

MINUTES OF THE REGULAR MEETING OF BOARD OF TRUSTEES
FOR RECLAMATION DISTRICT 1608
HELD TELEPHONICALLY ON WEDNESDAY, MAY 6, 2020

A Regular Meeting of the Board of Trustees of Reclamation District 1608 was called to order telephonically at 8:03 a.m. by President Michael Panzer on Wednesday, May 6, 2020, via Toll-Free Dial-In Number: (877) 778-1806; Conference ID 891949.

TRUSTEES PRESENT WERE:

MICHAEL PANZER
BRETT THOLBORN
DAN MacDONNELL

OTHERS PRESENT WERE:

DANIEL SCHROEDER
ANDY PINASCO
CHRIS NEUDECK
JOE BRYSON
ELVIA TRUJILLO
DOTTIE LOFTSTROM
DOMINIC GULLI
GERARD HAMMER
THOM FOULKS
BARBARA DELGADO
KRISTEN DYKE

1. **Public Comment.** There was no public comment.

The Board adjourned the meeting at 8:05 to start the closed session.

2. **Closed Session.**

(a) CONFERENCE WITH LABOR NEGOTIATORS

Agency designated representatives: President Michael Panzer and Daniel Schroeder
Unrepresented employees: District Secretary and District Superintendent.

3. **Report out of Closed Session.**

The Board reconvened from Closed Session at 8:16 a.m. All Trustees were present during the entirety of the Closed Session. There was no reportable action regarding Item 2(a).

4. **Employment Agreements.** Discussion and possible action regarding amendments to Levee Superintendent and District Secretary Employment Agreements.

There was no reportable action regarding Item 4.

5. **Approval of Minutes.** Minutes of the regular meeting of March 4, 2020. 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 held on March 4, 2020, were approved as presented.

6. **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 be approved as presented.

7. **Engineer's Report.** Request for directions, approvals and actions.

- (a) Levee Encroachment Standard enforcement
1. 6347 Embarcadero Drive
Report on status of removal of hedge roots along landside edge of levee crown.
Please see Engineer's Report, Item I.A.
- (b) Consider approval of new permits requests from homeowners at the following addresses.
1. 3746 Fourteen Mile Drive **Daniel Thiel**
APN – 098-393-07
Please see Engineer's Report, Item I.C.a)
 2. 3929 Waynsboro Court **Steve & Lynda Farrar**
APN – 098-440-06
Please see Engineer's Report, Item I.C.b)
 3. 3815 Falmouth Court **Keith & Sarah Williams**
098-430-01
Please see Engineer's Report, Item I.C.c)
- (c) Report on Delta Grant II – Proposed Storage Container and Supplies
Please see Engineer's Report, Item II.
- (d) Report on 5 Mile Slough Hyacinth Removal
Please see Engineer's Report, Item III.
- (e) Authorization to Award Contract for Sediment Removal Project
Please see Engineer's Report, Item IV.

- (f) Delta Levees Subvention Program
 - 1. Approve contract with Dino & Sons to replace rock slope protection at the southeastern terminus of RD 1608 on Fourteen Mile Slough.
Please see Engineer's Report, Item V.A.
 - 2. Report on Delta Levee Subventions Program funding for FY 2020-2021
Please see Engineer's Report, Item V.B.

From Engineer's Report:

I. PLAN REVIEW

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

Chris Neudeck gave an update on the Staniec residence and reported Mr. Staniec is trying to kill the roots with the intent of removing them. Mr. Neudeck will keep the matter open and report at the next meeting. Mr. Schroeder stated Mr. Neudeck has already received enforcement authority.

- B. Review status of Annual Levee Inspection of the District's Levee system.
EXHIBIT A: Violation/Remedy Tracking of 2020 Inspection.

Mr. Neudeck reported on this item. He informed the Board he has received good responses from the homeowners. In reviewing Exhibit A, most of the homeowners have called and left messages as to their compliance. However, there are some homeowners that have complied but have not yet called to update their status. The homeowners that have called have been cooperative and respectful of what the intent is for this effort.

- C. Permit Requests from homeowners.

- a) 3746 Fourteen Mile Drive
Daniel L. & Daniel W. Thiel
Index No. 34, Lot No. 407
APN – 098-393-07
Exhibit B: March 19, 2020 Encroachment APPLICATION for Removal of fence.
Exhibit C: March 19, 2020 Encroachment Application PLANS for the removal of fence.
Exhibit D: March 19, 2020 Encroachment Application PICTURES for the removal of fence.

Mr. Neudeck reported the homeowners are requesting an Encroachment Permit to place a removable fence on water side slope. Mr. Thiel is very cooperative and indicated he would make it a removable 4 ft. high iron fence. Exhibits B, C, and D have been included for reference. Mr. Neudeck recommends the Board of Trustees approve this application with no special conditions.

It was moved, seconded (D. MacDonnell/M. Panzer) and unanimously carried by the Board of Trustees of Reclamation District 1608 that the March 19, 2020, Encroachment Application for 3746 Fourteen Mile Drive for a 4-foot high rod iron fence with removable panels at the water side edge be approved.

- b) 3929 Waynsboro Court
Steve & Lynda Farrar
Index No, 136, Lot 2117
APN – 098-440-06

Exhibit E: March 24, 2020 Encroachment APPLICATION for mow strip.

Exhibit F: March 24, 2020 Encroachment Application PLANS for the mow strip.

Mr. Neudeck reviewed the Permit Application from Steve and Lynda Farrar and the reason it needs review and approval is because it is in the District's setback area and any application in this area requires review and District approval. There are currently wooden mow strips and the homeowners are wanting to replace with concrete mow strips. The application and plans are included in Exhibit E and F. Mr. Neudeck informed the Board that a small concrete mow strip will not have an adverse effect. The application and plans meet the District Engineer's expectations and no special conditions are needed to recommend approval of application.

It was moved, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Board of Trustees of Reclamation District 1608 that the March 24, 2020, Encroachment Application for 3929 Waynsboro Court for a mow strip be approved.

- c) 3815 Falmouth Court
Keith & Sarah Williams
Index No. 133, Lot 2130
APN 098-430-01

Exhibit G: April 20, 2020 Encroachment APPLICATION for the railroad tie stairs.

Exhibit H: April 20, 2020 Encroachment Application PLANS for the railroad tie stairs

Mr. Neudeck informed the Board the application from Mr. Williams is for installation of railroad tie stairs on the landside slope of the District's levee. Plans and images have been included in Exhibit H. Mr. Neudeck recommends approval of application with no special conditions.

It was moved, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Board of Trustees of Reclamation District 1608 that the April 20, 2020, Application for 3815 Falmouth Court for railroad tie stairs be approved.

II. DELTA GRANT II – PROPOSED STORAGE CONTAINER AND SUPPLIES

A. Review and update the Board of Trustees of Delta Grant II – Proposed Storage Container and Supplies.

Chris Neudeck reported on this item and explained the Delta Grant II is for purpose of securing a new storage container and supplies. The District had received authorization for the concrete pad and the container. The container has been received and now the next step is to purchase supplies that will be needed in the event of a high-water flood emergency. Having this in place will give the District the ability to act immediately. Since there will be materials of value, Trustee MacDonnell asked about security measures for this storage container. Chris Neudeck explained that in addition to the storage container having several locks and a lock box, solar motion sensor lights were also going to be installed and the container will be fenced in.

III. 5 MILE SLOUGH HYACINTH REMOVAL

A. Removal of the herbicide sprayed water hyacinth in 5 Mile Slough completely removed West of I-5 whereas East of I-5 not yet completed.

Exhibit I: Photo Summary of 5 Mile Slough West of Interstate 5

Exhibit J: Photo Summary of 5 Mile Slough East of Interstate 5

Chris Neudeck gave a progress report on the hyacinth removal and referenced the photos in Exhibits I and J. The hyacinth on 5 Mile Slough west of I-5 have been removed, the area east of I-5 has not been completed. They are continuing to do spot spraying which is the proper way to control and mitigate the spread of the hyacinth. Chris Neudeck reported that overall, it is probably the best job that has been done in the last three years.

IV. SEDIMENT REMOVAL PROJECT

A. Review the Bid Summary from April 28 and seek authority of the Board of Trustees to award to the lowest responsive, responsible bidder.

Exhibit K: KSN Inc. Bid Summary dated April 28 at 2:00 p.m.

Exhibit L: KSN Inc. Bid Award Recommendation dated April 29, 2020.

Exhibit M: Dixon Marine Services Inc. "Statement of Qualifications" Dredging capabilities.

Chris Neudeck reported on this item. He received bids on April 28 to perform the work needed to deepen 14 Mile Slough. This work is being done to provide access to marine equipment for maintenance and emergency response. He explained that if there were to be a flood event right now, the current state of 14 Mile Slough would prevent any marine equipment to be brought in. He referenced Exhibit K, the Bid Summary that shows the four bids received and total amounts. The bids were evaluated for accuracy and experience. The lowest bid came in at \$1,391,041.76 and the highest bid at \$2,396,800. Exhibit L gives a project overview together with what was done pre-bid and at bid opening. For additional specifics on the bid opening and results, please refer to Exhibit L of the Engineer's Report dated May 6, 2020. District Engineer Neudeck informed the Board the bid award cannot be approved until May 8th because there is a 10-day protest period. At this point, Mr. Neudeck would like to ask the Board for a conditional award to Dixon Marine Services Construction Company in the amount of \$1,391,041.76. Mr. Neudeck stated Dixon Marine Services is more than qualified to handle the project, budget and details were reviewed and excellent reviews were given by those that have had projects done by this contractor. Once the bid is awarded, Chris Neudeck will meet with the contractor to set a schedule. Letters will then be sent out to homeowners informing them when the project will start so they can relocate the boats and attached facilities that extend out into the alignment of the sediment removal project. Measurements will be done below the water and the engineers don't want any facilities in the way so there is no damage. There will be a period of 6 to 8 weeks where there will be inconveniences. The work on this project is expected to happen July 15 through September 1, and hopefully no later than the end of September. Mr. Neudeck anticipates this project should go smoothly, a lot of work has occurred in the last 90 days, including the sediment removal pipeline.

At this point, the District's attorney, Dan Schroeder, recommended going to public comment.

Public comment on this item:

- Trustee MacDonnell's commented on the lowest bid. Mr. Neudeck stated that although Dixon Marine Services Inc. came in lowest, they included everything and nothing was left out. Trustee MacDonnell also asked whether there are any delay penalties and Mr. Neudeck replied there are delay penalties and he can check further on this and report back and added the references for this contractor were excellent as to work and completion of projects.
- Dominic Gulli's comment was related to the booster pump. Chris Neudeck replied the biggest issue was the lubrication and getting clean water. There will be two booster pumps and they will be on land.

- Trustee Tholborn asked if all the permits were obtained and Chris Neudeck replied all permits had been obtained.
- Thom Foulks commented he is excited this project is so close to starting and asked how a homeowner can help. Mr. Neudeck replied it will be different for each landowner as they will either have a boat, hydro hoist, etc. As to the hydro hoist, Mr. Neudeck recommends disconnecting and making it parallel to the dock. Mr. Neudeck added that they will be working very near the homeowners' docks and they have certain set backs to consider and to keep alignments. The marina owners are aware of the project and will be aware of the schedule. This work will only be taking place on the RD 1608 water side of the channel.
- Dan Schroeder added that he wants to make clear that the relocation of the boats and any other attachments is the responsibility of the homeowner.
- Joe Bryson commented the marina owner wants to help in any way he can. Joe Bryson will be going to see him to bring him up-to-date.
- Girard Hammer's comment was related to the piles that hold the dock. Mr. Neudeck replied the original dock piles are fine but any other improvements need to be back to that level. If something is not part of the original dock, it will have to be removed as it could be in the way of the dredger.

After public comment on this item,

It was moved, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Board of Trustees of Reclamation District 1608, to award the Contract for Sediment Removal Project to Dixon Marine Services Inc. and authorize execution of the agreement after the protest period has expired.

V. DELT LEVEES SUBVENTION PROGRAM – AB 360

- A. Review and consider KSN Inc.'s proposed work plan for the placement of rock slope protection at the Southeastern terminus of RD 1608 on Fourteen Mile Slough. Seek Board of Trustees' authorization to contract for proposed work with Dino & Son Excavation at an estimated cost of \$15,000.

Exhibit N: KSN Inc. Rock Slope Protection Workplan dated April 15, 2020

Chris Neudeck presented this item. Originally, work was done to riprap the slope. Although the work was completed, there were some areas with gaps that, at the time, were required by the Department of Fish and Wildlife. In addition to now filling those gaps, there are two additional areas that need to be filled to prevent erosion. Additional information and images on this item are included in Exhibit N of the Engineer's Report. This request is to seek authorization to undertake the work, estimating this to be \$15,000 with the work to be done in a 3 to 5 day period by Dino & Son Excavation. After discussion,

It was moved, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Board of Trustees of Reclamation District 1608, to authorize District Engineer to contract for proposed work with Dino & Son Excavation at the estimated amount of \$15,000.

- B. Review funding of Fiscal Year 2020-2020 for Delta Levee Subventions Program.
Exhibit O: Correspondence from Kristopher Tjernell, DWR Department Director, dated April 2, 2020 regarding State funding of the Delta Levees Maintenance Subventions Program and the Dela Levees Special Projects Program (collectively, the "Program" for Fiscal Year (FY) 2020-21.

Chris Neudeck presented this item and informed the Board that at this point he is not getting any good responses as to the funding for the program. He has, however, opened the lines of communication with Kristopher Tjernell, deputy director with the Department of Water Resources. He referenced Exhibit O, the memorandum from Mr. Tjernell, which outlines the Department of Water Resources Fiscal Year 2020-21 project planning and construction funding commitment. The Delta Levee Subventions Program is of great benefit to the District. He added it is a competitive program where the District gets reimbursed at 75% for the qualifying work performed. The District looks good for funding this coming fiscal year but Mr. Neudeck will keep the Board up-to-date with any new information.

8. **Adopt Resolution 2020-02 Authorizing and Directing Filing of Notice of Exemption for Routine Maintenance for Fiscal Year 2020-2021.**

Dan Schroeder presented this item and reported this Notice is done annually. After discussion,

It was moved, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Board of Trustees of Reclamation District 1608, that Resolution 2020-02 Authorizing and Directing Filing of the Notice of Exemption for Routine Maintenance for Fiscal Year 2019-2020 be approved.

9. **Town Hall.** Request for direction and approval to schedule Town Hall meeting.

Dan Schroeder presented this item. Several meetings ago the District Trustees were anticipating the Sediment Removal Project would move forward this summer and talked about a town hall meeting to inform the homeowners of the project. Those plans were changed due to COVID-19. To avoid any delay in getting information to the homeowners, instead of a Town Hall meeting, Chris Neudeck will be sending a letter. Sending the letters will be more informative than a town hall meeting as each letter will have information as it pertains to each homeowner. After further discussion, it was

decided that there is no need for this item to appear in future agendas as the letter from the District Engineer will better serve in getting information to the homeowners.

10. **Newsletter.** Review and consider approval of Port City Marketing proposal for providing newsletter services.

Andy Pinasco presented this item. With the retirement of Ms. Buethe, the District had to look for someone to do the newsletter. Kristen Dyke from Port City Marketing Solutions submitted a proposal, Kim Floyd declined, and other firms did not submit proposals. Kristen Dyke from Port City Marketing spoke about their marketing qualifications and stated her firm works with other public agencies and is interested in working with Reclamation District 1608. Dr. Panzer clarified the District generally has two newsletters a year, one in the spring and one in the fall. Andy Pinasco asked the Board to consider approving the agreement with Port City Marketing Solutions and authorize a member of the Board to sign the agreement. After further discussion,

It was moved, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Board of Trustees of Reclamation District 1608, to approve the agreement with Port City Marketing Solutions and authorize President Panzer to sign the agreement.

11. **Levee Superintendent Report.** Request for directions and approvals.

Joe Bryson gave an oral and written report. In addition to the items in his written report, he will be informing homeowners that a town hall meeting will not be taking place and that a letter from the District Engineer will be sent with information.

12. **Report by Trustees on meetings attended and upcoming meetings.** Request for direction. No report.

13. **Report and possible action on Progress of Tasks Assigned at Previous Board Meetings.** No report.

14. **Discussion and direction on Short-Term and Long-Range Goals.** No discussion.

15. **District Calendar.** Discussion and direction.
(a) 2020/2021 Budget reminder

Dan Schroeder went through the calendar. He is hoping to have a draft budget at the next meeting. The assessment approval for this next fiscal year is coming up, that item will be at the July meeting. The District Secretary will be contacting the Trustees to schedule a tour of the levee.

16. **Correspondence.** None.

17. **Approval of Bills.** The list of bills paid during the months of March and April were presented at this meeting. Lists were 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 Lists as presented at this meeting were approved.

18. **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.

19. **Adjournment.** The meeting adjourned at 9:52 a.m.

Respectfully submitted,



Elvia C. Trujillo
District Secretary

Reclamation District 1608
List of April Bills Paid - May 6, 2020 Board Meeting

NAME	Date	INVOICE #	AMOUNT	TOTAL \$	WARRANT #	CHECK #	SUBVENTION FUND
Michael Panzer (5/6/20 Mtg)		Trustee Fee	\$246.75	\$246.75	6312		
Brett Tholborn (5/6/20 Mtg)		Trustee Fee	\$246.75	\$246.75	6313		
Dan MacDonnell (5/6/20 Mtg)		Trustee Fee	\$246.75	\$246.75	6314		
Elvia Trujillo	March 2020	Secretary Fee	\$972.50				
	April 2020	Secretary Fee	\$560.00	\$1,532.50	6315		
Neumiller & Beardslee	4/16/2020	307348	\$3,975.46	\$3,975.46	6316		
Kjeldsen, Sinnock & Neudeck	4/24/2020	27639	\$767.25				
	4/24/2020	27640	\$14,690.04				
	4/24/2020	27641	\$726.25				
	4/24/2020	27642	\$26,372.00				
	4/24/2020	27643	\$5,186.25				
	4/24/2020	27644	\$2,386.50	\$50,128.29	6317		
PG&E (Landview & Seagull)	3/31/2020	0950847867-5	\$10.10				
PG&E (Stone River)	4/22/2020	2999432760-8	\$12.42				
BPM (for Payroll)	3/23/2020	36214381	\$2,991.73	\$2,991.73	6319		
Dohrmann Insurance (package)	4/4/2020	10786	\$6,119.00				
Dohrmann Insurance (Business Auto)	4/4/2020	10787	\$1,454.00				
Dohrmann Insurance (Umbrella)	4/4/2020	10788	\$1,970.00	\$9,543.00	6320		

Reclamation District 1608
List of April Bills Paid - May 6, 2020 Board Meeting

SJC Mosquito & Vector Control Dist.	4/28/2020	SJ10038	\$50.38			6321		
Ron Halverson	4/30/2020	767704	\$400.00			6322		
State Comp. Ins. Fund <small>(Final Premium Statement - 2019)</small>	4/23/2020	187966-19	\$78.21			6323		
State of California Payroll Taxes	April		\$711.71				online	
Federal Government Payroll Taxes	April		\$2,801.89				online	
Bank of Stockton Visa	4/15/2020	2/26/20 - 3/27/20	\$3,766.49				online	
John Maestas	Payroll	4/1/2020-4/15/2020	\$411.07				Direct Deposit	
		4/20/2020-4/30/2020	\$1,205.33				Direct Deposit	
David Mazzara	Payroll	4/9/2020 - 4/15/2020	\$527.54				Direct Deposit	
		4/16/2020-4/30/2020	\$1,076.73				Direct Deposit	
Larry Talley	Payroll	4/16/2020-4/30/2020	\$648.74				Direct Deposit	
Joe L. Bryson (Payroll)	Payroll	4/1/2020 - 4/30/2020	\$4,742.16				Direct Deposit	
		WARRANT TOTAL:	\$69,462.34					
		CHECKING TOTAL:	\$15,891.66					
		TOTAL BILLS PAID	\$85,354.00					

Reclamation District 1608
 List of March Bills Paid - No April 2020 Board Meeting

NAME	Date	INVOICE #	AMOUNT	TOTAL \$	WARRANT #	CHECK #	SUBVENTION FUND
Michael Panzer (No Board Mtg)		Trustee Fee	\$0.00	\$0.00			
Brett Tholborn (No Board Mtg)		Trustee Fee	\$0.00	\$0.00			
Dan MacDonnell (No Board Mtg)		Trustee Fee	\$0.00	\$0.00			
Eiva Trujillo	March 2020	Secretary Fee	\$0.00	\$0.00			
Jean Knight	March 2020	Consultant Secretary	\$0.00	\$0.00			
Neumiller & Beardslee	3/20/2020	306229	\$4,214.11	\$4,214.11	6309		
Kjeldsen, Sinnock & Neudeck	3/20/2020	27394	\$1,233.45				
		27395	\$2,269.43				
		27396	\$2,114.00				
		27397	\$393.75				
		27398	\$10,748.12				
		27399	\$580.28				
		27400	\$2,358.75				
				\$19,697.78	6310		
PG&E (Landview & Seagull)		0950847867-5	\$0.00				
PG&E (Stone River)	3/23/2020	2999432760-8	\$10.80	\$10.80	6311		
Midstate Containers (Flood Fight)	3/11/2020	113721	\$4,910.00	\$4,910.00	6307		
The Record (Publication)	3/12/2020	183912	\$81.36	\$81.36	6308		

Reclamation District 1608
List of March Bills Paid - No April 2020 Board Meeting

State of California Payroll Taxes			\$638.90	\$638.90		online	
Federal Government Payroll Taxes			\$2,487.52	\$2,487.52		online	
Bank of Stockton Visa	3/13/2020	1/28/2020-2/25/2020	\$2,310.68	\$2,310.68		online	
Louie Corona Jr.	Payroll	3/24/2020 - 3/26/2020	\$175.40	\$175.40		1454	
John Maestas	Payroll	3/10/2020-3/31/2020	\$1,782.51	\$1,782.51		Direct Deposit	
Joe L. Bryson (Payroll)	Payroll	3/1/2020 - 3/31/2020	\$4,776.74	\$4,776.74		Direct Deposit	
		WARRANT TOTAL:		\$28,914.05			
		CHECKING TOTAL:		\$12,171.75			
		TOTAL BILLS PAID		\$41,085.80			