

**MINUTES OF THE REGULAR MEETING OF BOARD OF TRUSTEES  
FOR RECLAMATION DISTRICT 1608  
HELD TELEPHONICALLY ON WEDNESDAY, FEBRUARY 3, 2021**

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, February 3, 2021, via Toll-Free Dial-In Number: (877) 778-1806.

**TRUSTEES PRESENT WERE:**

MICHAEL PANZER  
BRETT THOLBORN  
DAN MacDONNELL

**OTHERS PRESENT WERE:**

ANDY PINASCO  
CHRIS NEUDECK  
JOE BRYSON  
ELVIA TRUJILLO  
DOT LOFSTROM  
GERARD & CHRISTINE HAMMER

**ABSENT**

DANIEL SCHROEDER

1. **Public Comment.** None.
2. **Approval of Minutes.** Minutes of the regular meeting of January 6, 2021. The Trustees reviewed the minutes. Trustee Tholborn noticed a discrepancy on the trustee names that seconded the motion to approve minutes and Secretary Trujillo was to make that correction. After further review,

It was moved, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Board Trustees of Reclamation District 1608, that the minutes of the January 6, 2021 regular meeting were approved.

3. **Financial Report.** Review, discuss, and accept financial report. District Secretary, Elvia Trujillo, presented a written and oral report. She informed the Board the financial report for this meeting includes the final payment to Dixon Marine (Payment #7) in the amount of \$110,712.01 for the release of the Sediment Removal Project retention funds. A log sheet detailing the registered warrants related to the Sediment Removal Project was also provide for the review of the Trustees and posted on the District website in advance of the meeting. Secretary Trujillo informed the Board an invoice from Port City Marketing in the amount of \$4,227.51 was received the day before the meeting but not in time to be added to the list of bills provided as part of the agenda packet. A revised financial report

will be included with the minutes reflecting the addition of the Port City Marketing invoice. 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 presented at the February 3, 2021 meeting be approved.

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

I. Sediment Removal Project. Request for directions and approvals.

- a) Review general status of project. *Please see Engineer's Report, Section I.*
- b) Review payment applications. *Please see Engineer's Report, Section I.*
- c) Report on Port of Stockton Agreement. *Please see Engineer's Report, Section I.*

II. Consider new permit requests from homeowners.

- a) 3730 Fourteen Mile Drive  
Owners – Larry and Renata Mamaril  
Permit – Pool permit for consideration  
*Please see Engineer's Report, Section II.*
- b) 3848 Fourteen Mile Drive  
Owners – Gerrard & Chris Hammer  
Permit – Review an application for installation of artificial turf on top of existing levee slopes both land and waterside and ground cover and 6 plants, decorative rock, and potted plants.  
*Please see Engineer's Report, Section II.*

III. Delta Levee Subventions Program

- a) Review fallen tree at 3612 Fourteen Mile Drive  
*Please see Engineer's Report, Section III.*

*From Engineer's Report:*

**I. SEDIMENT REMOVAL PROJECT**

A. There should be one final payment of \$110,712.01 for the release of retention anticipated for request at the February Board Meeting.

Chris Neudeck reported the final invoice from Dixon Marine has been received in the amount of \$110,712.01 and is being presented at this meeting for approval of payment. At this stage, the project is basically complete.

B. The District needs to expect to receive a \$375,444.40 invoice shortly from the Port of Stockton (POS) for use of their disposal ponds per the Agreement and Amendment.

Mr. Neudeck reported the District should anticipate receiving an invoice from the Port of Stockton in the amount of \$375,444.40. Since the invoice was not received in time for this meeting, it will be on next month's payment schedule.

## II. PLAN REVIEW

A. Permit Requests from Homeowners:

- a) **3730 Fourteen Mile Drive**  
Mr. & Mrs. Larry & Renata Mamaril  
Index No. 36, Lot No. 409  
APN 098-500-37

Engineer Neudeck reported. Mr. and Mrs. Mamaril's application for a swimming pool is pending review until the survey is received. The survey will reflect whether or not the pool will encroach on the levee section. Once the survey is received and reviewed, Mr. Neudeck will be reporting back to the Board.

- b) 3848 Fourteen Mile Drive  
Mr. and Mrs. Gerard & Chris Hammer  
Index No. 27, Lot No. 149  
APN 098-370-11

*Excerpt from Engineer's Report:*

Review an application installation of artificial turf on top of existing levee slopes both land and waterside and ground cover and 6 plants, decorative rock and potted plants. KSN is supportive and recommends approval of the artificial turf and limited agapanthus but not ground cover. Potted plants must be limited to 6 pots not exceeding 24" in diameter. Seek the Board of Trustees approval for this application with these special conditions.

*EXHIBIT A: January 25, 2021 Encroachment  
APPLICATION for turf and landscaping.*

*EXHIBIT B: Plans of turf and ground cover with plan layout.*

*EXHIBIT C: Site Photos of the lot.*

Chris Neudeck presented this item. Mr. and Mrs. Hammer are requesting to install artificial turf, groundcover, six plants, decorative rock, and potted plants. The recommendation from Mr. Neudeck is not to support the groundcover as it will be a problem when inspecting the area. In lots where there has been groundcover, strips have been cut in order to inspect the area. The agapanthus should be limited as well as the potted plants. Mr. Neudeck reported the Hammers are prepared to accept the permit for the turf and the turf will be expanded in the future with the ultimate goal of covering their entire slope. He referenced the application and images marked as Exhibits A, B, and C. He then welcomed comments from the Board. President Panzer asked whether the agapanthus is a plant that can grow rampant or if it could be controlled so it does not interfere with visibility or operations. Mr. Hammer replied the agapanthus plants are not very large and it should not be an issue to keep them under control. He then added that he and Mrs. Hammer are okay with no groundcover but would like the rest included. Mr. Neudeck agrees with the nature of the agapanthus and also limits the potted plants to six and said inspections will continue to make sure everything is maintained to Standards. After discussion, it was agreed the application would be amended to include the artificial turf, decorative rock, six potted plants, and six agapanthus plants- everything with the exception of the groundcover.

It was moved, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Board of Trustees of Reclamation District 1608 to approve Application for 3848 Fourteen Mile Drive as amended.

Mr. Neudeck made a final comment to Mr. and Mrs. Hammer to let them know Attorney Pinasco will be preparing an agreement. Once the agreement is ready, Mr. Neudeck will be in contact with the Board President and the Hammers to obtain signatures.

### **III. AB 360 DELTA LEVEE SUBVENTIONS PROGRAM**

- A. Review fallen tree at:
  - (a) 3612 Fourteen Mile Drive  
Mr. & Mrs. John & Daniela Burke  
Index No. 42, Lot No. 415  
APN 098-490-35

Review status of letter written by General Counsel Dan Schroeder.

Costs set forth in Last Meeting's Report:

Tree Removal:

- Dino & Son \$7,540 (not to exceed)
- Larry's Tree Service \$5,400

Levee Repair:

- Dino & Son \$10,420 (not to exceed)

*EXHIBIT D: Letter to Burkes from Dan Schroeder dated 1/13/21*

*EXHIBIT E: Attachment 9 Agreement Relative to Certain Encroachments on Easement of Reclamation District No. 1608*

Engineer Chris Neudeck presented this item. He reminded the Board that this item is related to the willow tree that fell over. At the last meeting it was directed that General Counsel send a letter to the homeowners regarding their responsibility. That letter has been sent and has been incorporated as Exhibit D and the agreement signed by the prior landowners has also been included as Exhibit E. Mr. Neudeck added that the agreement runs in fee with the property, on behalf of the parcel itself. At this point Mr. Pinasco announced the Burkes were on line joining the meeting. Mr. John Burke began by expressing he did not like the letter and it makes him uncomfortable that it is his responsibility to pay for the tree damage as he just recently purchased the property. President Panzer explained the letter spells out the Levee Standards that need to be met and, unfortunately, people purchase property without the knowledge it is their responsibility to meet the Levee Standards. Mr. Pinasco stressed the District's responsibility is to operate and maintain the levee and any vegetation has to be maintained by the homeowner and can't leave a hole in the levee as it will weaken the levee. The ultimate goal is to avoid levee failure.

Mr. Burke continued to express his frustration and felt the letter was not appropriate and that District representatives should have reached out. Mr. Neudeck explained the Levee Superintendent did reach out several times and the reason this matter was brought to the Board is because of lack of cooperation in removing the tree. Mr. Burke said he had called his insurance the day after the tree fell but due to COVID, insurance is backed up and has not been able to make contact with the agent and requested an extension of time. President Panzer asked Attorney Pinasco what action can be taken to allow some time to further explore the possibilities and Attorney Pinasco responded that until the 30 days are over, the District doesn't have the right to do anything. It is at the discretion of the Board as to what they would like to do after the 30 days. What can be done is to bring the item back to the next Board meeting and make sure that until then, there is communication with the Burkes. Discussion followed and the Board directed

Staff to work with Mr. and Mrs. Burke and to bring the item back to the next meeting. Mr. Pinasco said no cation is necessary for Staff to keep in contact with the Burkes and for monitoring the situation. It will be determined at the March meeting what recommendations or what action is necessary at that time.

5. **Trustee Compensation.** Discussion and request for direction.

Attorney Pinasco presented. Mr. Pinasco reported this is an item that was requested to be put on the agenda annually. The ordinance allows Trustee compensation increases by five percent (5%) as a maximum per calendar year. Trustee compensation is currently at \$259.09 per meeting and with the increase, the new figure would be \$272.04. Mr. Pinasco explained this cannot be decided today as publication needs to appear in the newspaper first and Trustees can take action on this item at the next Board meeting. The Board directed Staff to issue appropriate publication and to bring item to next Board meeting.

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

Mr. Bryson presented an oral and written report. He reported there was a lot of clean up work at the pump station and also had to fill several holes that were left by gophers at the North East and North West levees. As previously reported, Mr. Bryson is still having to deal with homeless and taggers in the area and with patching up cut fences. For item 7 of the Levee Superintendent Report, Mr. Bryson reported the recent windstorm blew a gate over that is now in need of repair. Mr. Neudeck said this year, the storm brought additional repairs. Since the District has already expended the amount budgeted for fence repairs, it is up to the Board whether this gate can be repaired, however, he did mention that he is not sure if it will be reimbursable under the levee repair program. Regardless, it would require an amendment to the budget and the next program year will not start until July 1<sup>st</sup>. Mr. Neudeck said the address is 3518 Fourteen Mile rather than 3618 Fourteen Mile. President Panzer mentioned he had a conversation with the property owner, Mr. Acosta, and he had Larry's Tree Service trim two trees on the water side of levee and one down on the berm. President Panzer suggested to Mr. Acosta to keep his trees healthy and pack the hole in the tree caused termites. President Panzer recommended to Mr. Acosta that he keep his trees vital, otherwise, he will have the same problem as his neighbors. Mr. Acosta didn't realize that if the tree goes down, he will have the same responsibility as Mr. Burke. He is aware of his responsibility and it's something he can defer for a long time provided trees are kept healthy. Mr. Bryson continued through his report for the remainder of the items and discussed as necessary.

Mr. Neudeck mentioned the District needs to have operable gates and would like the Board to authorize the gate that was damaged to be fixed and wait until the summer to do all other gates. Mr. Pinasco said if budget amount is exceeded, Board authorization would have to be given to staff. The Board directed that Joe Bryson proceed in the direction of repairing the gate and directed Mr. Pinasco to bring the budget amendment to the next meeting.

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

President Panzer reported he attended a meeting at the Ag Commissioner's Office and spent time with the biologist regarding the permit for use of chemicals for pest and vegetation control and was able to get the permit renewed. The District can spray for the weeds as it usually does but it was emphasized that the District must notify all schools by April 1<sup>st</sup> of each year.

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.**

Attorney Pinasco reported the Short-Term and Long-Term Goals were updated as requested at the last meeting adding the Prop 218 Assessment on Long Term Goals. President Panzer also requested that the title be updated from 2020 to 2021.

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

a. Next meeting March 3, 2021

11. **Correspondence.**

Other than the correspondence included in the agenda packet, there is no additional correspondence of note.

12. **Approval of Bills.**

Secretary Trujillo reported an invoice from Port City Marketing was received after the agenda packet went out. The list of invoices will be revised to include this invoice and will be attached to the minutes. After review,

It was moved, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Board of Trustees of Reclamation District 1608 that the List of Bills to be Paid presented at the February 3, 2021 meeting be approved.

13. **Staff Reports. None.**

(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.

14. **Adjournment.** The meeting adjourned at 9:12 a.m.

Respectfully submitted,

  
Elvia C. Trujillo  
District Secretary



**RECLAMATION DISTRICT 1608**  
**FINANCIAL REPORT - FEBRUARY 3, 2021**  
**% OF FISCAL YEAR ELAPSED THROUGH JANUARY 31, 2021 - 58%**

Budget Item	Budget Amount	Expended MTD	Expended YTD	% YTD
<b>Operations &amp; Maintenance Expenses</b>				
01 Levee Superintendent	\$73,000.00	\$7,040.00	\$48,140.00	65.95%
02 Part Time Employees	25,000.00	0.00	13,239.50	52.96%
03 Payroll Taxes and Expenses	23,000.00	1,277.16	9,748.38	42.38%
04 Fences & Gates	50,000.00	26,897.90	57,008.01	114.02%
05 Locks & Signs	1,000.00	0.00	231.31	23.13%
06 Weed and Rodent Control & Clean up	7,500.00	1,326.29	4,112.51	54.83%
07 Levee Repair Fund (General Operations & Maintenance)	35,000.00	66.32	10,617.18	30.33%
08 Levee Repair Fund (Levee Capital Improvement Projects)	50,000.00	0.00	17,500.35	35.00%
09 Special Projects (Sediment Removal Project)	2,797,835.66	114,074.51	2,484,648.76	88.81%
010 Pump System Maintenance	750.00	10.80	138.73	18.50%
011 Wireless Services (Cell and Mobile Computer)	2,500.00	120.08	776.56	31.06%
012 Emergency Equipment & Supplies	22,000.00	0.00	817.00	3.71%
013 Garbage Service	4,000.00	0.00	5,680.79	142.02%
014 District Vehicle (Fuel, Maintenance and Repairs)	3,500.00	120.14	1,079.81	30.85%
<b>TOTAL</b>	<b>\$3,095,085.66</b>	<b>\$150,933.20</b>	<b>\$2,653,738.89</b>	<b>85.74%</b>
<b>General Expenses</b>				
G1 Trustee Fees	\$10,000.00	\$1,036.36	\$7,513.61	75.14%
G2 Secretary Fees	12,000.00	1,022.50	7,057.50	58.81%
G3 Office Expenses (incudes storage facility)	1,000.00	0.00	950.92	95.09%
G4 General Legal	55,000.00	1,669.20	28,803.95	52.37%
G5 Audit	4,500.00	0.00	4,325.00	96.11%
G6 County Administration Costs	7,250.00	0.00	4,698.07	64.80%
G7 Property and Liability Insurance	10,000.00	0.00	0.00	0.00%
G8 Workers Compensation Insurance	8,000.00	507.17	3,471.98	43.40%
G9 Election Costs	0.00	0.00	0.00	0.00%
G10 Newsletters & Public Communications	16,000.00	4,227.51	4,407.39	27.55%
<b>TOTAL</b>	<b>\$123,750.00</b>	<b>\$8,462.74</b>	<b>\$61,228.42</b>	<b>49.48%</b>
<b>Engineering Expenses</b>				
E1 General Engineering	\$22,000.00	\$1,939.93	\$12,756.69	57.98%
E2 Plan Review Engineering	40,000.00	0.00	14,583.63	36.46%
E3 Administration of Delta Levee Subventions Program	25,000.00	903.75	14,565.78	58.26%
E4 Periodic Levee Property Inspections and Surveys	20,000.00	0.00	0.00	0.00%
E5 Routine Levee Maintenance Consultation	15,000.00	1,882.40	7,830.90	52.21%
E6 Engineering, Mgmt & Inspection of Capital Imp. Projects	35,000.00	0.00	0.00	0.00%
E7 DWR 5 Year Plan	50,000.00	146.25	22,773.75	45.55%
E8 Miscellaneous Expenses (e.g. travel)	0.00	0.00	0.00	0.00%
E9 Assessment Engineering	2,000.00	0.00	1,033.94	51.70%
E10 Sediment Removal Project	0.00	0.00	0.00	0.00%
<b>TOTAL</b>	<b>\$209,000.00</b>	<b>\$4,872.33</b>	<b>\$73,544.69</b>	<b>35.19%</b>
<b>Warrant Interest Expenses</b>				
Warrant Interest Expense	\$0.00	\$0.00	\$0.00	0.00%
<b>TOTAL</b>	<b>\$0.00</b>	<b>0.00</b>	<b>\$0.00</b>	<b>0.00%</b>
 <b>TOTAL EXPENDITURES</b>	 <b>\$3,427,835.66</b>	 <b>\$164,268.27</b>	 <b>\$2,788,512.00</b>	 <b>81.35%</b>

Budget Item	Anticipated Income	Income MTD	Income YTD	% YTD
<b>Income</b>				
Property Taxes	\$208,120.00	\$0.00	\$134,373.77	64.57%
Interest Income	23,000.00	0.00	11,463.00	49.84%
Interest Income (DWR 5 Year Plan)	0.00	0.00	159.00	0.00%
Assessments	298,000.00	0.00	164,087.36	55.06%
Subvention Reimbursement	200,000.00	0.00	0.00	0.00%
Other Reimbursable Expenses (5 Year Plan)	50,000.00	8,581.50	22,517.93	45.04%
Delta Grant II - Flood Fight Supplies	14,500.00	0.00	0.00	0.00%
<b>Totals</b>	<b>\$793,620.00</b>	<b>\$8,581.50</b>	<b>\$332,601.06</b>	<b>41.91%</b>

<b>Cash On Hand</b>	
Cash Balance as of July 1, 2020	\$2,292,380.70
Revenues (YTD), as of December 31, 2020	332,569.62
Bank of Stockton Account Balance - February 1, 2021	45,522.97
Expenses (YTD), as of December 31, 2020	2,029,922.82
<b>TOTAL CASH</b>	<b>\$640,550.47</b>

**Cash On Hand** **\$640,550.47**

<b>Reserves</b>	
Board-Designated Reserve (For District Operations Only)	\$300,000.00

<b>5-Year Plan PFA</b>	<b>Transfers</b>	<b>Interest</b>	<b>\$37,500.00</b>
Interest (10/31/2019)		\$176.00	\$37,676.00
Interest (1/31/2020)		\$176.00	\$37,852.00
Progress Billing No. 1 Transfer fo Funds (3/2/2020)	\$4,323.73		\$33,528.27
Interest (4/30/2020)		\$158.00	\$33,686.27
Progress Billing No. 2 Transfer fo Funds (6/30/2020)	\$1,822.75		\$31,863.52
Progress Billing No. 3 Transfer of Funds (7/31/2020)	\$4,667.62		\$27,195.90
Interest (7/31/2020)		\$107.00	\$27,302.90
Progress Billing No. 4 Transfer of Funds (9/11/2020)	\$4,078.12		\$23,224.78
Progress Billing No. 5 Transfer of Funds (9/11/2020)	\$5,071.50		\$18,153.28
Interest (10/31/2020)		\$52.00	\$18,205.28
Progress Billing No. 6 Transfer of Funds (12/3/2020)	\$2,373.75		\$15,831.53
Progress Billing No. 7 Transfer of Funds (12/3/2020)	\$3,489.75		\$12,341.78
Progress Billing No. 8 Transfer of Funds (12/3/2020)	\$2,718.00		\$9,623.78

Reclamation District 1608  
Bills to be Paid - February 3, 2021 Board Meeting

NAME	Date	INVOICE #	AMOUNT	TOTAL \$	WARRANT #	CHECK #	SUBVENTION FUND
Michael Panzer (2/3/2021 Regular Mtg)	2/3/2021	Trustee Fee	\$259.09				
1/7/21 Meeting at Ag Commissioner's Office	1/7/2021	Trustee Fee	\$259.09				
				<b>\$518.18</b>	6435		
Brett Tholborn (2/3/2021 Regular Mtg)	2/3/2021	Trustee Fee	\$259.09				
				<b>\$259.09</b>	6436		
Dan MacDonnell (2/3/2021 Regular Mtg)	2/3/2021	Trustee Fee	\$259.09				
				<b>\$259.09</b>	6437		
Elvia Trujillo (January 2021)	2/3/2021	Secretary Fee	\$1,022.50				
				<b>\$1,022.50</b>	6438		
PG&E (Landview & Seagull)		0950847867-5	\$0.00				
PG&E (Stone River)	1/21/2021	2999432760-8	\$10.80				
				<b>\$10.80</b>	6439		
Neumiller & Beardslee	1/11/2021	314202	\$1,669.20				
				<b>\$1,669.20</b>	6440		
Kjeldsen Sinnock & Neudeck	1/26/2021	29483	\$1,449.93				
	1/26/2021	29484	\$641.25				
	1/26/2021	29485	\$262.50				
	1/26/2021	29486	\$490.00				
	1/26/2021	29487	\$3,362.50				
	1/26/2021	29488	\$146.25				
	1/26/2021	29489	\$1,882.50				
				<b>\$8,234.93</b>	6441		
Dino & Son Ditching Services, Inc.	10/19/2020	20-94	\$1,000.00				
	1/27/2020	21-10	\$24,954.57				
				<b>\$25,954.57</b>	6442		
Dixon Marine Services	1/26/2021	Progress Pay #7	\$110,712.01				
				<b>\$110,712.01</b>	6443		

Reclamation District 1608  
 Bills to be Paid - February 3, 2021 Board Meeting

Port City Marketing Solutions, Inc.	2/2/2021	18813	\$4,227.51			
				\$4,227.51	6444	
Bank of Stockton Visa	1/17/2021	11/27/2020-12/27/2020	\$1,230.67	\$1,230.67		online
State of California Payroll Taxes	Jan-21	January Payroll	\$691.24	\$691.24		online
Federal Government Payroll Taxes	Jan-21	January Payroll	\$2,199.21	\$2,199.21		online
Joe L. Bryson	Payroll	1/1/2021-1/31/2021	\$4,877.11	\$4,877.11		Direct Deposit
		<b>WARRANT TOTAL:</b>		\$152,867.88		
		<b>CHECKING TOTAL:</b>		\$8,998.23		
		<b>TOTAL BILLS PAID</b>		\$161,866.11		