

**MEETING AGENDA FOR
RECLAMATION DISTRICT NO. 1608
BOARD OF TRUSTEES REGULAR MEETING
8:00 A.M. NOVEMBER 6, 2019
NEUMILLER & BEARDSLEE
3121 WEST MARCH LANE, SUITE 100
STOCKTON, CALIFORNIA**

Call to Order.

Roll Call.

Agenda Items.

1. Public Comment. The public may comment on any matter within the District's jurisdiction that is not on the agenda. Matters on the agenda may be commented on by the public when the matter is taken up. All comments are limited to a maximum of 3 minutes for general public comments on items within the District's subject matter jurisdiction and 3 minutes before or during the Board's consideration of each agenda item, subject to the sole discretion of the Board President to allow additional time for a comment in accordance with Resolution 2019-04.
2. Approval of Minutes.
 - a. Minutes of the October 2, 2019 regular meeting of the Board.
 - b. Minutes of the October 2, 2019 special meeting of the Board.
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.
 - (b) Levee Encroachment Standards enforcement.
 - (c) Discussion and Direction regarding Sediment Removal Project.
5. Levee Superintendent Report. Request for directions and approvals.
6. Report by Trustees on meetings attended and up coming meetings. Request for direction.
7. Report and possible action on Progress of Tasks Assigned at Previous Board Meetings.
8. Discussion and direction on Short-Term and Long-Range Goals.
9. District Calendar. Discussion and direction.
 - a. Report on District General Election.
10. Correspondence.
11. Approval of Bills.
12. 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.

13. 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 Elvia Trujillo 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, 3121 West March Lane, Suite 100, Stockton, California during normal business hours.

**AGENDA PACKET
RECLAMATION DISTRICT 1608
November 6, 2019**

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

ITEM 2.a.

**MINUTES OF THE REGULAR MEETING OF BOARD OF TRUSTEES
FOR RECLAMATION DISTRICT 1608
HELD WEDNESDAY, OCTOBER 2, 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 October 2, 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:

ANDY PINASCO
CHRIS NEUDECK
JOE BRYSON
ELVIA TRUJILLO
JUDITH BUETHE
DOMINICK GULLI
BOB BENTZ
JEAN KNIGHT
PHILLIP HORTON, intern at KSN

ABSENT

DANIEL SCHROEDER

1. **Public Comment.** Dominick Gulli asked if it was possible to move up Agenda Item 6 (Trustee Election) as he had to leave early. President Panzer allowed this change.

2. **Approval of Minutes.**

(a) Minutes of the regular meeting of September 4, 2019. After review:

Upon motion duly made, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Board Trustees of Reclamation District 1608 that the minutes of the regular meeting of September 4, 2019, be approved as presented.

(b) Minutes of the special meeting of September 20, 2019. After review:

Upon motion duly made, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Board Trustees of Reclamation District 1608 that the minutes of the special meeting of September 20, 2019, be approved as presented.

3. **Financial Report.** Review, discuss, and accept financial report. District Secretary Elvia Trujillo presented a written and oral report. She noted that in addition to the normal expenses, this report reflects election expenses as well. After review,

It was moved, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Board of 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 permit requests from homeowners. No permits presented; however, see special meeting minutes of October 2, 2019.
 - b. Levee Encroachment Standards enforcement.
See below in report from Engineer
 - c. Discussion and Direction regarding Sediment Removal Project.
See below in report from Engineer

From the Engineer's report:

I. PLAN REVIEW

- A. Review status of Annual Levee Inspection of the District's Levee system, and review Second Notice letters to Todd and Anna Bowman at 7050 Bridgeport Drive and Charles and Farley Staniec at 6347 Embarcadero Drive. *Exhibit A: Lincoln Village West Violation/Remedy Tracking Summary for 2019. Exhibit B: Photos of Todd and Anna Bowman's Lot at 7050 Bridgeport.*

District Engineer Chris Neudeck presented his report and informed the Board this is a review of the annual levee inspections. The two parties not in compliance were the Bowmans and the Staniecs. The Bowmans received a show cause hearing notice and that propelled them to do the work. The summary reflects they have completed the work as requested by the District and they have now been removed from the list. Additionally, the District Engineer reported the Staniec property is a property the District has worked on in the last couple of years. Mr. Staniec has been cooperating and has been communicating with Joe Bryson and Chris Neudeck. Mr. Staniec has started the work on his property in an effort to be brought up to compliance. Engineer Neudeck informed the Board a letter will be going out to everyone as a reminder to maintain their property in compliance.

Mr. Pinasco stated that Item I.B. from the Engineer's Report, Permit Requests from Homeowners, 3856 Fourteen Mile Drive, was submitted after the Regular Agenda deadline. At 8:29 a.m. President Panzer made the following motion:

Upon motion duly made, seconded (D. MacDonnell/B. Tholborn) and unanimously carried, the Trustees of Reclamation District 1608 approved taking a recess from this Regular Meeting to convene the Special Meeting of October 2, 2019 to address Item I.B. of the Engineer's Report.

8:34 a.m. The District Board reconvened.

II. SEDIMENT REMOVAL PROJECT

- A. Review progress of permitting process with the Board of Trustees. *EXHIBIT E: KSN Inc. Summary of work activities associated with the sediment removal project dated September 26, 2019.*

District Engineer Neudeck reported the dredging project is moving forward at this stage. He is pleased with the overall progress as the District is on the verge of satisfying all the requirements of the various agencies involved. He anticipates that in early 2020 the District will have a permit to do the work. Once the necessary permits are in place, Engineer Neudeck will seeking approval from the Board to move forward with bid.

5. **Subventions Agreement.** Adopt Resolution 2019-11 Approving and Authorizing Execution of Delta Levee Maintenance Subventions Program Work Agreement Fiscal Year 2019-2020.

Assistant Counsel Andy Pinasco presented this item. Mr. Pinasco informed the Board that this is a yearly agreement in which the District agrees to participate in the subventions program. Part of the terms and conditions to receive the benefits of program are to the effect that the work has to be eligible and administered through the District Engineer. Engineer Neudeck explained the agreement is a standard form and negotiation is not an option. Moreover, the program is of great benefit to the District in the form of reimbursement.

It was moved, seconded (D. MacDonnell/B. Tholborn) and unanimously carried by the Board of Trustees of Reclamation District 1608, that Resolution 2019-11 Approving and Authorizing Execution of Delta Levee

Maintenance Subventions Program Work Agreement Fiscal Year 2019-2020 be adopted.

6. **Trustee Election.**

a. Discussion and Possible Action Regarding Candidate Statements.

Assistant Counsel Andy Pinasco presented this item. He explained to the Board that although candidate statements are not required, they can be included for informational purposes as one of the number one questions that comes up is “who are these people?” The candidate statements are to be written by the candidate and need to be 200 words or less. These statements can include name, age, occupation, description of qualifications; however, no political opinions are allowed. Mr. Pinasco has a list of the guidelines available for reference. The deadline to receive the statements is Friday, October 11. He further explained that a voter guide with terms and conditions will be prepared and mailed approximately two weeks prior to election day. The candidate statements will be on a single page with all three statements. Mr. Pinasco explained that the cost of one extra sheet of paper on a package that is already going out will be minimal. The question presented to the Board is whether to include the candidate statements in the voter information package.

It was moved, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Board of Trustees of Reclamation District 1608, to allow candidate statements to be included in the voter package.

b. Discussion and Possible Action Regarding Location of Polling Place for the District’s 2019 Trustee Election.

Attorney Andy Pinasco informed the Board that the Registrar of Voters had provided a list with multiple polling place locations. Also, approval has been received to use the library at Mable Barron School. Mr. Pinasco is seeking approval from the Board to establish the polling place at Mable Barron School for the District’s 2019 Trustee Election on November 5, 2019 from 7:00 a.m. to 7:00 p.m.

It was moved, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Board of Trustees of Reclamation District 1608, to establish the polling place at Mable Barron School for the District’s 2019 Trustee Election on November 5, 2019 from 7:00 a.m. to 7:00 p.m.

7. **Levee Superintendent Report.** Request for directions and approvals. Joe Bryson gave an oral and written report. He stated having received calls regarding the nutria. He has also received calls regarding squirrels which is of concern as they burrow in the ground.
 - a. Review District Emergency Supplies.
Chris Neudeck provided an oral report on the current flood fight material inventory.

8. **Newsletter.** Discussion and direction.
Judith Buethe informed the Board that she is waiting for all revisions to the draft newsletter. The Board is to submit suggestions to Andy Pinasco and he will work with Judith Buethe. Discussion and suggestions followed regarding:
 - Jean Knight's years of service.
 - Sediment removal project will be next fall, not this fall.
 - Election information.
 - Homelessness problem.
 - Joe Bryson is to take picture of clean levee area showing rock on one side and lawn on the other without vegetation to show as an example.
 - Reference to squirrels as they can contribute to levee failure.
 - Reword nutria language.
 - Election location at library at Mable Barron School, date November 5th, hours 7:00 a.m. to 7:00 p.m.
 - Landowner voting package with information on how to vote.
 - Newsletter to be sent prior to election.

9. **Report by Trustees on meetings attended and upcoming meeting.** Request for direction. No meetings attended. As to upcoming meetings, Trustee Dan MacDonnell plans to attend the Flood Fight meeting on October 16, 2019.

10. **Report and possible action on Progress of Tasks Assigned at Previous Board Meetings.** None.

11. **Discussion and direction on Short-Term and Long-Range Goals.** There was discussion of the Short Term and Long-Term Goals. Trustee Tholborn and Chris Neudeck suggested moving Item 7, Raising Elevation of South West Levee, from the Short-Term Goals list to the Long-Term Goals list.

12. **District Calendar.** Discussion and Direction. There was discussion related to the October items in the District Calendar. Attorney Pinasco made reference to the District's election and mentioned the next Regular Board Meeting is scheduled the day after the election.

13. **Correspondence.** No additional correspondence.

14. **Approval of Bills.** The Bills to be Paid List for October 2019 was presented and reviewed. President Panzer raised the question of whether there should be compensation for the Trustees for attending the October 2, 2019 Special Meeting as it took place at the same date and time as the Regular Meeting. Attorney Pinasco explained that the Board of Trustees were entitled to receive compensation as a Special Board Meeting was declared. He further explained that although the Trustees are entitled to compensation for a Special Meeting, it is not mandatory that they accept the compensation. After discussion, the Board elected not to be paid for the Special Board Meeting of October 2, 2019, and requested that the October 2019 Bills Paid List be amended to reflect this change.

It was moved, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Board of Trustees of Reclamation District 1608, that the October 2019 Bills Paid List be approved without compensation to the Trustees for attending the October 2, 2019 Special Board Meeting.

15. **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.

President Panzer recognized Jean Knight for the 25.5 years she served as District Secretary to the Board. Members of the Board thanked Jean Knight for her hard work and dedication and presented her with a plaque commemorating her 25 years of service.

16. **Adjournment.** The meeting adjourned at 9:30 a.m.

Respectfully submitted,



Elvia C. Trujillo
District Secretary

Reclamation District 1608

October 2019 Bills

NAME	INVOICE #	AMOUNT	TOTAL \$	WARRANT #	CHECK #	SUBVENTION FUND
Michael Panzer (9/20/19 Special Mtg.)	Trustee Fee	\$246.75				
Michael Panzer (10/2/19 Regular Mtg.)		\$246.75				
			\$493.50	6235		
Void - Warrant 6247				6247		
Brett Tholborn (9/20/19 Special Mtg.)	Trustee Fee	\$246.75				
Brett Tholborn (10/2/19 Regular Mtg.)		\$246.75				
			\$493.50	6236		
Void - Warrant 6248				6248		
Dan MacDonnell (10/2/19 Regular Mtg.)	Trustee Fee	\$246.75				
			\$246.75	6237		
Void - Warrant 6249				6249		
Jean Knight	Consultant Secretary Fee	\$275.00				
J. Knight reimb for 2 keys for Storage Facility	Reimbursement	\$6.52	\$281.52	6238		
Void - Warrant No. 6239				6239		
Elvia Trujillo (9/2019)	Secretary Fee	\$897.50				
Elvia Trujillo (9/20/19 Special Mtg)	Secretary Fee	\$250.00				
			\$1,147.50	6251		
Neumiller & Beardslee	301916	\$2,093.65				
			\$2,093.65	6240		
Kjeldsen, Sinnock & Neudeck	26143	\$1,443.75				
	26144	\$3,105.00				
	26145	\$115.00				

Reclamation District 1608

October 2019 Bills

	26146	\$2,519.35			
	26147	\$1,948.75			
	26148	\$1,685.75			
			\$10,817.60	6241	
BPM	36195614	\$503.25			
			\$503.25	6242	
B&R Self Storage	186-19/20	\$880.00			
			\$880.00	6243	
PG&E (Landview & Seagull)	0950847867-5	\$10.45			
PG&E (Stone River)	2999432760-8	\$20.96			
			\$31.41	6244	
The Record	43708	\$123.69			
			\$123.69	6245	
RD 1608 (Transfer to Bank Account)		\$35,000.00			
			\$35,000.00	6246	
Larry's Tree Care, Inc.	2233	\$7,500.00			
			\$7,500.00	6250	
State of California Payroll Taxes	3rd Quarter	\$454.45			online 9/27/19
			\$454.45		
Federal Government Payroll Taxes	3rd Quarter	\$2,151.08			online 9/27/19
			\$2,151.08		
Bank of Stockton Visa	7/27/2019-8/27/2019	\$1,976.37			online 9/13/19
			\$1,976.37		

Reclamation District 1608

October 2019 Bills

Hector Bryan Kendall	Payroll 9/1/19-9/15/19	\$232.94			1436
			\$232.94		
Hector Bryan Kendall	Payroll 9/16/19-9/30/19	\$513.85			
			\$513.85		1437
Joe L. Bryson	Payroll 9-01-19 - 9-30-19	\$4,358.72			
			\$4,358.72		1438
	WARRANT TOTAL:		\$59,612.37		
	CHECKING TOTAL:		\$9,687.41		
	TOTAL BILLS PAID		\$69,299.78		

ITEM 2.b.

**MINUTES OF THE SPECIAL MEETING OF BOARD OF TRUSTEES
FOR RECLAMATION DISTRICT 1608
HELD WEDNESDAY, OCTOBER 2, 2019**

A Special Meeting of the Board of Trustees of Reclamation District 1608 was held Wednesday, October 2, 2019 at the law offices of Neumiller & Beardslee, 3121 W. March Lane, Stockton, California at the hour of 8:29 a.m.¹

TRUSTEES PRESENT WERE:

MICHAEL PANZER
BRETT THOLBORN
DAN MacDONNELL

OTHERS PRESENT WERE:

ANDY PINASCO
CHRIS NEUDECK
JOE BRYSON
ELVIA TRUJILLO
JUDITH BUETHE
JEAN KNIGHT
PHILLIP HORTON, intern at KSN
BOB BENTZ

ABSENT

DANIEL SCHROEDER

1. **Call to Order/Roll Call.** President Panzer called the meeting to order at 8:29 a.m.
2. **Public Comment.** There was no public comment.
3. **Engineer's Report. Request for directions and approvals.**
 - (a) Consider new permits requests from homeowners.
 - a. **3856 Fourteen Mile Drive**
Ms. Dot Lofstrom
Index No. 25, Lot No 1151
APN: 098-370-09
Exhibit C: September 7, 2019 Encroachment Application.
Exhibit D: February 11, 2019 historical photographs of Ms. Lofstrom home.

Review Plans to plant one "Meyer" lemon tree in backyard near levee toe.

District Engineer Chris Neudeck presented an oral and written report on this item. He informed the Board that Ms. Lofstrom is asking for approval to plant a Meyer lemon tree

¹ This meeting commenced during the recessed portion of the Regular Meeting of October 2, 2019 – see regular meeting minutes of October 2, 2019.

on in the back yard near the levee toe approximately ten feet from the patio slab on the levee landside slope. Engineer Neudeck recommends denying the request. He recommends the Board discourage planting anywhere on the levee as roots can create voids and become a problem. He further stated trees on the levees attract rodents. Engineer Neudeck made reference to Exhibit D and suggested the alternative of planting the tree off the levee on the set back area by the steps. The tree cannot be on the slope of the levee. He recommends the Board deny the application subject to a permit revision and special conditions.

It was moved, seconded (D. MacDonnell/B. Tholborn) and unanimously carried by the Board of Trustees of Reclamation District 1608, that the Permit Application from Ms. Dot Lofstrom at 3856 Fourteen Mile Drive, Index No. 25, Lot No. 1151, APN: 98-370-09 to plant a Meyer lemon tree be denied subject to a permit revision with special conditions.

4. **Adjournment.** At 8:34 a.m., the meeting was adjourned and the Trustees returned to the recessed Regular Meeting of October 2, 2019.

Respectfully submitted,



Elvia C. Trujillo
District Secretary

ITEM 8

SHORT TERM GOALS 2019

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. Repair/Maintenance of Gates on Crown of Southwest Levee

LONG TERM GOALS

1. CVFP Plan
2. Lower San Joaquin River Flood Risk Reduction Project
3. Renewal of District Assessment
4. Raising Elevation of South West Levee.

ITEM 9

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
- Notify School District of Vegetation Control

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 Final 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*).

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 2019 (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 – June 2022

Reclamation District Meetings

- **First Wednesday of each month, at 8:00 A.M.
at the offices of:
Neumiller & Beardslee
3121 W. March Lane, Suite 100
Stockton, California 95219**