2018
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 regular meeting of July 11, 2018.
3. Financial Report. Review, discuss, and accept financial report.
4. Engineer's Report. Request for directions and approvals.
 - (a) Consider new permits requests from homeowners.
 1. 3753 Hatchers Circle, Index No. 95 Lot 1986, APN 098-020-64, Owner – Nancy Sloan – Request permit to revise wood fence.
 2. 4275 Five Mile Drive, APN 098-140-19
Owner Mr. Daryl Verkerk – Seeks permit regarding sprinkler system.
 - (b) Consider revoking approval of homeowners permit request.
 1. 6201 Embarcadero Drive, Index No 17 Lot 1159, APN 098-370-01
Owners Dr. Antonio and Lillian Arrendondo – March 23, 2018 Permit Approval of relocated non-permitted fire pit to the landside levee slope. Owners have failed to execute conditional documents as required in the permit.
 - (c) Consider Levee Encroachment Standard Violation Enforcement
 1. 3825 Fort Donelson Drive, APN 098-410-210-000, Index No 110, Lot 2237
Owner Mr. Lance Turner - Excessive vegetated cover requiring clearing for inspectability
 - (d) Public Hearing Re: Order to Show Cause Regarding Violation of Levee Encroachment Standards.
 1. 6231 Embarcadero Drive, APN 100-020-08, Index No 12, Lot 1918,
Owner George W. Zehender - Excessive vegetated cover requiring clearing for levee inspections, failure to comply with May 11, 2018 Notice of Violation.
 - (e) Discussion and Direction regarding Sediment Removal Project.
 - (f) Update on FEMA Levee Certification.
5. Levee Superintendent Report. Request for directions and approvals.
6. CEQA Resolution. Adopt Resolution 2018-09 Authorizing and Directing Filing of Notice of Exemption for Routine Maintenance, for Fiscal Year 2018-2019.

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.

7. Ordinance 18-02. Introduce and Waive the first reading of Ordinance No. 2018-02 Providing Informal Bidding Procedures Under the Uniform Public Construction Cost Accounting Act (Section 22000, Et Seq., of the Public Contract Code)
8. Report by Trustees on meetings attended and up coming meetings. Request for direction.
9. Report and possible action on Progress of Tasks Assigned at Previous Board Meetings.
10. Discussion and direction on Short-Term and Long-Range Goals.
11. District Calendar. Discussion and direction.
12. Correspondence.
13. Approval of Bills.
14. 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.

15. 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.

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.

**AGENDA PACKET
RECLAMATION DISTRICT 1608
August 1, 2018**

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

ITEM 2

**MINUTES OF THE REGULAR MEETING OF BOARD OF TRUSTEES
FOR RECLAMATION DISTRICT 1608
HELD WEDNESDAY, JULY 11, 2018**

The Regular Meeting of the Board of Trustees of Reclamation District 1608 was held Wednesday, July 11, 2018 at the law office of Neumiller & Beardslee, 509 W. Weber Avenue, fifth Floor, Stockton, California, at the hour of 8:00 a.m.

TRUSTEES PRESENT WERE:

MICHAEL PANZER
BRETT THOLBORN
DAN MacDONNELL

OTHERS PRESENT WERE:

DANIEL J. SCHROEDER
ANDY PINASCO
CHRISTOPHER NEUDECK
JEAN 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. There was no public comment.
2. **Approval of Minutes.** Minutes of the regular meeting of June 6, 2018. After review,

It was moved, seconded (D. MacDonnell/B. Tholborn) and unanimously carried by the Trustees of Reclamation District 1608 that the minutes of the regular meeting of June 6, 2018 be approved as read.
3. **Financial Report.** Review, discuss, and accept financial report. Secretary Knight presented two financial reports. One reflected the Fund Balance with the County as of May 30, 2018 and the other the fund balance at the end of the District's fiscal year of June 30, 2018. After review, it was asked of Ms. Knight to rename the second report, the "End of Year Report" After discussion,

It was moved, seconded (D. MacDonnell/B. Tholborn) and unanimously carried by the Trustees of Reclamation District 1608 that the financial reports presented be approved.

- (a) Adopt Resolution 2018-05 Adopting Appropriations Limit for Fiscal Year 2018-2019. Dan Schroeder presented this item and went over the calculations in Exhibit "A." Each year the District must calculate an appropriations limit and send this information to the County of San Joaquin. One item noticed on the Exhibit was that the factor under 4. should read 1.048 instead of 1.0503. After review,

It was moved, seconded (B. Tholborn/ D. MacDonnell) and unanimously carried by the Trustees of Reclamation District 1608 that Resolution 2018-05 Adopting Appropriations Limit for Fiscal Year 2018-2019 be approved with the correction in the factor in line 4. from 1.0503 to 1.048.

- (b) Adopt Resolution 2018-06 Certifying Assessments to be Collected and Establishing a Procedure for Collection. Dan Schroeder presented this item and noted that the District will be assessing and collecting 100% of the Proposition 218 assessment amount this upcoming year. This amount will appear on the property owner's tax bill for the upcoming year. After review,

It was moved, seconded (B. Tholborn/ D. MacDonnell) and unanimously carried by the Trustees of Reclamation District 1608 that Resolution 2018-06 Certifying Assessments to be Collected and Establishing a Procedure for Collection be approved.

- (c) Adopt Resolution 2018-07 Electing to Become Subject to the State of California's Uniform Public Construction Cost Accounting Procedures Set Forth in the Uniform Public Construction Cost Accounting Act (Public Contract Code Section 22000, Et Seq.) Attorney Andy Pinasco presented this item and noted that the District has an opportunity to opt into this program. He said that the only item at this time that would qualify for these procedures would be the pump station at Grupe Park. Any subvention work would be superseded by the Subventions Policies and Procedures. It is not for maintenance but when opting for this program, for public construction instead of work done in excess of \$25,000, the cap would be not to exceed \$175,000. If approved, the attorneys would bring an ordinance to the next meeting for the formal bid process change. After review,

It was moved, seconded (D. MacDonnell/B. Tholborn) and unanimously carried by the Trustees of Reclamation District 1608 that Resolution 2018-07 Electing to Become Subject to the State of California's Uniform Public Construction Cost Accounting Procedures Set Forth in the Uniform Public Construction Cost Accounting Act (Public Contract Code Section 22000, Et Seq.) be approved.

- (d) Adopt Resolution 2018-08 Establishing a Best Practices Fiscal Policy. Dan Schroeder presented this resolution. He noted that the Districts he represents do have a practice in place but nothing in writing. He went through the proposed fiscal policy that he had developed and noted he had reviewed with District Secretaries. He felt it best to develop something in writing as there have been queries from the San Joaquin County Grand Jury and will perhaps have others in the future. These agencies might be taking a closer look at how the District handles its finances (spoke of a public agency that had an embezzlement) and said it would be best to put these practices into a policy. He reviewed the policy with the Trustees and staff – going through each section of the policy. After discussion,

It was moved, seconded (B. Tholborn/ D. MacDonnell) and unanimously carried by the Trustees of Reclamation District 1608 that Resolution 2018-08 Establishing a Best Practices Fiscal Policy be approved.

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

AB 360 Delta Levee Subvention Program. Mr. Neudeck reported the new legislation went through both houses as a budget trailer bill and it passed. The new legislation adopts the three amendments on the Delta Subventions Plan to: 1) prevent July 1, 2018 sunset to 50% cost share by permanently deleting the sunset provision in its entirety so 75% cost share is maintained without need for future legislative extension; 2) deleted language regarding preparation of an ability to pay study; and 3) increasing the per levee mile local contribution from \$1,000 to \$2,500 but only for urban districts.

Mr. Neudeck also reported that the District is working on seeking a security fence that uses steel channel iron. They want to implement a test program. Someone would have to torch it to damage a security fence. It is much heavier than anything the District has now.

Mr. Neudeck said he got a call from former District engineer Johnnie Mack who is purging engineering files. Mr. Mack asked Mr. Neudeck if he'd like to see them. Mr. Neudeck drove to Mr. Mack's office and got about 10 boxes. He didn't get a "gold nugget" but said he got some good information about the sediment removal project.

Within the Engineer's report, as Exhibit B., is a current summary of all the landowner letters sent and corresponding responses from the landowners.

- (a) Consider new permits requests from homeowners. No new permits submitted.
- (b) Consider revoking approval of homeowners permit request.

- 1. 6201 Embarcadero Drive, Index No 17 Lot 1159, APN 098-370-01 Owners Dr. Antonio and Lillian Arrendondo – March 23, 2018 Permit Approval of relocated non-permitted fire pit to the landside levee slope. Owners have failed to execute conditional documents as required in the permit.

To date, the Arrendondo's have not executed the documents required in the permit. After discussion between the engineer, Trustees and staff, it was decided that if the Arrendondo's do not sign the conditional documents as required in the permit, this item will come back onto the August agenda with the action of withdrawing the conditional permit. Therefore,

Upon motion duly made, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Trustees of Reclamation District 1608 it was determined that if the Arrendondo's, at 6201 Embarcadero Drive, Index No 17 Lot 1159, APN 098-370-01, do not sign the conditional documents as required in the permit, this

item will come back onto the August agenda with the action of withdrawing the conditional permit.

(c) Consider Levee Encroachment Standard Violation Enforcement

1. 4115 Embarcadero Drive, APN 098-420-19, Index No 124, Lot 2242
Owners James & Cathleen Conklin - Excessive vegetated cover requiring clearing for inspectability.

Mr. Neudeck reported that the Conklins are in the process of complying with the clearing of excessive vegetated cover and have been doing what the engineer has asked them to do. Mr. Neudeck will be going out and checking the property. At this time, the District will not be taking any action for violation.

2. 3825 Fort Donelson Drive, APN 098-410-210-000, Index No 110, Lot 2237.
Owner Mr. Lance Turner - Excessive vegetated cover requiring clearing for inspectability.

It was reported that Mr. Turner has passed away. Staff is going to find out who owns or is living in the house. This item will be moved to the August agenda.

(d) Public Hearing Re: Order to Show Cause Regarding Violation of Levee Encroachment Standards.

1. 6231 Embarcadero Drive, APN 100-020-08, Index No 12, Lot 1918,
Owner George W. Zehender - Excessive vegetated cover requiring clearing for levee inspections, failure to comply with May 11, 2018 Notice of Violation.

It was reported that Mr. Zehender may be in a rest home. The recommendation at this time is to continue the show cause hearing and find out who is paying rent. Mr. Bryson reported that he thought there were people living in the home who were ill.

- (e) Discussion and Direction regarding Sediment Removal Project. Chris Neudeck reported on a potential site for the spoils location and was finally able to get a hold of Rod Dement at the Windmill Cove site. After giving details of the potential for this property, it was determined that this property likely wouldn't be something the District could pursue. He reported his project team did not like the idea either and they could develop potentials for a gift of public funds. Mr. Schroeder said this is something the District would not be able to go forward with and it was opening the District to many variables and a lot of cost.

Now the engineers are back to the initial position of a dredging disposal site at the port. They do have to get across Wright Elmwood Tract also (12 inch pipe) and would be crossing private property which Mr. Muzio owns. He still thinks there is potential with the Port but they are still dealing with the Giant Garter Snake issue. He also said it is a

difficult season for getting permits approved. He thinks we have some good concurrence with the port but it is also a difficult season for getting permits.

5. **Levee Superintendent Report.** Request for directions and approvals. Joe Bryson presented his superintendent's report. Of special note on item 8. regarding nutria, he said this issue was being discussed a lot amongst levee lot owners. The California Department of Fish and Wildlife is trying to eradicate the rodents from the state because once established, nutria can cause loss of wetlands, damage to agricultural crops and levees, dikes and roadbeds. Property owners who have levee access are being contacted by the Department and they are being asked to give them temporary entry permits to their levee lot property. Chris Neudeck reported that he would be giving a presentation on these rodents at the next District meeting.
6. **Report by Trustees on meetings attended and up coming meetings.** Request for direction. There was no report.
7. **Report and possible action on Progress of Tasks Assigned at Previous Board Meetings.** There was nothing other than what was reported on at the meeting.
8. **Discussion and direction on Short-Term and Long-Range Goals.** No changes were made.
9. **District Calendar.** Discussion and direction. Mr. Schroeder reviewed the calendar and noted there will not be much to report on between now and October.
10. **Correspondence.** No correspondence.
11. **Approval of Bills.** The Bills to be Paid List, as presented, was reviewed and,

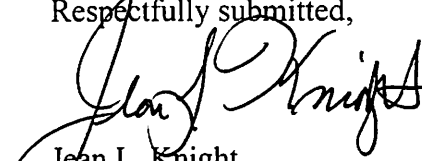
It was moved, seconded (D. MacDonnell/B. Tholborn) and unanimously carried by the Trustees of Reclamation District 1608 that the Bills to be Paid List be approved.

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.** The meeting adjourned at 9:35 a.m.

Respectfully submitted,


Jean L. Knight
District Secretary

ITEM 4



Neumiller & Beardslee

509 West Weber Avenue
Fifth Floor
Stockton, CA 95203

Post Office Box 20
Stockton, CA 95201-3020

(209) 948-8200
(209) 948-4910 Fax

NEUMILLER.COM

July 25, 2018

Via U.S. Mail & Email: Stkrm1@sbeglobal.net and Stkoms1@sbeglobal.net

Antonio and Lillian Arredondo
Post Office Box 77967
Stockton, CA 95267

Re: **Levee Encroachment Permit Agreement for
6201 Embarcadero Drive, Stockton, CA 95219**

Dear Mr. and Mrs. Arredondo:

At the Reclamation District No. 1608 (the "District") March 7, 2018, regular meeting, the District's Board of Trustees took action to approve your levee encroachment permit request to relocate a fire pit to the landside levee slope at your 6201 Embarcadero Drive property. The permit is conditioned on your executing the Agreement Relative to Certain Encroachments on Easement of Reclamation District (the "Agreement"). As of July 25, 2018, you have not executed the Agreement.

Please find an additional copy of the required Agreement for your execution enclosed with this letter. You can deliver the signed Agreement to the District's business office located at 509 West Weber Avenue, Fifth Floor, Stockton, California.

Failure to execute an Agreement prior to the August 1, 2018, will result in the District's Board considering withdrawing its prior approval of your encroachment permit request at its regular meeting next Wednesday, August 1, 2018.

Thank you very much for your courtesy and cooperation.

Very truly yours,

DANIEL J. SCHROEDER
Attorney at Law

DJS/ajp/
Enclosure

cc: Board of Trustees
Chris Neudeck, District Engineer
Jean Knight, District Secretary

73650-41996

RECORDED AT THE REQUEST OF
AND WHEN RECORDED RETURN TO:

NEUMILLER & BEARDSLEE
POST OFFICE BOX 20
STOCKTON, CALIFORNIA 95201-3020
ATTN: DANIEL J. SCHROEDER

AGREEMENT RELATIVE TO CERTAIN ENCROACHMENTS
ON EASEMENT OF RECLAMATION DISTRICT 1608
(SOUTHWEST LEVEE AREA)

THIS AGREEMENT is made this ____ day of _____, _____, between RECLAMATION DISTRICT 1608, a political subdivision of the State of California, herein called "District", and Antonio and Lillian Arredondo, herein called "Owner".

WHEREAS, Owner is the owner of that property described as Lot 1159 as shown in the Map of Tract 1009, Lincoln Village West, Unit No. 21, filed for record in Book of Maps and Plats, Vol. 20, Page 73, San Joaquin County Records, with APN No.: 098-370-01, and with street address 6201 Embarcadero Drive, Stockton, CA 95219, hereinafter referred to as "Lot"; and

WHEREAS, District is the owner of an easement across said Lot and adjacent lots, which easement was granted to District by an easement Deed dated May 12, 1969, recorded at Page 94 of Book 3304 of Official Records of San Joaquin County, and in which deed the easement is known as Easement A, and which is hereinafter referred to as "Easement", and

WHEREAS, the use of said Lot is subject to the Revised Levee Encroachment Standards of the District; and

WHEREAS, Owner desires to place and/or maintain certain encroachment(s) on or about the levee and/or the Easement granted to District; and

WHEREAS, the placing and/or maintaining of said encroachment(s) requires a permit either from the Central Valley Flood Protection Board of the State of California, and/or from District, and Owner has submitted an application for such permit;

NOW, THEREFORE, in consideration of the mutual promises and considerations herein, it is agreed as follows:

1. Definitions. As used in this Agreement, the following words shall have the following meanings.

A. "Levee" means the flood control levee of Reclamation District 1608 as it crosses the Lot, as such levee now exists or as it may hereafter be modified or reconstructed.

B. "Standards" means the Revised Levee Encroachment Standards for Reclamation District 1608 as they are now, or may hereafter be modified; the Current Standards are incorporated herein as though set forth in full, and a copy thereof is available at the offices of the District.

2. Compliance with Standards and Permits and Right to Remove. Owner shall comply with all terms and provisions of the Standards as the same now exist, or as they may hereafter from time to time be amended, and with the terms and conditions of the permits issued to Owner by the Board or by the District. Owner understands and agrees that non-compliance may result in revocation of the permit(s) issued by the District. Any encroachment(s) on or about the Levee or the Easement of District which are not expressly permitted to be maintained by both the Standards and by valid permit(s) may be removed by District, and Owner hereby grants the District express permission to enter Owner's property and Easement, and to remove any such encroachment(s), if such encroachment(s) are not removed by Owner within thirty days of notice to remove given by District to Owner, without liability to Owner; provided, however, that in case of emergency, no such notice need be given and entry and removal by the District may be immediate, without liability to Owner.

3. Payment. Owner hereby agrees that in the event District removes any encroachment(s) as specified in Paragraph 2 of this Agreement, Owner will promptly pay to District, upon presentation of a statement, the actual cost of removing such encroachment(s).

4. Right to Compensation. District hereby agrees, in the event the Standards are subsequently amended so as to cause any encroachment(s), which was in accordance with the Standards at the time it was emplaced, and which has a valid permit(s) issued by the Board, to be not in accordance with amended Standards, that the encroachment(s) shall be allowed to remain and shall not be subject to the provision of Paragraphs 2 and 3 of this document, unless the District shall determine that such encroachment(s) is a danger to the control of flooding or the maintenance of the Levee, in which event the District shall remove such encroachment(s) at the District's expense, and shall reimburse Owner therefor in accordance with law.

5. Removal by Judicial Proceedings. District shall have the right to obtain removal of any encroachment(s) not permitted by the Standards and by valid permit(s) issued by the Board, by appropriate judicial proceeding, including any preliminary relief which may be proper.

6. Subordination. This Agreement shall be subordinate to any encumbrances of record prior to date of execution of this Agreement, affecting this Lot, and shall be recorded in the Official Records of the County of San Joaquin.

7. Affect on Other Requirements and Regulations. It is agreed that the execution of this document shall in no way diminish or affect the rights and powers of District under the Easement and as granted to District by applicable provisions of California law.

8. Toe Drain. Owner is reminded that a Levee toe drain crosses a portion of Owner's Lot, and that acceptable construction standards require correct placement of foundations in the vicinity of such drains. Owner and District agree that District shall in no manner be responsible for or incur any liability whatsoever for any damages of any nature arising out of or resulting from the presence of said toe drain or construction in the vicinity of said toe drain.

9. Binding on Successors. This Agreement shall extend to and be binding upon the heirs, successors, administrators and assigns of the Owner and any successor of District.

Executed at Stockton, California.

"DISTRICT"

RECLAMATION DISTRICT 1608

By: _____
President, Board of Trustees

"OWNER"

By: _____

[Acknowledgements on Following Pages]

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
)
COUNTY OF _____)

On _____, before me, _____, a Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
)
COUNTY OF _____)

On _____, before me, _____, a Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
)
COUNTY OF _____)

On _____, before me, _____, a Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

ITEM 6

**RECLAMATION DISTRICT NO. 1608
RESOLUTION 2018-09**

**RESOLUTION AUTHORIZING AND DIRECTING FILING OF NOTICE OF
EXEMPTION FOR ROUTINE MAINTENANCE, FOR FISCAL YEAR 2018-2019**

WHEREAS, the Board of Trustees ("Board") of Reclamation District 1608 ("District"), in conjunction with, but not limited to, that certain Delta Levee Maintenance Subventions Program Work Agreement Fiscal Year 2018-2019 ("Agreement"), between the District and the Central Valley Flood Protection Board of the State of California ("Protection Board") has determined that the work described therein consists of routine maintenance to existing levee improvements;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. All repair of wave wash and erosion protection, all levee crown restoration which is not in excess of the 100 year flood elevation plus (2) two feet and all levee section restoration including adding material to back slopes, construction of toe berms and construction of seepage berms, drains and other measures to control seepage exit gradients to less than 0.5 and including the work described in the Fiscal Years 2018-2019 Delta Levee Subventions Program Applications consists of routine maintenance to existing levee improvements and falls within the categorical exemptions to the California Environmental Quality Act pursuant to Section 15301 (Class I) of the Guidelines for the California Environmental Quality Act, California Administrative Code of Regulations, Title 14, Chapter 3, Article 19.
2. The District finds the proposed work will not have a material adverse effect upon the environment.
3. That said work does not constitute an exception to the exemptions of the California Environmental Quality Act.
4. That Christopher H. Neudeck is hereby directed to prepare and file with the County Clerk of San Joaquin County for posting, a "Notice of Exemption" pursuant to California Administrative Code, Title 14, Chapter 3, Section 15062.

PASSED AND ADOPTED by the Board of Trustees of Reclamation District No. 1608 at a meeting thereof held on this 1st day of August, 2018, by the following vote,
TO WIT:

AYES: _____

NOES: _____

ABSTENTION: _____

ABSENT: _____

RECLAMATION DISTRICT NO. 1608
A Political Subdivision of the
State of California

By: _____
MICHAEL PANZER, President

ATTEST:

JEAN KNIGHT, Secretary

CERTIFICATION

I, JEAN KNIGHT, 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 1st day of August, 2018.

Dated: _____, 2018.

JEAN KNIGHT, Secretary
Reclamation District No. 1608

ITEM 7

**BEFORE THE BOARD OF TRUSTEES OF
RECLAMATION DISTRICT NO. 1608**

ORDINANCE NO. 18-02

**AN ORDINANCE TO PROVIDE INFORMAL BIDDING PROCEDURES UNDER THE
UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT
(SECTION 22000, ET SEQ., OF THE PUBLIC CONTRACT CODE)**

WHEREAS, Reclamation District 1608 (“District”) is a reclamation district formed pursuant to Water Code sections 50000 et seq.; and

WHEREAS, the District is required to follow the public bidding procedures of the Public Contract Code (commencing with section 20920) which requires all contracts for any improvement or unit of work, or for materials or supplies, in excess of twenty-five thousand dollars (\$25,000) to be let to the lowest responsive, responsible bidder; and

WHEREAS, under Uniform Public Construction Cost Accounting Act (Public Contract Code sections 22000 et seq.) reclamation districts may adopt an alternative bidding process for public projects that do not exceed \$175,000; and

WHEREAS, the monetary limits of Public Contract Code section 22032 shall be considered and adjusted accordingly every five years; and

WHEREAS, pursuant to sections 22010 and 22030 of the Public Contract Code public agencies that wish to adopt the alternative bidding procedures of the Uniform Public Construction Cost Accounting Act must also adopt the uniform construction cost accounting standards of the Act; and

WHEREAS, Public Contract Code section 22034 provides that local agencies that have adopted the uniform cost accounting procedures shall also adopt an informal bidding ordinance governing the selection of contractors to perform projects let by contract by informal procedures as set forth in Public Contract section 22032 ; and

WHEREAS, the Board of Trustees have adopted this Ordinance in accordance with the procedures set forth in Government Code Sections 25120 et seq.

NOW THEREFORE, The Board of Trustees of Reclamation District No. 1608 ordains as follows:

SECTION 1. Sections 18-02.01 through 18-02.04 of District Ordinance 18-02 are added to read as follows:

“**Section 18-02.01. Informal Bidding Procedures.**

Public projects, as defined by the Act and in accordance with the limits listed in Section 22032 of the Public Contract Code, may be let to contract by informal procedures as set forth in Section 22032, et seq., of the Public Contract Code.

“Section 18-02.02. Contractors List.

The District shall comply with the requirements of the Public Contract Code Section 22034.

“Section 18-02.03. Notice Inviting Informal Bids.

Where a public project is to be performed which is subject to the provision of this Ordinance, a notice inviting informal bids shall be circulated using one or both of the following alternatives:

1. Notices inviting informal bids may be mailed, faxed, or emailed to all contractors for the category of work to be bid, as shown on the list developed in Section 2.;
2. Notices inviting informal bids may be mailed to all construction trade journals as specified by the California Uniform Construction Cost Accounting Commission in accordance with Section 22036 of the Public Contract Code. Additional contractors and/or construction trade journals may be notified at the discretion of the District soliciting bids, provided however:
 - a. If the product or service is proprietary in nature such that it can be obtained only from a certain contractor or contractors, the notice inviting informal bids may be sent exclusively to such contractor or contractors.

“Section 18-02.04. Award of Contracts.

The District Board of Trustees, or its designee, is authorized to award informal contracts pursuant to this Ordinance.”

SECTION 2. If any provision of this Ordinance or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance, which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance, are severable. The Board of Trustees hereby declares that it would have adopted this Ordinance irrespective of the validity of any particular portion thereof.

SECTION 3. This ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the city or any officer or employee thereof a mandatory duty of care toward persons and property within or without the city so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

SECTION 4. Within fifteen (15) days after its final passage, the District Secretary shall cause this Ordinance to be published in full in accordance with California Government Code section 36933.

SECTION 5. This Ordinance shall become effective thirty (30) days from and after its final passage and adoption, provided it is published in a newspaper of general circulation at least fifteen (15) days prior to its effective date.

The foregoing Ordinance was introduced and the title thereof read at the regular meeting of the Board of Trustees of the Reclamation District No. 1608 held on August 1, 2018, and by a vote of the Trustees present, further reading was waived.

PASSED AND ADOPTED at a regular meeting of the Board of Trustees of Reclamation District No. 1608 of the County of San Joaquin, State of California, on this _____ day of September 2018, by the following vote of the Board of Directors, TO WIT:

AYES:

NOES:

ABSENT:

ABSTENTION:

RECLAMATION DISTRICT 1608
A Political Subdivision of the
State of California

By: _____
PRESIDENT

ATTEST:

SECRETARY

ITEM 10

SHORT TERM GOALS
August 1, 2018

1. Sediment Removal Project.
2. Participate in County TAC and stakeholder groups. Status: Ongoing.
3. Work on slumping areas. In progress.
4. Monitor SJAFCA meetings re Calaveras and Fourteen Mile Slough uncertified levees.
5. Vegetation encroachments
6. Annual Levee Inspection.
7. Raising Elevation of South West Levee.

LONG TERM GOALS

8. CVFP Plan

ITEM 11

RD 1608: MASTER CALENDAR

JANUARY

- Annual Review of Trustee Compensation
- 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

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 Preliminary Budget

JULY

- Adopt Resolution for setting Appropriations and submit to County Assessor's Office.

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*).
- Adopt Final Budget

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
Dan MacDonnell	2017	First Friday of Dec 2021
Brett Tholborn	2015	First Friday of Dec 2019
Michael Panzer	2015	First Friday of Dec 2019

Assessment Expires 6/30/2025

Emergency Operation Plan Review – September 2019

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**

ITEM 12

June 29, 2018

MEMORANDUM

To: Our Valued Clients

Subject: Fee Schedules for 2018 / 2019

Please find attached copies of our Fee Schedules for 2018 / 2019. Some of our rates have changed to reflect the demands of the current employment market.

We value all our clients and we very much appreciate the opportunity we have had to work with you over the years. We look forward to continuing to provide services to meet your engineering and surveying needs. If you have any questions regarding our Fee Schedules, or if you have any suggestions as to how we might better serve your project needs, please contact any of us at KSN.

Sincerely,



Stephen K. Sinnock



Neal T. Colwell



Christopher H. Neudeck



Barry O'Regan

w/enclosures



Stephen K. Sinnock, P.E.
 Christopher H. Neudeck, P.E.
 Neal T. Colwell, P.E.
 Barry O'Regan, P.E.

**2018 / 2019 FEE SCHEDULE
 NON-PREVAILING WAGE PROJECTS
 Effective July 1, 2018**

Position	Rate
Principal Engineer	\$ 245.00
Associate Engineer	\$ 220.00
Senior Engineer	\$ 195.00
Engineer	\$ 175.00
Junior Engineer	\$ 140.00
Senior Surveyor	\$ 200.00
Surveyor	\$ 170.00
Assistant Surveyor	\$ 145.00
Field Crew-One Man & Vehicle	\$ 187.00
Field Crew-Two Man & Vehicle	\$ 288.00
Inspector	\$ 155.00
Inspector & Vehicle	\$ 176.00
Senior Project Manager	\$ 219.00
Project Manager	\$ 185.00
Assistant Project Manager	\$ 165.00
Grant Manager	\$ 145.00
GIS/CAD Technician III	\$ 140.00
GIS/CAD Technician II	\$ 120.00
GIS/CAD Technician I	\$ 90.00
Project Accountant	\$ 132.00
Administrative III	\$ 100.00
Administrative II	\$ 85.00
Administrative I	\$ 70.00

Equipment	Hourly Rate
3D Print Cloud Work Station	\$ 25.00
GPS Receivers-Per Receiver Per Hour	\$ 25.00
Robotic Total Station	\$ 35.00
HDS Scanner	\$ 150.00
Boat	\$ 55.00

Expenses	
Auto Mileage per current Federal Rates	
Special Consultants	Cost Plus 10%
Reimbursable Expenses	Cost Plus 10%
(Printing, Photos, Copies, Travel, Telephone, Fax, Survey Materials, etc.)	

Additional charges may apply for overtime services.

Fees are due and payable within 30 days from the date of billing. Fees past due may be subject to a finance charge computed on the basis of 1 1/2% of the unpaid balance per month.

Hourly rates are subject to review and adjustment July 1st of each year.



Stephen K. Sinnock, P.E.
 Christopher H. Neudeck, P.E.
 Neal T. Colwell, P.E.
 Barry O'Regan, P.E.

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 PREVAILING WAGE PROJECTS
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Field Crew-Two Man & Vehicle	\$ 298.00
Inspector	\$ 155.00
Inspector & Vehicle	\$ 182.00
Senior Project Manager	\$ 219.00
Project Manager	\$ 185.00
Assistant Project Manager	\$ 165.00
Grant Manager	\$ 145.00
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