

**MINUTES OF THE REGULAR MEETING OF BOARD OF TRUSTEES
FOR RECLAMATION DISTRICT 1608
HELD WEDNESDAY, JUNE 5, 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 June 5, 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
JOE BRYSON
ELVIA TRUJILLO (substituting for Jean Knight)

ABSENT:

JEAN L. KNIGHT

1. **Public Comment.** President Panzer commented that he and other property owners received a letter from the Department of Fish & Wildlife regarding the nutria. District Engineer Neudeck also commented on the findings of nutria.

2. **Approval of Minutes.** Minutes of the regular meeting of May 1, 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
May 1, 2019 be approved as read.

3. **Financial Report.** Review, discuss, and accept financial report. Due to calendar conflicts, Secretary Jean Knight was not present at the meeting and Elvia Trujillo presented the financial report for Secretary Knight. Ms. Trujillo explained that in the financial report presented at the May 1, 2019 meeting, the levee superintendent line item was left blank as Secretary Knight had not received the amounts in time for the meeting. She further stated that the amount in this financial report includes Joe Bryson's salary for two months, April and May. The negative number under the payroll and expenses line item is due to there being two months' payroll reported for levee superintended and payroll taxes paid by the district for only one month. In addition, there were two new temporary employees hired by the district. Under the sediment removal project line item, there is a credit. Warrants had been issued but held by engineers. They expired and new ones were issued. Some were also re-issued with adjusted amounts.

Previously, all the amounts had been put in the financial report for prior months under Sediment Removal so they were credited back to the District. After discussion,

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.

(a) Adopt 2019-2020 Budget. Attorney Dan Schroeder reported that at the previous meeting he went through each line item with recommended changes. Adjustments to the draft budget were made for the following expense categories:

Payroll taxes and expenses were increased.
Pump system maintenance was increased.
Garbage service was increased.
District vehicle was increased.
Trustee fees were increased.
Audit fees were increased based on anticipated increase by auditor.
Property and liability insurance was increased due to premiums.
Election costs were added as this is an election year.

A motion was made, seconded (D. McDonnell/B. Tholborn) and unanimously carried by the Board of Trustees of Reclamation District 1608 that the budget for Fiscal Year 2019-2020 be adopted as presented.

(b) Approve Audit Contract with Croce, Sanguinetti & Vander Veen for 2018-2019 Fiscal Year. Attorney Dan Schroeder reviewed the proposed contract with the Trustees and explained that it is basically the same as last year. The Audit Contract amount is not to exceed \$3,750.00 and the expense for the Special Districts Financial Transactions Report Contract is not to exceed \$350.

(c) Approve terms and conditions for BPM to provide payroll accounting services and authorize President to execute Engagement Letter from BPM CPA (formerly Croce & Co.). Attorney Dan Schroeder reviewed the proposed terms and conditions for BPM and after review,

A motion was made, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Board of Trustees of Reclamation District 1608 that the Audit Contract and Special Districts Financial Transaction Reports Contract with Croce Sanguinetti & Vander Veen for 2018-2019 Fiscal Year be approved as presented and that the contract with BPM for payroll services be approved as presented.

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

- a. Consider new permits requests from homeowners. No new permits.
- b. Discussion and Direction regarding the Sediment Removal Project. See Engineer's Report below.
- c. Discussion and Possible Action regarding repair of gates on the Southwest levee crown. See Engineer's Report below.
- d. Adopt Resolution 2019-05 Re-Approving and Adopting Reclamation Districted 1608 Lincoln Village West Emergency Operations Plan. Andy Pinasco reported that every three years, the Emergency Operations Plan needs to be reviewed and the District is now at that three-year mark. Chris Neudeck reported that no changes are needed at this time to the Emergency Operations Plan.

A motion was made, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Board of Trustees of Reclamation District 1608 that Resolution 2019-05 Re-Approving and Adopting Reclamation District 1608 Lincoln Village West Emergency Operations Plan be adopted as presented.

- e. Discussion and Possible Action to Withdraw Authorization for the District Engineer to Prepare a Letter of Map Amendment for North and South Lake systems. See Engineer's Report below.

From Engineer's report:

I. PLAN REVIEW

A. Review status of Annual Levee Inspection of the District's Levee system and consideration of repairs to the gates in the Southwest Quadrant. Seek authorization to test recommended repairs to a couple of gates. Chris Neudeck gave an update on this item reporting that most of the landowners are cooperating, however, there are some that require notification year after year. He pointed out that Joe Bryson's interaction in the field is very important. He has received calls from homeowners which in turn opens the door for discussions. As a result, he feels that homeowners are appreciative that someone took the time to discuss and bring them up-to-date. He then referenced *Exhibit A: Violation/Remedy Tracking for 2019 Inspection* which identifies the violations and an update on compliance. *Exhibit B: Before and After Photos of complaint vegetation clearing at 6249 Embarcadero Drive*, the Fisher residence, is an example of one of the properties that has been cleared up and shows compliance. Engineer Neudeck then referenced *Exhibit C: Estimate of repair services and materials required to repair the*

stressed hinges and gate stakes which shows an overall estimate for repair of district gates and repair of stressed hinges. Although the 5”- 450 lb. capacity hinge is acceptable, the 7” - 950 lb. capacity hinge is better and they are both weldable. He also discussed heavy-duty gates, latches and pin drops. He reported that if all gates are repaired, it would be approximately \$13,000. Gates that are in good condition will be skipped at this point to focus on those gates that are in immediate need of repair. The District Engineer recommends that the Board, under a maintenance contract, authorize Staff to repair the two worst gates as a means of testing whether the repair methodology and cost estimates are sound and contract with Dino & Son and to use the 7” – 950 lb. capacity hinges. The result of this will determine if any changes to the Standards are necessary.

It was moved, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Trustees of Reclamation District 1608 to authorize Engineer to execute contract with Dino & Sons for repair of the selected gates as specified.

II. AB 360 DELTA LEVEE SUBVENTIONS PROGRAM.

A. Review status of security fence construction at 14-Mile Slough and Interstate 5. Joe Bryson and his helpers have painted the fence. Chris Neudeck gave an update and indicated that the heavy-duty fence had been painted and that he was very pleased with the way it turned out. He referenced Exhibit D: *KSN Inc. photo documentation from daily field report.*

III. FEMA MAPPING STATUS.

A. Review progress of LOMA application to the District’s interior lake drainage system. Chris Neudeck referenced the photos in *Exhibit E* and the update in Jacob Bejarano’s email dated May 31, 2019 which reads in part as follows: “*FEMA’s latest round of comments focused on how the metes and bounds line crosses decks and docks. FEMA requires that any element such as a deck, dock, or stairs, that are directly attached to a structure, must not cross over the lake bulkhead and be supported by a pier in the lake ...*” He also reported that FEMA is now requiring a completely different set of criteria in regard to the metes and bounds line. This new condition is of concern and this project has now turned to be less preferable for the Board to pursue due to cost and new conditions. By following these new criteria, the District would be helping three people but it would be putting approximately 10 people in the flood plan if everything is remapped according to the new conditions. The levee system is accredited but it is still part of the region that has anomalies. This item will be agenized for the next meeting. Staff is directed to contact the affected homeowners to notify them that this item is going to be considered at the July meeting. No motion necessary.

IV. SEDIMENT REMOVAL PROJECT.

A. Review progress of permitting process with the Board of Trustees. Chris Neudeck reported that the District is still in permit review process. There has been some

back and forth communication and received notices of complete applications the District should be receiving something by July 15. The District was able to get authorization from the Central Valley Flood Protection Board that grants it a permit. As to the State Water Resources Control Board, we are waiting on water quality testing/sediment testing.

5. **Public Hearing.** Adopt Resolution 2019-06 Resolution Amending the District By-Laws to Change the Place of Meeting and Change Parliamentary Rules. President Panzer opened the public hearing at 8:52 a.m. Attorney Dan Schroeder reported that the District Bylaws need changes to reflect the new meeting location of 3121 W. March Lane, Suite 100, Stockton and to reflect that the parliamentary rules were changed to Rosenberg's Rules of Order. Trustee MacDonnell suggested further changes to the Bylaws in Section 2.06. There will be a notice for a public hearing in July as to the amendment of the Bylaws. This item will be brought back at the July meeting. President Panzer closed the public hearing.
6. **Levee Superintendent Report.** Request for directions and approvals. Joe Bryson gave a written and oral report. There was discussion about the homeless problem. Joe Bryson also reported that he brought back two part employees for the summer.
7. **Report by Trustees on meetings attended and upcoming meetings.** No meetings attended.
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 discussion.
10. **District Calendar.** Discussion and direction. Attorney Dan Schroeder reported that the District is on course. The annual Proposition 4 notice will be posted and the assessments resolution will be prepared establishing the amounts for next fiscal year.
11. **Correspondence.** No additional correspondence.
12. **Approval of Bills.** The Bills to be Paid List for June 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 June 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 9:30 a.m.

Respectfully submitted,



Elvia Trujillo for
Jean L Knight, District Secretary