

**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,

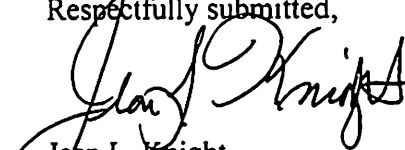
It was moved, seconded (D. MacDonnell/B. Tholborn) and unanimously carried by the Trustees of Reclamation District 1608 that the Bills to be Paid List be approved.

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