

MINUTES OF THE REGULAR MEETING OF BOARD OF TRUSTEES
FOR RECLAMATION DISTRICT 1608
HELD FRIDAY, FEBRUARY 14, 2020
(February 6, 2020 meeting adjourned to February 14, 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 February 14, 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:

ANDY PINASCO
CHRIS NEUDECK
JOE BRYSON
ELVIA TRUJILLO
BOB BENTZ
DOTTIE LOFTSTROM
CHUCK STANIEC

ABSENT:

DANIEL SCHROEDER

1. **Public Comment.** No public comment.

After there being no public comment, President Panzer moved Item 6.a. (Item I.A. of the Engineer's report) up on the agenda since there was a landowner present, Mr. Charles Staniec. For details on this item, please see below under Section 6.a.

2. **Approval of Minutes.** Minutes of January 8, 2020 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 January 8, 2020, were approved as presented.

3. **Financial Report.** Review, discuss, and accept financial report. District Secretary Elvia Trujillo presented a written and oral report. She pointed out the District received property tax revenues, interest income, and assessment monies. She also noted there were County charges for administrative costs on behalf of the District. In reviewing the report, Trustee Tholborn requested the \$100.00 membership fee for the CalMutuals be moved from the Newsletters and Public Communications line item to the Property and Liability Insurance line item. After further 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, be approved with the \$100 line item change for the CalMutuals membership fee.

4. **Financial Audit.** Review, discuss, and accept draft audit report from Croce, Sanguinetti & Vanderveen. Attorney Andy Pinasco presented this item. He discussed the draft copy of the Financial Statements and Independent Auditor's Report for the year ended June 30, 2019 and the representation letter from Croce, Sanguinetti & Vanderveen. Mr. Pinasco explained each year the audit has to be submitted to state controller's office. After review,

It was moved, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Trustees of Reclamation District 1608 that the draft Audit Report for the year ended June 30, 2019 be approved and authorized execution of the Letter of Representation with Croce, Sanguinetti & Vanderveen.

5. **Insurance.** Approve JPRIMA Insurance Policy renewal. Andy Pinasco presented this item. He explained the terms of the CalMutuals JPRIMA proposal for the April 1, 2020 through April 1, 2021 coverage period in the amount of \$9,543.00. This incorporates your general liability insurance, auto insurance, errors and omissions policy. Although there was an eight percent rate increase, it is still lower than what the District used to pay under the previous product.

It was moved, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Board of Trustees of Reclamation District 1608 that the Trustees approve the new insurance rate and delegate authority to Attorney Andy Pinasco to renew the District's JPRIMA Insurance Policy for the April 1, 2020 through April 1, 2021 policy year.

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

(a) Show Cause Hearing Regarding Violation of Levee Encroachment Standards.

i. 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 Show Cause Hearing opened at 8:01 a.m. with Mr. Charles Staniec present at the hearing. District Engineer, Chris Neudeck, gave an oral and written report on the history of the efforts made to bring the Staniec property into compliance and referenced the list of events contained in Item I.A and

Exhibit A of the Engineer's Report. At this point two items remain in order to bring the property into compliance. The first item is to remove roots of hedge along the landside hinge point up against the fence along the same alignment. Mr. Neudeck noted any regrowth of this hedge will obliterate inspectability down the landside levee slope. The second item is to seek relocation of the dilapidated fence at the landside edge of crown to the levee toe.

Discussion followed regarding the fence as to whether a new permit for a new structure is required or whether it is a permit to repair which prompted the need to check on the terms and provisions of the existing fence permit. It was agreed to check on what kind of right/permit there is on the fence before proceeding to properly address this issue. President Panzer directed the motion deal only with the hedge at this point and requested legal counsel to write homeowner requesting removal of the hedge within 60 days.

It was moved, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Board of Trustees of Reclamation District 1608 to request removal of hedge and authorized legal counsel to direct Mr. and Mrs. Staniec, the homeowners, to remove hedge within 60 days.

- (b) Sediment Removal Project.
See below in Engineer's Report.
- (c) Consider new permit requests from homeowners.
No new permits presented.

7. Subventions.

Chris Neudeck presented this item and reported that under Proposition 1, \$295 million was set aside for levees and all of this money has been misappropriated. Mr. Neudeck contacted the Central Valley Flood Control Association regarding this issue. He also reported Mr. Nomellini went to task to say this is unfair, illegal and is demanding the account be replenished. If necessary, Mr. Nomellini may sue on behalf of this District and other districts. Since the amount of funds in question is a very large amount, effort is being made to contact local and state representatives.

From Engineer's Report:

I. PLAN REVIEW

- A. Mr. Charles and Mrs. Farley Staniec residence at 6347 Embarcadero Drive.
EXHIBIT A: KSN Inc. Summary Inspection Photos dated 2/10/2020.
Please see Section 6.a. above.

II. 5 MILE SLOUGH HYACINTH REMOVAL

Chris Neudeck presented this item and reported a meeting took place with Mr. Jack (Hammer) McNabb, the owner of Clean Lakes, Inc., Joe Bryson and Marlo Duncan from SJAFCA. It's still unclear if Clean Lakes Inc. will be doing removal of the water hyacinth from the RD 2115 or RD 1608 side. Doing that much trekking on our levees will require repaving the road. An encroachment permit will be needed to off-haul the hyacinth if it is removed and hauled from the RD 1608 side. No timeframe on the removal has been indicated at the moment.

III. SEDIMENT REMOVAL PROJECT

- B. Review progress permitting process with Board of Trustees.
EXHIBIT B: KSN Inc. Summary of work activities associated with the sediment removal project dated February 12, 2020.

Chris Neudeck presented this item and reported he hopes to get the project out to bid soon. Details are still being worked on. The State Lands Commission meeting for final approval will be on Tuesday. He is currently working on specifications, public notice, and public outreach. Mr. Neudeck reported some of the changes were not on the images they were working on and obtained aerial photography to see current images to assist in design alignment to obtain accurate model of pre-dredge conditions. A notification letter will be sent to homeowners asking their cooperation in relocating the dock extensions into the channel. Mr. Neudeck anticipates the project will take three months, from August 1 to October 30. Another letter will be sent to homeowners to move the boats back to the docks once ready. He will be presenting documents with bid information at the next Board meeting for authorization to award contract.

Mr. Neudeck also made a general comment as to having attended a meeting regarding the Notice of Preparation to the Delta Conveyance Project. The Delta Conveyance Project calls for a single underground tunnel and replaces the California WaterFix project which called for two tunnels to take water around the Sacramento-San Joaquin River Delta to aqueducts in southern California. At the meeting, there was oral input as to what to include in the Environmental Impact Report. Mr. Neudeck commented he testified as to the impacts associated with the water tunnel and the alternatives.

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

Joe Bryson gave an oral and written report. He informed the Board a man drove over the dirt pile on the levee rather than driving on the road and got stuck. Mr. Bryson had to call a tow truck to pull him out. Additionally, a PG&E employee requested keys to the locks on the gates but Mr. Bryson did not provide him with keys as the gates in question have PG&E and CalTrans locks. In the northeast section, two sinkholes were found due to roots and these were recompacted and taken care of. Mr. Bryson was happy to report the cement had been poured for the cement pad in preparation for the new storage bin.

At the next Board meeting, Mr. Neudeck and Mr. Bryson will be seeking authorization from the Board to purchase flood fight supplies.

President Panzer informed Mr. Neudeck and Mr. Bryson he signed the renewal of the pesticide control permit, gave them a copy and requested the schools within the District be notified.

9. Report by Trustees on meetings attended and upcoming meetings. Request for direction.

- President Panzer confirmed he will be attending the SJAFCA meeting being held on February 19, 2020.
- Trustee MacDonnell plans to attend the 2020 Flood Forum on March 18, 2020.

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.
None.

12. District Calendar. Discussion and direction.

- a. Trustee Compensation for Meeting Attendance. Andy Pinasco reported on this item informing the Board the current Trustee fee is \$246.75 per meeting and an increase cannot be more than five percent per year. The Board expressed interest in increasing the fee by five percent. For the March meeting, there will be an agenda item to increase the Trustee compensation.

Continuing with the items listed on the Master calendar for the month of March:

- Mr. Pinasco reminded the Board the employee evaluations are scheduled for the March Board meeting.
- Mr. Neudeck requested the second and third bullet items related to the California Department of Fish & Game be removed.

- As to the spring newsletter, Mr. Pinasco informed the Board Judith Buethe had retired and he will be reaching out to other agencies in the near future.

13. **Correspondence.** For informational purposes, Attorney Andy Pinasco made available to the Board the following newsletters:

- Legislative Days
- Special District Leadership Academy

14. **Approval of Bills.** The Bills to be Paid List presented at the February 14, 2020 meeting was 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 as presented at this meeting was approved.

15. **Staff Reports.** No 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.

16. **Adjournment.** The meeting adjourned at 9:53 a.m.

Respectfully submitted,



Elvia C. Trujillo
District Secretary

Reclamation District 1608
List of Bills for Approval at February 14, 2020 Meeting

NAME	Date	INVOICE #	AMOUNT	TOTAL \$	WARRANT #	CHECK #	SUBVENTION FUND
Michael Panzer (2/14/20 Board Mtg)		Trustee Fee	\$246.75				
				\$246.75	6287		
Brett Tholborn (2/14/20 Board Mtg)		Trustee Fee	\$246.75				
				\$246.75	6288		
Dan MacDonnell (2/14/20 Board Mtg.)		Trustee Fee	\$246.75				
				\$246.75	6289		
Elvia Trujillo	January 2020	Secretary Fee	\$972.50				
				\$972.50	6290		
Jean Knight	January 2020	Consultant Secretary	\$125.00				
				\$125.00	6291		
Neumiller & Beardslee	1/15/2002	304748	\$4,704.15				
				\$4,704.15	6292		
Kjeldsen, Sinnock & Neudeck	1/27/2020	26944	\$1,500.00				
	1/27/2020	26945	\$1,224.75				
	1/27/2020	26946	\$1,439.00				
	1/27/2020	26947	\$971.25				
	1/27/2020	26948	\$1,810.00				
	1/27/2020	26949	\$14,067.58				
	1/27/2020	26950	\$695.00				
	1/27/2020	26951	\$2,086.50				
				\$23,794.08	6293		
PG&E (Landview & Seagull)	1/30/2020	950847867-5	\$10.45				
PG&E (Stone River)	1/22/2020	2999432760-8	\$12.57				
				\$23.02	6294		
California Association of Mutual Water Companies (Membership Dues)	1/15/2020	1253	\$100.00				
				\$100.00	6295		
Halverson Concrete	Jan-20	767702	\$16,999.00				
				\$16,999.00	6296		

**Reclamation District 1608
List of Bills for Approval at February 14, 2020 Meeting**

State of California Payroll Taxes			\$641.57			
				\$641.57	online	
Federal Government Payroll Taxes			\$1,898.18			
				\$1,898.18	online	
Bank of Stockton Visa			\$3,362.04			
				\$3,362.04	online	
Hector Bryan Kendall	Payroll	1/1/2020 - 1/15/2020	\$349.41			
				\$349.41	1450	
Hector Bryan Kendall	Payroll	1/16/2020 - 1/31/2020	\$349.42			
				\$349.42	1451	
Joe L. Bryson (Payroll)	Payroll	1/1/2020 - 1/31/2020	\$4,430.90			
				\$4,430.90	Direct Deposit	
		WARRANT TOTAL:		\$47,458.00		
		CHECKING TOTAL:		\$11,031.52		
		TOTAL BILLS PAID		\$58,489.52		