

**MINUTES OF THE REGULAR MEETING OF BOARD OF TRUSTEES
FOR RECLAMATION DISTRICT 1608
HELD WEDNESDAY, JANUARY 8, 2020
(January 1, 2020 meeting adjourned to January 8, 2020)**

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 January 8, 2020, 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
BOB BENTZ
DOTTIE LOFTSTROM

1. **Public Comment.** No public comment.
2. **Approval of Minutes.** Minutes of December 2, 2019 meeting. After discussion,

Upon motion duly made, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Board Trustees of Reclamation District 1608 the minutes of the regular meeting of December 2, 2019, were approved as presented.
3. **Financial Report.** Review, discuss, and accept financial report. District Secretary Elvia Trujillo presented a written and oral report. After review and discussion,

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) Show Cause Hearing Regarding Violation of Levee Encroachment Standards.
 1. 6347 Embarcadero Drive
Owners – Charles and Farley Staniec
Violation – Untrimmed vegetation inhibiting levee inspections and presence of unpermitted improvements, failure to comply with March 28, 2019, and August 26, 2019 Notice of Violation.

The public hearing opened at 8:52 a.m. Charles and Farley Staniec, the owners of the property, failed to appear at this hearing. The hearing opened with District Engineer Chris Neudeck giving an oral and written report. The written report lists in detail the efforts made to bring the property into compliance. Mr. Neudeck informed the Board the District has tried to bring the Staniecs into compliance for the past two years. Part of the problem in communicating with Mr. Staniec and in getting the work done is due to Mr. Staniec working in the Bay Area. The vegetation has gotten out of control and wooden structures have not been maintained in accordance with the Levee Improvement Standards. The fence has been repaired but the vegetative roots were left. Any regrowth of the hedge will obstruct visibility for inspection. Mr. Neudeck referenced Exhibit B showing pictures of the size and density of the hedges which prevents visibility of the condition of the slopes. He reported the District just needs Mr. Staniec to clean up hedges, remove vegetation and roots and remove the old, unpermitted wooden structures on the waterside slope of the levee. The District is at a point where it can pull the permits because they are not being maintained in accordance with the District Standards. What is being requested is that all vegetation allowed in the permit be maintained in compliance with the Standards and that all unpermitted encroachments and wooden structures on the waterside slope of the levee be removed. Among the options presented are: to find the violation has been corrected by Mr. Staniec, to direct Counsel to take action, or to revoke the permits on the property if the violations are not addressed by February. Mr. Neudeck stated, for the record, Mr. Staniec was sent a notice on December 5, 2019 and was sent the initial violation notice in March 2019. The primary objective in this case is to get compliance. Since the District does not endorse a fence, if the Board wants the revocation of the fence permit, Mr. Neudeck will be in support. Another option is to have legal counsel send a letter to Mr. Staniec informing him he failed to attend the show cause hearing and that one more opportunity will be given and continue the show cause hearing to February. Trustee MacDonnel made the recommendation to send a letter giving the Staniec's one last chance and recommended continuing the Show Cause Hearing to February.

Trustee D. MacDonnel and President Panzer voted yes and Trustee Tholborn voted no to continue the Show Cause Hearing for final opportunity in the Staniec case to the next Board meeting on February 14, 2020 at 8:00 a.m. and to have District Counsel send a letter to the Staniecs informing them of the continued Show Cause hearing.

The Show Cause Public Hearing closed at 9:07 a.m.

- (b) Consider new permit requests from homeowners.
No new permit requests
- (c) Sediment Removal Project. Request for directions and approvals.
 - i. Approve Port of Stockton Dredged Sediment Agreement.
See below in Engineer's Report section IV - Sediment Removal Project.
 - ii. Approve California State Lands Commission Lease Agreement.
See below in Engineer's Report section IV - Sediment Removal Project.
 - iii. Report and request for direction and approvals regarding necessary permits.
See below in Engineer's Report section IV - Sediment Removal Project.
 - iv. Discussion and direction regarding advertising Sediment Removal Project for bid.
See below in Engineer's Report section IV - Sediment Removal Project.

From Engineer's Report:

I. FLOOD SAFETY PLAN ANNUAL REFRESHER.

- A. Review PowerPoint presentation of RD 1608's Annual Refresher.
Exhibit A: Flood Safety Plan Annual Refresher.

District Engineer Chris Neudeck presented the printed PowerPoint slides in his January 8, 2020 Engineer's Report and gave an oral report. He explained the purpose of the Flood Safety Plan is to comply with the federal National Incident Management System (NIMS) and with the state Standardized Emergency Management System (SEMS) to maintain eligibility in the event of a federal disaster. If the District does not comply with the Flood Safety Plan, it will not qualify for federal disaster eligibility for funding/refunding. The Emergency Operations Plan is the written plan and the Tactical Flood Contingency Map is the map that will be brought to the field. The flood contingency map shows delivery points, relay points for folks to move to, points if egress and ingress. The overarching plan is the Flood Safety Plan/Emergency Operations Plan. The Flood Safety Plan highlights the gates off Interstate-5, street names, gates, access points and possible blocking points in case of emergency, this would have to be a cooperative effort involving several agencies depending where the flooding would be coming from. No one entity has the sole authority to make determinations. In case of a flood emergency, Chris Neudeck or Joe Bryson will be the incident commander for the flood situation but for evacuation, it will be another agency. Mr. Neudeck informed the Board the District is in the process of purchasing flood fight supplies. As to preparedness, the District complies

with the routine flood preparedness tasks of routine inspections, maintenance, flood fight supplies and the documentation of problem areas identified through inspections. Mr. Neudeck continued with the remainder of the slides and upon completion reminded the Board the Emergency Operations Plan is reviewed every three years in case there are any changes although it is brought before the Board every year as a refresher course. The Emergency Operations Plan can be accessed through the District's website where more detailed procedures can be found.

At the end of Mr. Neudeck's presentation, Mr. Bentz suggested if the District is in need of employees, veterans would be a valuable resource for assistance in an emergency situation and suggested getting in contact with the veterans' center at San Joaquin Delta College. Mr. Neudeck will be following up on this possibility.

President Panzer brought up discussion about the difficulties of ingress and egress within the District and as to how to carry out announcements to residents in case of an emergency. Mr. Neudeck has attended meetings with the County as to this subject and there have been various suggestions such as assigning different people or groups to call and go door to door notifying residents. Mr. Neudeck stated at one of the meetings, the Sheriff's office mentioned they have the National Guard helicopter with a loudspeaker which would be another means of notifying people. As water levels go up, notification would be switched from land to air. Mr. Neudeck commented George Hartman is advocating a siren and sees this as being a way of warning the public as land line systems may fail and cell phones may be turned off. Discussion followed as to having two sirens within the district to catch residents' attention in case of an emergency. This issue will be brought back by Chris Neudeck at the next operational meeting with the County. Mr. Schroeder stated this District has authority to put any siren in place without any other necessary approval. President Panzer requested this topic be kept on the front burner.

II. PLAN REVIEW

A. Mr. Charles and Mrs. Farley Staniec residence at 6347 Embarcadero Drive.

Exhibit B: KSN Inc, Summary Inspection photos dated 12/23/19

Please see above under 4(a) Show Cause Hearing Regarding Violation of Levee Encroachment Standards.

III. 5 MILE SLOUGH HYACINTH REMOVAL.

Chris Neudeck gave an oral and written report. Clean Lakes was hired by the City of Stockton to spray the hyacinth. Jack Hammer, the owner of Clean Lakes, came out to discuss hyacinth removal on 5 Mile Slough options with Joe Bryson and Dave Carr. Mr. Hammer will be talking with John Kelley from Reclamation District 2115 to discuss an alternative for removing the hyacinth from the north bank rather than south bank. Mr. Hammer will be contacting Joe Bryson if he needs to request a permit from the District.

IV. SEDIMENT REMOVAL PROJECT

- A. Review progress of permitting process with the Board of Trustees.
Exhibit C: KSN Inc. Summary of work activities associated with the sediment removal project dated January 2, 2020.

Mr. Neudeck reported this item will be going before the State Lands Commission at their February meeting. Currently, details are being worked out with State Lands Commission and the Port of Stockton. The State Lands Commission's Lease Agreement has a condition that states the District is not authorized to sell the sediment material. However, the Port of Stockton has in their agreement they can do with material as they see fit. Legal counsel is sorting this out between the State Lands Commission and the Port. As soon as the District gets all approvals from the State Lands Commission, Mr. Neudeck will be able to put the project out to bid.

Attorney Dan Schroeder informed the Board once the agreement with the Port of Stockton is ready, the Board has two options and can direct staff to: (1) have a special meeting to sign agreement, or (2) authorize the Board President and legal staff to sign once the agreement with the Port is ready.

It was moved, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Board of Trustees of Reclamation District 1608 to authorize the Board President and legal staff to sign the agreement with the Port of Stockton once it is ready.

5. Annual District Emergency Plan Review.

Please see Engineer's Report above under Section I. Flood Safety Plan Annual Refresher.

6. Levee Superintendent Report. Request for directions and approvals.

Joe Bryson gave an oral and written report. Mr. Bryson informed the Board In-Shape Health Club has a new owner. Since In-Shape is the emergency meeting point, he will be speaking with the new owners. KSN is getting the storage bin and working on Joe Bryson's inventory list of flood fight material. The storage bin will be placed on a cement slab and KSN is getting bids for the cement work. Mr. Bryson informed the Board the subventions program claim was approved and was told this was one of the best levees. For additional items, please refer to Mr. Bryson's written report.

7. Report by Trustees on meetings attended and upcoming meetings. Request for direction. None.

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

9. **Discussion and direction on Short-Term and Long-Range Goals.** None.

10. **District Calendar.** Discussion and direction.

- Mr. Schroeder reminded the Board it is Form 700 season.
- It was requested that the DVD entry be removed.
- President Panzer reported he would not be available to attend the February 5th Board Meeting. Board members, legal staff, district engineer, and levee superintendent checked their schedules and the February meeting was adjourned to February 14, 2020 at 8:00 a.m.

11. **Correspondence.** None.

12. **Approval of Bills.** The Bills to be Paid List presented at the January 8, 2020 meeting was reviewed, and

Upon motion duly made, seconded (D. MacDonnell/B. Tholborn) and unanimously carried by the Trustees of Reclamation District 1608 that the Bills to be Paid List as presented at this meeting be 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, Suite 100, Stockton, California, at least seventy-two (72) hours preceding the meeting.

14. **Adjournment.** The meeting adjourned at 9:35 a.m.

Respectfully submitted,


Elvia C. Trujillo
District Secretary

Reclamation District 1608

January 2020 Bills

NAME	INVOICE #	AMOUNT	TOTAL \$	WARRANT #	CHECK #	SUBVENTION FUND
Michael Panzer (1/8/20 Regular Mtg.)	Trustee Fee	\$246.75				
			\$246.75	6278		
Brett Tholborn (1/8/20 Regular Mtg.)	Trustee Fee	\$246.75				
			\$246.75	6279		
Dan MacDonnell (1/8/20 Regular Mtg.)	Trustee Fee	\$246.75				
			\$246.75	6280		
Elvia Trujillo (December 2019)	Secretary Fee	\$860.00				
			\$860.00	6281		
Neumiller & Beardslee	303911	\$2,467.05				
			\$2,467.05	6282		
Kjeldsen, Sinnock & Neudeck	26704	\$1,698.75				
	26705	\$1,150.25				
	26706	\$1,587.70				
	26707	\$1,537.60				
	26708	\$12,445.50				
	26709	\$1,344.00				
			\$19,763.80	6283		
BPM	36205259	\$250.35				
			\$250.35	6284		
PG&E (Landview & Seagull)	950847867	\$10.10				
PG&E (Stone River)	2999432760-8	\$10.73				
			\$20.83	6285		
Dino & Son Ditching Services	20-03	\$3,892.00				
			\$3,892.00	6286		
State of California Payroll Taxes	4th Quarter	\$383.93				
			\$383.93		online 12/20/19	

Reclamation District 1608

January 2020 Bills

Federal Government Payroll Taxes	4thQuarter	\$1,910.74			
			\$1,910.74	online 12/20/19	
Bank of Stockton Visa	10/28/19 to 11/26/19	\$1,797.86			
			\$1,797.86	online 12/20/19	
Hector Bryan Kendall	Payroll 12/1/19-12/15/19	\$685.12			
			\$685.12	1446	
Check No. 1447 Void				1447	
Hector Bryan Kendall	Payroll 12/16/19-12/31/19	\$356.26			
			\$356.26	1448	
Joe L. Bryson	Payroll 12/01/19 - 12/31/19	\$4,102.84			
			\$4,102.84	1449	
	WARRANT TOTAL:		\$27,994.28		
	CHECKING TOTAL:		\$9,236.75		
	TOTAL BILLS PAID		\$37,231.03		

Reclamation District 1608

December 2019 Bills

NAME	INVOICE #	AMOUNT	TOTAL \$	WARRANT #	CHECK #	SUBVENTION FUND
Michael Panzer (12/4//19 Regular Mtg.)	Trustee Fee	\$246.75				
			\$246.75	6265		
Brett Tholborn (12/4/19 Regular Mtg.)	Trustee Fee	\$246.75				
			\$246.75	6266		
Dan MacDonnell (12/4/19 Regular Mtg.)	Trustee Fee	\$246.75				
			\$246.75	6267		
Elvia Trujillo (November 2019)	Secretary Fee	\$810.00				
			\$810.00	6268		
Reclamation Disrict 1608	Transfer to Checking	\$35,000.00				
			\$35,000.00	6269		
Neumiller & Beardslee	303215	\$3,546.13				
	303216	\$3,488.50				
	303805	\$3,972.50				
			\$11,007.13	6270		
Kjeldsen, Sinnock & Neudeck	26537	\$1,462.50				
	26538	\$1,557.50				
	26539	\$1,736.59				
	26540	\$1,857.50				
	26541	\$3,765.32				
	26542	\$48.75				
	26543	\$1,306.50				
			\$11,734.66	6271		
BPM	36203830	\$574.75				
			\$574.75	6272		
PG&E (Landview & Seagull)	0950847867-5	\$11.49				
PG&E (Stone River)	2999432760-8	\$10.00				
			\$21.49	6273		

