

**MINUTES OF THE REGULAR MEETING OF BOARD OF TRUSTEES
FOR RECLAMATION DISTRICT 1608
HELD TELEPHONICALLY ON WEDNESDAY, JULY 1, 2020**

A Regular Meeting of the Board of Trustees of Reclamation District 1608 was called to order telephonically at 8:00 a.m. by President Michael Panzer on Wednesday, July 1, 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:

ANDY PINASCO
CHRIS NEUDECK
JOE BRYSON
ELVIA TRUJILLO
FARLEY STANIEC
CHARLES STANIEC

ABSENT

DANIEL SCHROEDER

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

The Board adjourned the Regular Meeting at 8:03 a.m. to start the Special Meeting.

The Board reconvened from the Special Meeting at 8:44 a.m.

Attorney Andy Pinasco reported the District is reconvening into the Regular meeting from Item 2.a. of the Special Meeting Agenda. All Trustees were present during the entirety of the Closed Session. There is no reportable action.

At this time, President Panzer recommended moving item 4.a. and 4.b up on the agenda for discussion. Trustee Tholborn and Trustee MacDonnell were in agreement.

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

a. Discussion and Possible Action to Revoke Any or All Encroachment Permits(s) at the Following Address:

- i. 6347 Embarcadero Drive
Owners – Charles and Farley Staniec
Violation – Failure to comply with February 14, 2020 Order to remove untrimmed vegetation inhibiting levee inspections in violation of District Levee Encroachment Standards.

Andy Pinasco presented this item. He reported on the facts of the property starting with the 1983 permit to the events leading to this meeting. There was discussion regarding the encroachment, the permit, and the permit violations on the Staniec property. Mr. Neudeck commented the Board has been dealing with this matter for well over a year. After the facts on the property were given, public comment was allowed. Dr. Farley Staniec and Mr. Chuck Staniec commented the hedge had been trimmed. They also stated that it was not true that access to the property was not granted. They informed the Board that due to coronavirus their gardener stopped coming for a while, the process is happening but slowly. Dr. Panzer commented the main concern is the root system that can rot and create issues as to water penetration. He would like to see the root system completely removed to restore levee to normal position and integrity. Mr. Neudeck estimates an approximate figure of \$2,500 to remove roots and recompact. Andy Pinasco explained the options the District has which are to (1) do nothing, (2) revoke the permit for non-compliant hedge, or (3) revoke all permits existing on the Staniec's property. Discussion followed on the terms and conditions of these options and possible outcomes. The Board took no action and directed staff to bring the item back to the next meeting. Mr. Pinasco informed the Board that taking no action at this meeting does not change the fact the District's February 14, 2020 Order remains intact.

b. Discussion and Possible Action to Direct District Legal Counsel to Commence Appropriate Proceedings to Have Any or All Encroachments Not Permitted Removed by District at the Following Address:

- i. 6347 Embarcadero Drive
Owners – Charles and Farley Staniec
Violation – Failure to comply with February 14, 2020 Order to remove untrimmed vegetation inhibiting levee inspections and violation of District Levee Encroachment Standards.

The Board took no action on Item 4.b.

2. **Approval of Minutes.** Minutes of the regular meeting of June 3, 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 June 3, 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 reported the District is at the end of their fiscal year. There were no engineering expenses reported as the invoices were not

received in time for this meeting. She also reported the District received \$851.25 as a 15% dividend for the 2019 worker's compensation insurance.

It was moved, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Board of Trustees of Reclamation District 1608 that the Financial Report presented at the July 1, 2020 meeting be approved as presented.

a. Adopt Resolution 2020-03 Adopting Appropriations Limit Fiscal Year 2020-2021. Andy Pinasco presented this item. Each year the District is to establish its appropriations limit for the following fiscal year. He explained the calculations in Exhibit A and has calculated the appropriation limit for fiscal year 2020-2021 is \$635,977.70. This information will be sent to the County of San Joaquin. After review,

It was moved, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Trustees of Reclamation District 1608 that Resolution 2020-03 Adopting Appropriations Limit for Fiscal Year 2020-2021 be approved.

b. Adopt Resolution 2020-04 Certifying Assessments to be Collected and Establishing a Procedure for Collection. Andy Pinasco presented this item. The District annually establishes the amount to be collected for assessments and each year, the District has assessed 100% of what was approved by the property owners. This information is forwarded to the County Assessor's office for collection on the property tax bills.

It was moved, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Board of Trustees of Reclamation District 1608 that Resolution 2020-04 Certifying Assessments to be Collected and Establishing a Procedure for Collection be approved.

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

Item 4.a. was moved up on the agenda, please see pages 1 and 2 of the minutes.

a. Discussion and Possible Action to Revoke Any or All Encroachment Permits(s) at the Following Address:

- ii. 6347 Embarcadero Drive
Owners – Charles and Farley Staniec

Violation – Failure to comply with February 14, 2020 Order to remove untrimmed vegetation inhibiting levee inspections in violation of District Levee Encroachment Standards.

Item 4.b. was moved up on the agenda, please see page 2 of the minutes.

b. Discussion and Possible Action to Direct District Legal Counsel to Commence Appropriate Proceedings to Have Any or All Encroachments Not Permitted Removed by District at the Following Address:

ii. 6347 Embarcadero Drive
Owners – Charles and Farley Staniec
Violation – Failure to comply with February 14, 2020 Order to remove untrimmed vegetation inhibiting levee inspections and violation of District Levee Encroachment Standards.

c. Levee Encroachment Permits/Enforcement

i. Consider new permits requests from homeowners. None.
ii. Consider Levee Encroachment Standard Violation Enforcement
See Engineer's Report, Item I.

d. Report on Delta Grant II – Storage Container and Supplies.
See Engineer's Report, Item II.

e. Sediment Removal Project.

i. Review status of District communications to landowners
ii. Review general status of project
See Engineer's Report, Item III

f. Delta Levee Subventions Program

i. Review status of work plan for placement of rock slope protection on southeastern terminus
ii. Status report and direction regarding gate repairs on southwest quadrant.
See Engineer's Report, Item IV.

From Engineer's Report:

I. PLAN REVIEW

A. Review status of Annual Levee Inspection of the District's Levee system.
Exhibit A: Violation/Remedy Tracking for 2020 Inspections

Chris Neudeck reported. He referenced Exhibit A and noted the Violation/Remedy Tracking list has been color coded for easy identification: green to indicate

compliance, yellow is marginal, and red for not being acceptable. Generally compliance is in good shape. All those in red will be getting a letter as they have been reminded routinely. The letter will give folks one more chance to come into compliance.

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. Container delivered and set up floodlight materials being ordered.

Chris Neudeck reported pictures of the storage container were provided at the last meeting. The District is in the process of purchasing the flood fight materials to be stored in the container. The supplies that are being purchased are the supplies that are needed. The District will be reimbursed on a portion of the supplies.

III. SEDIMENT REMOVAL PROJECT

A. Review status of return acknowledgement letters to Landowners along Sediment Removal Alignment.

Exhibit B: Boat/Vessel List

Exhibit C: Attached Dock Feature List

Chris Neudeck reported he has complete return of the acknowledgment letters. He complimented Joe Bryson as he is the reason the District has all the acknowledgements after having gone door-to-door checking with homeowners. Chris has had the opportunity to talk to homeowners and explain why this is being done. Everyone he has talked to is very pleased with this project.

B. Review general status of the project.

Exhibit D: KSN Inc. Project Status Summary.

Chris Neudeck reported. From a status point, removal of all boats/vessels/attached dock features will have to be done by July 20. July 15th is when equipment and supplies will start coming. The dredger is anticipated to be there on Monday, August 3. Mr. Neudeck did report that a few complications have resulted from the nesting of Swainson's hawks. The question that comes to play with RD 684 where the dredge fill will be disposed is that there are a couple of trees that have birds. This biological constraint may cause a slight delay in the project in order avoid any violations. Chris Neudeck is currently working with Biologist Diane Moore who knows the position of Fish & Wildlife and will be reporting back. Other than that issue, all agreements have been signed with the Port, RD 684, and RD 2119.

IV. DELTA LEVEES SUBVENTION PROGRAM – AB 360

- A. Review status of work plan for the placement of rock slope protection at the Southeastern terminus of RD 1608 on Fourteen Mile Slough. Dino & Son Co., will start work the week of August 3rd – 7th to avoid the nesting bird issues within our CDFW Routine Maintenance Agreement.

Chris Neudeck reported. Originally, the rock slope protection work was done two years ago. Although the work was completed, there were 10-foot gaps that, at the time, were required by the Department of Fish & Wildlife. These gaps can now be filled in to prevent erosion. The individual homeowners have cleared vegetation from their area but nesting bird issues have prevented the work from being done. Homeowners have been very cooperative.

- B. Dino & Son will repair 7 gates on District's Southwest Quadrant starting after July 1st.

1. 3880 14-Mile; Frey/3876 14-Mile; Dorman
2. 3876 14-Mile; Dorman/3872 14-Mile; Hemington
3. 3872 14-Mile; Hemington/3868 14-Mile; Meyers
4. 3860 14-Mile; Bock/3856 14-Mile; Theissen
5. 3856 14-Mile; Theissen/3852 14-Mile; Fodor
6. 3852 14-Mile; Fodor/3848 14-Mile; Hammer
7. 3848 14-Mile; hammer/3842 14-Mile; English

Chris Neudeck reported on this item and reminded the Board that approval had been granted for the repair of gates with a budget of \$25,000 or less. The gates that need to be replaced have been identified. Dino & Son will be doing the work on the seven lots identified above.

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

Joe Bryson gave an oral and written report. He reported the storage containers have been painted, supplies are being purchased and solar lights and signs have been placed. There has been a lot of activity in the area with the dredging contractors. The Marina is running out of room and Joe encourages homeowners to contact the Marina sooner rather than later. Joe stated the engineers now have the homeowner files that he had previously kept. Please see the July 2020 Levee Superintendent's Report for a complete list.


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

There was no report by the Trustees. Chris Neudeck did report that it was decided not to have homeowners on the slough for the dredging project due to COVID-19.

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.** None
9. **District Calendar.** Discussion and direction.
Andy Pinasco in reviewing the master calendar reported the resolutions were adopted for the appropriations limit and for the assessments. He reported we are expecting the year-end financial report from the County.
10. **Correspondence.** None.
11. **Approval of Bills.** The list of Bills to be Paid were presented and after review,

Upon motion duly made, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Trustees of Reclamation District 1608, the Bills to be Paid presented at this meeting were 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 10:12 a.m.

Respectfully submitted,


Elvia C. Trujillo
District Secretary

Reclamation District 1608

Bills to be Paid - July 1, 2020 Board Meeting

NAME	Date	INVOICE #	AMOUNT	TOTAL \$	WARRANT #	CHECK #	SUBVENTION FUND
Michael Panzer (7/1/20 Mtg)		Trustee Fee	\$246.75	\$246.75	6333		
Brett Tholborn (7/1/20 Mtg)		Trustee Fee	\$246.75	\$246.75	6334		
Dan MacDonnell (7/1/20 Mtg)		Trustee Fee	\$246.75	\$246.75	6335		
Eivia Trujillo	June 2020	Secretary Fee	\$897.50	\$897.50	6338		
Neumiller & Beardlee	6/17/2020	309386	\$3,765.00	\$3,765.00	6339		
PG&E (Landview & Seagull)	6/1/2020	0950847867-5	\$11.14				
PG&E (Stone River)	6/22/2020	2999432760-8	\$11.63	\$22.77	6336		
Paul E. Vaz Trucking, Inc.	4/27/2020	68987	\$1,213.70				
	4/27/2020	68988	\$774.40	\$1,988.10	6337		
California State Lands Commission	6/4/2020	B0681	\$1,889.65	\$1,889.65	6340		
BPM	4/21/2020	36219106	\$1,149.00				
	6/15/2020	36226624	\$1,084.00	\$2,233.00	6341		
CSV	5/8/2020	10908	\$4,295.00	\$4,295.00	6342		
Lowe's	4/22/2020	960089	\$455.18	\$455.18	6343		

