

**MINUTES OF THE REGULAR MEETING OF BOARD OF TRUSTEES
FOR RECLAMATION DISTRICT 1608
HELD WEDNESDAY, APRIL 3, 2019**

A Regular Meeting of the Board of Trustees of Reclamation District 1608 was called to order at 8:00 a.m. by President Michael Panzer on April 3, 2019, at the law offices of Neumiller & Beardslee, 3121 W. March Lane, Stockton, California.

TRUSTEES PRESENT WERE:

**MICHAEL PANZER
BRETT THOLBORN
DAN MacDONNELL**

OTHERS PRESENT WERE:

**DANIEL SCHROEDER
ANDY PINASCO
CHRIS NEUDECK
JEAN L. KNIGHT
JOE BRYSON
JUDITH BUETHE
DOMINICK GUILLI (Left at 8:56 a.m.)
BOB BENTZ
ELVIA TRUJILLO
CHRIS ELIAS, Executive Director, SJAFCA, arrived later in meeting.**

- 1. Public Comment.** Dominick Guilli had public comments regarding several items including asking he if could review the District's bills before they were paid. Attorney Schroeder said that a public records request had to be made. Mr. Guilli handed some paperwork to the Board president and counsel. He also had comments about the San Joaquin River Feasibility Study and SJAFCA. Also, a bit later in the meeting, Chris Elias asked if he could speak and upon approval, gave a brief rundown of items that SJAFCA is involved with at the present.

- 2. Approval of Minutes.** Minutes of the regular meeting of March 6, 2019. 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 March 6, 2019 be approved as read.

- 3. Financial Report. Review, discuss, and accept financial report.** Secretary Jean Knight presented the Financial Report and noted that the District is through 75% of its fiscal year. After review, Trustee Tholborn asked about the outlawed warrants. The response was that these were warrants that were issued but never cashed. After approximately 8 months, the County considered them outlawed and the checks cannot be cashed. In fact, they were checks written to various public agencies for permit fees for the Sediment

Removal Project. Due to delays on the project, the checks had not yet been submitted by KSN. On page 2 of the report, there were questions about why the assessment monies were so much higher than anticipated. This is a relatively fixed cost and should be close to the budgeted amount. Ms. Knight said she had contacted the County Auditor's the prior month when she noticed the amount was considerably higher than the budget. She e-mailed with a gentlemen at the office who said the amount was similar to that of last year. Trustees asked that the secretary go back to the County and check within the last 5 years to see if it truly is what has been received.

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

- 4. Engineer's Report. Request for directions and approvals.**
(a) Consider new permits requests from homeowners.

3761 Hatchers Circle
Mr. Darin Brazil
Index No. 99 Lot 1990
APN 098-020-68

The Engineer's report states: Review plan review approval of Darin Brazil's residence and the City of Stockton's Building Department issue relative to proximity of improvements to property line. The engineer's report included paperwork relative to previous correspondence with the Brazil's in October of 2018. At this time, it was determined that there are several issues. One is compliance with the District's Levee Encroachment Standards and the other is what the City of Stockton requires. It was decided that Mr. Neudeck will call Mr. Brazil and tell him his request complies with the District Standards but that he needs to call the City of Stockton to see what their requirements are on property line setbacks.

- (b) Discussion and Direction regarding the Sediment Removal Project
1. Adopt Resolution No. 2019-02 Designating District Engineer as Authorized Representative to sign and Submit Sediment Removal Project Permit Applications for, and on behalf of, District. Attorney Schroeder presented this item and discussion followed. After review,

It was moved, seconded (B. Tholborn D. MacDonnell) and unanimously carried by the Trustees of Reclamation District 1608 that Resolution No. 2019-02 Designating District Engineer as Authorized Representative to sign and Submit Sediment Removal Project Permit Applications for, and on behalf of, District

From Engineer's Report.

1. Plan Review

A. Review Status of Annual Levee Inspection of the District's Levee system and consideration of on-going O&M by individual lot owners along the levee.

Chris Neudeck was pleased to say that this year, the inspections went from a C+ to a B+ as far as responses and status. He noted that in previous years, Siegfried did a great job, but HDR didn't follow up as much so now with the 2nd round of inspections under their belt, the engineers are now getting a good grasp on the inspections. Included with the report was Exhibit A, a summary spreadsheet of the vegetation violations.

B. See above for information on Brazil.

2. FEMA Mapping Status: Chris Neudeck stated that he believes the District is in compliance. Exhibit C in the engineer's report states that the latest request from FEMA required KSN to digitize (recreate in CAD) line work from the subdivision maps and merge current accurate ground survey data, gathered for the lakes with historic survey data collected in the 1970's. Since this was a difficult task and took quite a bit of time, KSN was granted an extension. It was reported that the data was to be submitted by the date of this meeting. He noted that Calaveras and Mosher Slough are still not in compliance. SJAFCA, FEMA and Chris Neudeck will be arranging a meeting. They need clarity and need to meet with the Region 9 folks.
3. Sediment Removal – At this time, Mr. Neudeck stated he was not anticipating bidding the project. There are troubling considerations of submitting permits for the project. See Exhibit D., 2nd page. Dredging companies will not bid if the District does not have the permit. Why are we where we are? Comes down to – 1 issue. Ultimate disposal area and access to the disposal area. We had delays from the land owner, then Kevin Huber at Grupe so there was close to 60-90 days of delay. The District has to have the full package to move forward. If we get the permits in, in August, KSN will bid the project. If we get in September, the District will not be able to bid the project. Everyone is 6-9 months behind. So, if the District gets the full package and it goes through in September and October, the work will be for next year. They still need to fine tune the agreement with the Port of Stockton. The dredging, itself, only takes one and half weeks.
5. **Temporary Entry/Encroachment Permits. Adopt Resolution 2019-03 Delegating Authority to Approve Temporary Entry/Encroachment Permits.** Attorney Schroeder reported that passing this resolution will help avoid delays in giving the engineer authority to approve temporary entry/encroachment permits. This could be on such matters as PG&E or other vendor encroachments needed to be done quickly. After discussion,

It was moved, seconded (B. Tholborn D. MacDonnell) and unanimously carried by the Trustees of Reclamation District 1608

that Resolution 2019-03 Delegating Authority to Approve Temporary Entry/Encroachment Permits be approved.

6. **Levee Superintendent Report. Request for directions and approvals.** Joe Byson gave his superintendent's report. Regarding painting on item 3, it makes an attractive nuisance and by painting, it keeps people out more – or may stop them. On Item 6., Mr. Bryson said he gets a lot of calls regarding the Nutria but when he goes out to the areas where the callers reported seeing something, nothing is there. There was an article in the Record and seems to make people more aware and he ends up with more phone calls. On item 11., he also reported, as well as work on the gates and fences that there were seven tents in this back area on the south side. On item 15., on the permit, the fellow who is spraying doesn't know anything about notifying the schools. Evidently it's the County Ag Commissioner who requests this be done. More follow up needs to happen. With respect to the gates on the southwest levee, the engineers need to do a separate inspection and Mr. Neudeck said they would be working on this during the upcoming month.

7. **Newsletter. Request for Direction.** Judith Bueth was present and distributed a draft of the newsletter for review. Trustees and staff went through the items and those proposed will be made to the copy distributed today. After she updates the draft and puts into what could be the final, she will forward to Attorney Schroeder and Engineer Neudeck who will forward it to the trustees. If satisfactory, they will advise Ms. Bueth and she will proceed with sending out the newsletter. Therefore,

It was moved, seconded (B. Tholborn D. MacDonnell) and unanimously carried by the Trustees of Reclamation District 1608 that upon approval of the changes and edits made by Ms. Bueth from input at today's meeting, the newsletter will be finalized and mailed.

8. **Report by Trustees on meetings attended and up coming meetings.** Trustee MacDonnell reported he had attended the California Central Valley Flood Control Association's Flood Forum on March 20th. Trustee MacDonnell and Chris Neudeck summarized some of the discussions at the meeting and mentioned the abundance of fees and how the fees are going up in cost. They mentioned how a fire tax would easily pass but not a flood tax and it was thought it is important that the District start calling attention to the constituents of the District that the District's assessments hearings (Proposition 218) will be coming before we know it – 5 years out. More discussion on this occurred later in the meeting but the bottom line is that everything is costing more money.

9. **Report and possible action on Progress of Tasks Assigned at Previous Board Meetings.** Nothing other than has been reported at this meeting.

10. **Discussion and direction on Short-Term and Long-Range Goals.** A new Long Term Goal needs to be to start thinking of the assessment election that will be coming up in 2025. The District needs assessment monies to continuing functioning as a District.

Property tax revenue, which is does get automatically, is not enough to fund the District's needs. The Goal can be called Renewal of District Assessments.

District Calendar. Discussion and direction. Attorney Schroeder reported that the Trustees will be presented with a draft budget at the May meeting.

11. **Correspondence.** None

12. **Approval of Bills.** The Bills to be Paid List for April, 2019 was presented and reviewed and,

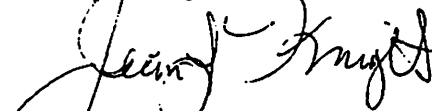
Upon motion duly made, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Trustees of Reclamation District 1608, the Bills to be Paid List for April, 2019 as presented, was approved.

13. **Staff Reports.**

(a) **Attorney.** The Agenda for this meeting was posted on the window outside the meeting room at 3121 West March Lane, Stockton, California, at least seventy-two (72) hours preceding the meeting.

14. **Adjournment.** The meeting adjourned at 9:44 a.m.

Respectfully submitted,



Jean L Knight
District Secretary