

**AGENDA FOR
RECLAMATION DISTRICT NO. 1608
BOARD OF TRUSTEES REGULAR MEETING
OF 8:00 A.M. JANUARY 1, 2020
THAT HAS BEEN ADJOURNED TO THE FOLLOWING DATE, TIME, AND PLACE
WEDNESDAY, JANUARY 8, 2020 – 8:00 A.M.
NEUMILLER & BEARDSLEE
3121 WEST MARCH LANE, SUITE 100
STOCKTON, CALIFORNIA**

Call to Order.

Roll Call.

Agenda Items.

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.
2. Approval of Minutes. Minutes of the regular meeting of December 4, 2019.
3. Financial Report. Review, discuss, and accept financial report.
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.
 - (b) Consider new permits requests from homeowners.
 - (c) Sediment Removal Project. Request for directions and approvals.
 - i. Approve Port of Stockton Dredged Sediment Agreement
 - ii. Approve California State Lands Commission Lease Agreement
 - iii. Report and request for direction and approvals regarding necessary permits
 - iv. Discussion and direction regarding advertising Sediment Removal Project for bid
5. Annual District Emergency Plan Review.
6. Levee Superintendent Report. Request for directions and approvals.
7. Report by Trustees on meetings attended and up coming meetings. Request for direction.
8. Report and possible action on Progress of Tasks Assigned at Previous Board Meetings.
9. Discussion and direction on Short-Term and Long-Range Goals.
10. District Calendar. Discussion and direction.
11. Correspondence.
12. Approval of Bills.
13. Staff Reports.

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.

(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.

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**AGENDA PACKET
RECLAMATION DISTRICT 1608
JANUARY 8, 2020**

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

ITEM 2

**MINUTES OF THE REGULAR MEETING OF BOARD OF TRUSTEES
FOR RECLAMATION DISTRICT 1608
HELD WEDNESDAY, DECEMBER 4, 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 December 4, 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
DOTTIE LOFTSTROM (Property Owner)

1. **Public Comment.** The district welcomed Ms. Dottie Loftstrom, a property owner within Reclamation District 1608, who is interested in attending the Board meetings.
2. **Approval of Minutes.** Minutes of November 6, 2019 meeting.

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 November 6, 2019, be approved as presented.

3. **Financial Report.** Review, discuss, and accept financial report. District Secretary Elvia Trujillo presented a written and oral report. As requested by the Board at the November meeting, Ms. Trujillo confirmed the amount under the Weed and Rodent Control line item. She also reported that the final figure for the 2019 election expenses was reported in this financial report. 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 be approved as presented.

4. **Engineer's Report.** Request for directions and approvals.
 - a. Consider new permit requests from homeowners.
No new permits.

- b. Discussion and Direction regarding Sediment Removal Project.
See below in report from Engineer

- c. Annual District Emergency Plan Review.
Mr. Neudeck reported the Annual Emergency Plan review will be presented at the January meeting in addition to emergency equipment list. He will also report back and review the Flood Safety Plan.

From the Engineer's report:

I. PLAN REVIEW

- A. Review status of the Staniec residence.
6347 Embarcadero Drive
Mr. Charles and Mrs. Farley Staniec
Exhibit A: KSN Inc. Summary Inspection photos dated 9/11/19.

Engineer Chris Neudeck presented an oral and written report referencing the numerous points of contact with Mr. Staniec. Although Mr. Staniec had made an attempt to comply, progress has not been recently made as to his status of non-compliance. The District Engineer is asking the Board to issue a Show Cause Hearing Notice identifying that the Staniecs are not in compliance with the Levee Encroachment Standards. This item will go before the Board for action at the January 2020 meeting at which time options will be discussed. Discussion followed as to the importance of complying with the District Standards in case of an emergency. Attorney Dan Schroeder recommends authorization from the Board to send a Show Cause letter to the Staniecs.

It was moved, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Board of Trustees of Reclamation District 1608 that District Counsel send a Show Cause letter to Mr. Charles and Mrs. Farley Staniec.

II. SEDIMENT REMOVAL PROJECT

- A. Review progress of permitting process with Board of Trustees. *Exhibit B: KSN Inc. Summary of work activities associated with the sediment removal project dated December 2, 2019.*

Mr. Neudeck presented an oral and written report. He reported there is a slight delay on the permit process with the State Lands Commission as this matter will not be going before the Commission in December due to backlog and staff scheduling conflicts. It is anticipated this will go before the State

Lands Commission Board in January/February. In addition, attorney Dan Schroeder and Andy Pinasco are reviewing two agreements, one for the Port of Stockton and one for the State Lands Commission with conflicting language. He also reported the other challenging permit was with the California Department of Fish & Wildlife as they want to surround the barge with floating waddles. The District will agree to this to avoid any fuel spilling into the water. Mr. Neudeck also reported the U.S. Army Corps of Engineers is the over-arching agency in this project as they will issue their permits and everything else will follow once those permits are in. Once the permits are in, then the project goes out to bid.

5. **Levee Superintendent Report. Request for directions and approvals.** Joe Bryson gave an oral and written report. He reported the levee inspection will be taking place on December 20. In addition to the Levee Superintendent and the District Engineer, present at the inspection will be the Department of Water Resources and the Department of Fish & Game.
6. **Report by Trustees on meetings attended and upcoming meeting. Request for direction.** No Report.
7. **Report and possible action on Progress of Tasks Assigned at Previous Board Meetings.** None.
8. **Discussion and direction on Short-Term and Long-Range Goals.** Reference was made as to updating item No. 2 under Short Term Goals and removing reference to the TAC meetings.
9. **District Calendar. Discussion and Direction.**
Due to the next Board meeting falling on Wednesday, January 1, 2020, the Board approved moving the meeting to Wednesday, January 8, 2020 at 8:00 a.m. After discussion,

It was moved, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Board of Trustees of Reclamation District 1608 that the January 1, 2020 Board meeting be rescheduled to January 8, 2020 due to the holiday.
10. **Correspondence.** No correspondence.
11. **Approval of Bills.** The Bills to be Paid List, as presented was reviewed, and


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

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.** The meeting adjourned at 8:55 a.m.

Respectfully submitted,


Elvia C. Trujillo
District Secretary

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		

ITEM 4.a



Neumiller & Beardslee

ATTORNEYS AND COUNSELORS | EST. 1903

A Professional Corporation

73650-38118

3121 W. March Lane
Suite 100
Stockton, CA 95219

December 5, 2019

Post Office Box 20
Stockton, CA 95201-3020

Via U.S. Mail

(209) 948-8200
(209) 948-4910 Fax

Charles and Farley Staniec
6347 Embarcadero Drive
Stockton, CA 95219

NEUMILLER.COM

Re: **NOTICE TO SHOW CAUSE HEARING IN ORDER TO DETERMINE
IF DISTRICT ATTORNEY SHOULD COMMENCE APPROPRIATE
COURT PROCEEDINGS**

Dear Mr. and Mrs. Staniec:

Please be advised that this office is general counsel for Reclamation District 1608 (the "District"). By letters dated March 28, 2019, and August 26, 2019, the District's Engineer notified you that you have untrimmed vegetation that inhibits levee inspections and old, unpermitted improvements at 6347 Embarcadero Drive, Stockton, California (the "Property"). As of the date of this letter, you have failed to bring your Property into compliance with the District's Levee Encroachment Standards (the "Standards").

Due to your ongoing failure to bring your Property into compliance with the Standards, you are hereby requested to appear before the Board of Trustees of Reclamation District No. 1608 (the "Trustees") at 8:00 a.m. on Wednesday, January 8, 2020, at Suite 100, of 3121 West March Lane, Stockton CA, to show cause as to why your Property remains in violation of the Standards.

Your failure to either remedy the violation or appear before the Trustees on January 8, may result in the Trustees taking the following action:

1. Direct the Attorney for the District to commence appropriate legal action to have the existing vegetation trimmed and causing unpermitted structures removed; and/or
2. Revoke any existing permits you may have, and order all encroachments removed.

Charles and Farley Staniec
December 5, 2019
Page 2

You may avoid appearing before the Trustees as well as any resulting action taken by the District to remedy the violations on your Property by trimming the existing vegetation cover, resolving the unpermitted improvements, and allowing the District's Engineer (Christopher H. Neudeck, at KSN, Inc., at 209-946-0268) to inspect and confirm that your Property is in compliance with the Standards prior to January 7, 2020.

Thank you very much for your courtesy and cooperation.

Very truly yours,



DANIBEL J. SCHROEDER
Attorney at Law

DJS/AJP/ect

cc: Board of Trustees
Joe Bryson, Levee Superintendent
Chris Neudeck, District Engineer
Elvia Trujillo, District Secretary

ITEM 9

SHORT TERM GOALS 2019

1. Sediment Removal Project.
2. Participate in 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 10

RD 1608: MASTER CALENDAR

JANUARY

- Update Levee Property DVD

FEBRUARY

- Annual Review of Trustee Compensation
- 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	2019	First Friday of Dec 2023
Michael Panzer	2019	First Friday of Dec 2023

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**