

**MINUTES OF THE REGULAR MEETING OF BOARD OF TRUSTEES
FOR RECLAMATION DISTRICT 1608
HELD WEDNESDAY, SEPTEMBER 5, 2018**

The Regular Meeting of the Board of Trustees of Reclamation District 1608 was called to order by President Panzer at 8:00 a.m., on Wednesday, September 5, 2018 at the law office of Neumiller & Beardslee, 509 W. Weber Avenue, fifth Floor, Stockton, California.

TRUSTEES PRESENT WERE:

MICHAEL PANZER
BRETT THOLBORN
DAN MacDONNELL

OTHERS PRESENT WERE:

DANIEL J. SCHROEDER
ANDY PINASCO
CHRISTOPHER NEUDECK (via telephone)
JACOB BEJARANO, Engineer with Kjeldsen, Sinnock & Neudeck
JEAN KNIGHT
JOE BRYSON
DOMINICK GUILLI – arrived at 8:20 a.m.

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. Brett Tholborn mentioned that the State came by and sprayed for hyacinth at 14 Mile Slough area behind his house.

2. **Approval of Minutes.** Minutes of the regular meeting of August 1, 2018. 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 regular meeting of August 1, 2018 be approved.

3. **Financial Report.** Review, discuss, and accept financial report. Secretary Jean Knight presented both the August and September financial reports. Ms. Knight was not at the August meeting and prepared that report to reflect the financial activity for August. After review of both reports,

It was moved, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Trustees of Reclamation District 1608 that the financial report for August and September 2018 be approved.

(a) Consider Nominations to the Board of Directors of CalMutual. Dan Schroeder presented this item and said that last year the District did not nominate anyone. After questioning the Trustees, no one desired to be nominated

4. **Engineer's Report.** Request for directions and approvals. Jacob Bejarano (along with Chris Neudeck on the telephone) presented the engineer's report. The first item on the Engineer's report was A. Review status of KSN Inc. 2018 Annual Levee Inspection to evaluate landowner encroachments and landowner violations notices and corresponding responses from landowners.

Mr. Bejarano directed the Trustees and staff to Exhibit A "Current summary of all landowner letters sent and corresponding responses from the landowners"; and Exhibit B. "Summary of FOLLOW-UP INSPECTION REQUIREMENTS for District's Superintendent and District Engineer."

In Exhibit A., he directed Trustees and Staff to the pages that had highlighted properties and gave a status of those properties.

1. Michael & Krystle Balduzzi – Vegetation is still an issue. The engineers will need to follow up on this permit. Trustee Panzer noted that the Balduzzis are his neighbors and said he felt they should be cooperative. An historical file was found with Neumiller & Beardslee and now they need to follow-up with requirement to clear vegetation – otherwise improvements are approved.
2. Charles & Farley Staniec. Their place of business is outside of this area. The engineers need to schedule a weekend or off hours visit. They are looking to be done by the middle of September. Mr. Neudeck said this is the first residence from the marina – outside. It is a large residence. It is not a standard kind of vegetation. Mr. Neudeck said Mr. Staniec knows he needs to do it and needs to get more clarification. It is not that he is unwilling – he just needs specific directive.
3. Embarcadero West Condos – 6347 and 6669 Embarcadero Drive. Diane Eppler (Associa) is the property manager. The vegetation has been cleared but they need to have plans drawn up for the encroachments. Ms. Eppler has recently hired an engineer. Mr. Neudeck asked that this item be placed on the October agenda. He mentioned that there are some issues with railings – not allowed generally, a public thoroughfare and access for the entire apartment complex. He noted some of the District guidelines are silent.
4. Morgan and Susan Mayfield. Mr. Neudeck has left a message regarding the vegetation. Susan Mayfield will be the one to discuss these issues with and Joe Bryson said she said she is going to make her mind up about the gravel. He said she does not have any money. He said that the District could help and have this done. Staff needs to talk to her and tell her this is it and the work needs to be done.

Exhibit B is a copy of the previous list. Joe Bryson and Chris Neudeck will be reviewing what needs to be done.

(a) Consider new permits requests from homeowners.

1. 4275 Five Mile Drive, APN 098-140-19
Owner Mr. Daryl Verkerk – Seeks permit regarding sprinkler system.

The District has received the sprinkler permit application Mr. Verkerk had wanted approved with no special conditions. However, Mr. Schroeder said

there are special conditions as the Board had rejected the initial plans because Mr. Verkerk had not cleared the vegetation. He has now completed the clearing with clear paths as seen on Exhibit C. After a review of Exhibits A, B, and C.,

It was moved, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Trustees of Reclamation District 1608 that the permit application for the sprinkler system for 4275 Five Mile Drive, APN 098-14—19, Daryl Verkerk, be approved.

2. 6243 Embarcadero Dr, APN 098-340-07, Index No. 10, Lot 1920
Owner Mr. Gonzalo Busso – Mr. Busso seeks a permit for a wrought iron fence. Mr. Neudeck said the fence he is requesting be installed can easily be taken out. Mr. Busso had been in violation but he finally got the work done correctly and the fence is 21 feet from the toe of the levee, and is shown in Exhibit G. Therefore,

It was moved, seconded (D. MacDonnell/ B. Tholborn) and unanimously carried by the Trustees of Reclamation District 1608 that the permit application for a wrought iron fence for Mr. Gonzalo Busso at 6243 Embarcadero Dr, APN 098-340-07, Index No. 10, Lot 1920 be approved with no special conditions.

3. 3761 Hatchers Circle, APN 098-020-68, Index No 99, Lot 1990
Owner Mr. Darin Brazil – Owner seeks permit to build a shed. Looking at the plans, it was uncertain about the back stairs but it looks like they will be removed. The engineers can have that clarified. They are also interested in putting in a pool but this permit is for the shed only. The property owners have an easement and Mr. Brazil is building it within the easement that the property owner has and is complying with the District Encroachment Standards. Therefore,

It was moved, seconded (D. MacDonnell/ B. Tholborn) and unanimously carried by the Trustees of Reclamation District 1608 that the permit application for the building of a shed only be approved and if the owners want to seek a permit for the building of a pool, that will need to be a separate permit application.

- (b) Authorize District Engineer to prepare Letter of Map Amendment (LOMA) for North & South Lake systems. The District was informed by FEMA, right before the map effective date of July 18th, that FIRM updates will not be published. Engineers from KSN spoke to FEMA and their reasoning was that the “Levee System” is made up from Levee segments along the south banks of 14 Mile Slough and as far north as Bear Creek. FEMA explained that although the LOMR submittal is adequate for reaccrediting the levees protecting Lincoln Village West, there are data gaps present with the “Levee System” which prevent FEMA from accrediting the system as a whole. They also discovered that due to the inaction of FEMA, the work prepared to

delineate the bulk head elevation of LVW Lakes, is also on hold. KSN inquired as to the steps necessary to remedy the situation and FEMA suggested that the simplest plan would be to prepare an electronic Letter of Map Amendment (LOMA). They said this can be done at the local level and can utilize the existing studies already prepared for the LOMR. Exhibit L contains an August 28th letter to Dr. Panzer detailing the above and giving an estimate of the engineering costs (\$5,300) involved in providing this work. There is no application fee. Mr. Neudeck said they will still need to meet with SJAFCA about this and noted one issue is the north and south lake configuration. One comment from Dominick Guilli was that the District paid \$25,000 earlier on for some of this work and why wasn't it done before. After review and discussion,

It was moved, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Trustees of Reclamation District 1608 that the District Authorize District Engineer to prepare Letter of Map Amendment (LOMA) for North & South Lake systems.

- (c) Exhibit M in the engineer's report, prepared by engineer Jacob Bejarano gives an update of the Sediment Removal Project as of August 30th. Chris Neudeck added to this report to mention that KSN also represents RD2119 and he met with Eugene Muzio of RD2119. He noted that Mr. Muzio is not overly enamored with Lincoln Village West but that his board members may have a different feeling. The land owner is the Grupe Company, and work has been done with Kevin Huber who recommended a slight variation in the proposed alignment of the pipeline. There is no official action at this time and they are dealing with people and different personalities. He felt things were progressing well. When asked, Mr. Neudeck said the pipe itself is only 12-14 inches in diameter. At this time, Mr. Guilli mentioned alternatives to suction dredging and said he would be preparing an unsolicited bid and asked for it to be put on the agenda. No one agreed to have this on the agenda.
 - (d) Update on FEMA Levee Certification. See Item (b) above.
5. **Levee Superintendent Report.** Request for directions and approvals. Mr. Bryson went over the Levee Superintendent Report. With respect to item 9. on the dealing with the sinkhole that appeared on the last driveway at Five Mile Northeast Levee, Mr. Bryson was directed to get the City of Stockton Public Works Department involved. Mr. Bryson said he had a call in for someone named Cook. He was directed to continue these calls and say it is on a route for access to the levee. The Board is interested in knowing the schedule with respect to checking on this problem. Mr. Bryson also mentioned there is new equipment for removing hyacinth from the water and it is working very well.
6. **Ordinance 18-02.** Waive the second reading of and adopt 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). Andy Pinasco presented this item. He was asked by engineer Neudeck about who has been his point of contact for this matter and Mr. Pinasco responded by saying he had left four voice mails with Robin Brewer. He said he identified himself and the Uniform Public Construction Cost Accounting Act. He has also called various times of the day and documented every call he has made. She is counsel for the Department and it is important for him to get in touch with her as the engineers want to make

sure this procedure will be satisfactory with the Levee Subventions Program administration. If the District could get written confirmation that it is satisfactory to proceed, that would be best. After the presentation and discussion of this item,

It was moved, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Board of Trustees of Reclamation District 1608 that the Trustees waive the second reading of and adopt 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).

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.** For the September items, the item “Adopt Final Budget” it was decided that this item be removed – it had been put on as this is what the County of San Joaquin does, but it was decided that the final budget for the District will be the one done in June. Therefore,

It was moved, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Board of Trustees of Reclamation District 1608 that the Trustees remove “Adopt Final Budget” on the District’s Master Calendar for the month of September and reflect this change for the month of June – changing the wording “Adopt Preliminary Budget” to “Adopt Final Budget.”

10. **District Calendar.** Discussion and direction. Attorney Schroeder said he would be away for the October meeting but that Attorney Pinasco will be there in his place.
11. **Correspondence.** No correspondence.
12. **Approval of Bills.** Payment 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.

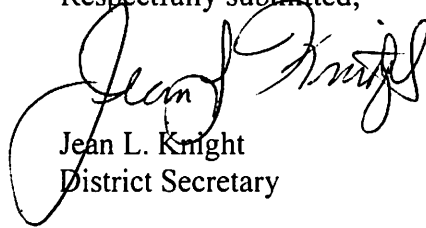
Dominick Guilli – gave Trustee MacDonnell a confidential proposal document as Mr. Guilli left the meeting.

13. 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.

14. Adjournment. The meeting adjourned at 9:05 a.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jean L. Knight". The signature is written in a cursive style with a large, looping initial "J".

Jean L. Knight
District Secretary