

MINUTES OF THE REGULAR MEETING OF BOARD OF TRUSTEES
FOR RECLAMATION DISTRICT 1608
HELD TELEPHONICALLY ON WEDNESDAY, JUNE 2, 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, June 2, 2021, via Toll-Free Dial-In Number: (877) 778-1806.

TRUSTEES PRESENT WERE:

MICHAEL PANZER
BRETT THOLBORN
DAN MacDONNELL

OTHERS PRESENT WERE:

DANIEL SCHROEDER
ANDY PINASCO
CHRIS NEUDECK
JOE BRYSON
ELVIA TRUJILLO
DOT LOFSTROM
GERARD HAMMER
KRISTEN DYKE

1. **Public Comment.** There were no public comments.
 2. **Approval of Minutes.** Minutes of the regular meeting of May 5, 2021. The Trustees reviewed the minutes. After 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 May 5, 2021 Regular Meeting be approved as presented.
 3. **Financial Report.** Review, discuss, and accept financial report. District Secretary, Elvia Trujillo, presented a written and oral report. She reported line item 07 will be updated to reflect an invoice received from Larry's Tree Care. 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 June 2, 2021 meeting be approved.
- (a) Adopt 2020-2021 Budget.
Andy Pinasco presented this item. He reported this is the second time the proposed budget for fiscal year 2021-2022 has been presented and that the numbers are in line with expenditures from previous years. He went through the line items and noted some of the differences. One difference is item G11 which is related to the Sediment Removal Project which has now been completed. G11 –

Registered Warrants Expense has been added to retire any debt from registered warrants. An adjustment has also been made to the part-time employees and payroll line items. Another difference is the subventions reimbursement being a lower amount due to performing less subventions work. President Panzer commented the proposed budget reflected what was discussed at the last Board meeting. After review,

It was moved, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Board of Trustees of Reclamation District 1608 that the proposed budget be adopted as the budget for Fiscal year 2021-2022.

(b) Approve Audit and Special District Financial Transaction Report Contracts with Croce, Sanguinetti & VanderVeen for the 2020-2021 Fiscal year.

Andy Pinasco presented this item. He noted there was no letter included in the agenda packet proposing an amount for the services from Croce, Sanguinetti & VanderVeen (CSV). The reason being that the amount of District transactions has increased and a couple of options are being proposed. In Mr. Pinasco's discussion with CSV, they have suggested the District consider using an accounting type software, such as QuickBooks, for the invoices and reports. However, if the District continues with the current method, CSV has to manually enter figures when conducting their reports resulting in them increasing their fee. If the District opts to use QuickBooks, the fee for their services is \$4,400.00. If the District continues with its current method, the fee for their services is \$5,425.00. Mr. Pinasco also mentioned that currently, the District Secretary uses her own personal computer and recommends the purchase of a notebook or laptop and the accounting software. Discussion followed with the recommendation to continue with business as usual to finish this fiscal year and to bring to the July meeting the costs associated with the purchase of the software and hardware needed for input of the figures for the 2021-2022 fiscal year. After further discussion,

It was move, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Board of Trustees of Reclamation District 1608, that the Audit and Special District Financial Transaction Report Contract with Croce, Sanguinetti & VanderVeen for the 2020-2021 Fiscal Year in the amount of \$5,425.00 be approve and delegates authority to the President to sign contract.

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

- (a) Review status of Annual Levee Inspection of the District's Levee System for 2021.

Chris Neudeck presented this item. He stated the report is the same as it was last month. Follow up inspections will be done in 30 to 60 days to make sure all properties are in compliance.

- (b) Show Cause Hearing Regarding Violation of Levee Encroachment Standards.
Mr. Gerard & Chris Hammer
Violation – Unpermitted parallel fence along landside hinge point of the levee.

This item was moved up after Agenda Item 2.

The Show Cause Hearing commenced with Mr. Neudeck reminding the Trustees this is the matter that was heard at the last meeting regarding the unpermitted parallel fence along the landside hinge point of the levee along 14 Mile Drive. The Hammers requested this matter be heard by the Trustees and gave their comments as to why they wanted the fence and invited the Trustees to come and look at the fence. There was considerable discussion on this item as to the aesthetics, visibility, and access component. Of major concern is the fact that the fence was built without a permit and in violation of the Standards. Mr. Neudeck stated parallel fences along the landside hinge point are explicitly denied within the levee encroachment Standards and delineated the language for denial. In his Engineer's Report for this meeting (Section I.A.1.a)), he provided the following language:

RD 1608's Levee Encroachment Standards do not allow parallel fences along the landside hinge point in the Southwest Quadrant as follows:

No fences parallel to the levee shall be permitted within the District's jurisdiction except as specifically permitted in this paragraph. Parallel open-fabric chain link fences, or open wrought iron fences, kept free of vegetation and of lathe or other coverings, may be allowed between the water's edge and a line ten feet (10') inland from the levee toe, upon issuance of a permit, provided that such fences shall not be located on the crown of the levee, and shall not obstruct the levee road. Further, all such fences shall be so constructed that the fence may be easily removed with ordinary equipment. If such fence is not constructed so as to be readily removed with ordinary equipment, the District shall have the right to remove it without liability for cost, damages, or replacement in the event removal is necessary, in the District's sole judgement, for access to the land side of the levee, whether an

emergency situation exists or not. In all levee areas, parallel fences shall be permitted outside the line ten feet (10') inland from the landward levee toe, upon issuance of a permit.

KSN Inc. supports this guidance entirely and does not recommend that the Board of Trustees offer any variance to this standard.

The Trustees expressed the Standards are there for a reason and adhering to the Standards is important to avoid any future problems. A possible alternative would be to place the fence at the waterside toe of the levee. Attorney Schroeder stated it is important to understand that the Standards have the force and effect of law and binds everyone, including the District. As to Mr. Hammer's request that the Trustees go and look at his parallel fence, Mr. Schroeder stated that going out and looking at the fence will not create an opportunity to waive the requirements of the Standards. In this situation, the Hammers are clearly in violation of the Standards. In case of crisis, not following the Standards becomes detrimental and that is why the District has Standards that must be met. It was recommended that Mr. Hammer get together with Mr. Neudeck to fix the situation. After discussion,

It was moved, seconded (B. Tholborn/D. MacDonnell) and unanimously carried by the Board of Trustees of Reclamation District 1608, that the fence constitutes a violation and needs to be removed promptly.

(c) Permit Request.

1. 3860 Fourteen Mile Drive
Dr. Gerald & Mrs. Mary Bock
Review and application for the "as-built" fence installed on existing approved landside retaining wall and the waterside slope. Seek the Board of Trustees approval for these fences.

Follow up with results of KSN Inc's field inspection of Dr. Bock's lot per request of the Trustees for the identification of actual items in place in comparison to the original plan dated October 1983 w/ 1/1984 and 4/19/84 revisions.

Mr. Neudeck presented this item. He gave an update on this item that had been reviewed at the last Board meeting. At that meeting, it was being proposed the permit request from the Bocks be accepted but in the course of discussion, it was found that an original 1983 drawing had been included with the application and the drawing was not consistent with the Levee Encroachment Standards. In further reviewing the drawing, the Board requested that prior to approving the application, Mr. Neudeck

verify what portions of the drawing had been implemented. At today's meeting, Mr. Neudeck referenced Exhibit G of his Engineer's Report which shows in red what currently exists on Dr. and Mrs. Bock's lot; anything other than what is shown as currently existing are not approved encroachments. In the drawing, the decking and walkway that goes directly across the levee and the trees are no longer considered approved encroachments as they would be in violation of the current Standards. Recommendation was made that Mr. Neudeck send a letter to the Bocks clarifying the improvements that currently exist versus those that do not exist. After further discussion as to the pre-existing permit on this property and the current Levee Encroachment Standards,

It was moved, seconded (B. Tholborn/D. MacDonnel) and unanimously carried by the Board of Trustees of Reclamation District 1608 to approve the as-built fences as reflected in the current plan dated 5/24/21 on the condition that the property owner agree to revocation of the prior permit that is not consistent with the current Levee Encroachment Standards.

4(d) Repair Authorizations.

1. 6201 Embarcadero Drive
Dr. Antonio and Mrs. Lillian Arredondo
Status – Permittee to repair existing permitted retaining wall on landside levee slope.

2. 3933 Fort Donelson Drive
Ms. Maxine Ellis
Status – Permittee to repair an existing permitted 4-foot high wood fence with 4-foot high wrought iron fence.

Chris Neudeck presented these items. He reported on these two properties simultaneously and informed the Board that he received notice from Arredondo and Ellis for routine maintenance activities. The Arredondos are repairing an existing permitted wooden retaining wall on the landside levee slope. Ms. Ellis is replacing an existing permitted 4-foot-high wooden fence with a 4-foot wrought iron fence. Mr. Neudeck was appreciative of them seeking a permit for these repairs and Joe Bryson was also made aware of these requests. Both landowners went through the formal application to be on the safe side. These items had already been

permitted and all that was needed were repairs. Mr. Neudeck mentioned this is the kind of communication with homeowners that is very much appreciated.

5. **Levee Superintendent Report. Request for directions and approvals.**
Mr. Bryson presented an oral and written report. He reported that he is fighting vegetation that had been completely cleared and three months later, it seemed like they are back to square one. Nine big trees were cut down and holes resulting from the stumps and roots had to be filled in. Mr. Bryson also mentioned taggers are everywhere and the homeless keep trying to move in. Mr. Bryson informed the Board that his crew has been kept very busy working on weekends for several homeowners. He also reported that there has been an increase of squirrels and moles. For a complete list of items reported, please refer to the Levee Superintendent Report for this meeting.
6. **Report by Trustees on meetings attended and upcoming meetings. Request for directions and approval.**
None
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.**
 - (a) Tour of Levee System
Andy Pinasco reporter that Elvia Trujillo will be contacting the Trustees regarding a tour of the levee system. Joe Bryson suggested the tour take place in the month of August.
 - (b) Next Meeting is July 7, 2021
Dan Schroeder reported he will be gone the first part of July and Andy Pinasco will be covering the July 7th meeting.
 - (c) Prop 218 Assessment

Dan Schroeder reported the Governor will be opening the State on June 15, 2021 and it would be prudent to schedule a workshop/special meeting to review procedures and options to determine how it wants to proceed with a new assessment and when that would happen. Elvia Trujillo will be assisting in finding a time and date in July to give staff an opportunity to review this item.

10. **Correspondence.** No correspondence of note.

11. **Approval of Bills.** 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 June 2, 2021 meeting be approved.

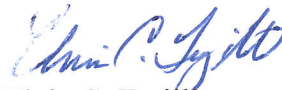
12. **Staff Reports.**

Dan Schroeder reported he expects the July meeting will be in person. He informed the Board he will be out of town for the July meeting and Andy Pinasco will be covering. Chris Neudeck also informed the Board he will also be out of town for the July 7th meeting.

(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 9:15 a.m.

Respectfully submitted,



Elvia C. Trujillo
District Secretary

Reclamation District 1608
Bills to be Paid - June 2, 2021 Board Meeting

| NAME | Date | INVOICE # | AMOUNT | TOTAL \$ | WARRANT # | CHECK # | SUBVENTION FUND |
|---------------------------------------|-----------|---------------|------------|-------------|-----------|---------|-----------------|
| Michael Panzer (6/2/2021 Regular Mtg) | 6/2/2021 | Trustee Fee | \$272.04 | \$272.04 | 6491 | | |
| Brett Tholborn (6/2/2021 Regular Mtg) | 6/2/2021 | Trustee Fee | \$272.04 | \$272.04 | 6492 | | |
| Dan MacDonnell (6/2/2021 Regular Mtg) | 6/2/2021 | Trustee Fee | \$272.04 | \$272.04 | 6493 | | |
| Elvia Trujillo (May 2021) | 6/2/2021 | Secretary Fee | \$861.25 | \$861.25 | 6494 | | |
| PG&E (Landview & Seagull) | 4/30/2021 | 0950847867-5 | \$10.45 | | | | |
| PG&E (Stone River) | | 2999432760-8 | \$10.34 | | | | |
| Neumiller & Beardslee | 5/18/2021 | 317127 | \$1,573.33 | \$20.79 | 6495 | | |
| Kjeldsen Sinnock & Neudeck | 5/21/2021 | 30372 | \$1,349.88 | \$1,573.33 | 6496 | | |
| | 5/21/2020 | 30373 | \$1,232.50 | | | | |
| | 5/21/2020 | 30374 | \$994.15 | | | | |
| | | | | \$3,576.53 | 6497 | | |
| Dohrmann Insurance (Auto) | 5/4/2021 | 22012 | \$1,603.00 | | | | |
| Dohrmann Insurance (Umbrella) | 5/4/2021 | 22013 | \$2,283.00 | | | | |
| Dohrmann Insurance (Package) | 5/4/2021 | 22014 | \$7,029.00 | \$10,915.00 | 6498 | | |
| Larry's Tree Care, Inc. | 5/26/2021 | 2623 | \$1,450.00 | \$1,450.00 | 6499 | | |
| Dino and Son Ditching Services | 5/16/2021 | 21-41 | \$5,252.10 | \$5,252.10 | 6500 | | |

