

**MINUTES OF THE REGULAR MEETING OF BOARD OF TRUSTEES
FOR RECLAMATION DISTRICT 1608
HELD ON WEDNESDAY, JANUARY 5, 2022**

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 January 5, 2022, at the law offices of Neumiller & Beardslee, 3121 W. March Lane, Suite 100, Stockton, California.

TRUSTEES PRESENT

MICHAEL PANZER
DAN MacDONNELL
DOTTIE LOFSTROM

OTHERS PRESENT

CHRIS NEUDECK
ANDY PINASCO
JOE BRYSON
ELVIA TRUJILLO
OMAR AL-HINDI, SJAFCA
CLAUDE PELLARIN
DOMINICK GULLI
MORGAN MAYFIELD
BOB BENTZ

ABSENT

DANIEL SCHROEDER

1. Public Comment.

- Omar Al-Hindi from SJAFCA thanked the District for sending a representative to the December 16, 2021 briefing and expressed looking forward to future quarterly meetings with the various reclamation districts.
- President Panzer commented having received a letter from the City of Stockton regarding their community outreach program to flood prone properties in the City of Stockton along with a flood safety information leaflet.
- Bob Bentz commented on having received a notice from an outfit that proposes to insure water lines but with many exceptions.

After Public Comment, the following items were moved up in the agenda and heard:

- Agenda item 4(a) and 4(b) re Show Cause Hearing for Morgan and Susan Mayfield;
- Claude Pellarin's update on the plans for the marina – for informational purposes only. (Part of Engineer's Report)
- Dominick Gulli's request (Part of Levee Superintendent Report).

2. **Approval of Minutes.** Minutes of the District meeting of December 1, 2021. The Trustees reviewed the minutes. After review,

It was moved, seconded (D. MacDonnell/D. Lofstrom) and unanimously carried by the Board Trustees of Reclamation District 1608, that the minutes of the December 1, 2021 Regular Meeting be approved as presented.

3. **Financial Report.** Review, discuss, and accept financial report. District Secretary, Elvia Trujillo, presented an oral and written report. She reported the second registered warrant related to the Sediment Removal Project will be paid and gave an updated on the outstanding registered warrants. After review,

It was moved, seconded (D. MacDonnell/D. Lofstrom) and unanimously carried by the Board of Trustees of Reclamation District 1608 that the Financial Report presented at the January 5, 2022 meeting be approved as presented.

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

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

1. **4149 Fort Donelson Drive**

Morgan and Susan Mayfield

Violation – Ongoing violation of permitted vegetation not maintained in accordance with Levee Encroachment Standards.

Engineer Chris Neudeck presented this item and gave background information prior to the Show Cause Hearing being opened. He gave an oral and written report. In his written report, Exhibit A is the Show Cause Hearing notice sent to the Mayfields by Dan Schroeder; Exhibit B are photos taken on November 2, 2021 of the property showing excessive vegetation growth; Exhibit C is a prior violation notice; and Exhibit D is an excerpt of the Encroachment Standards showing what is relied upon when writing these findings and letter. Mr. Neudeck stated the Show Cause Hearing was driven by him because numerous letters have been written to notify the Mayfields about their noncompliance. At this stage greater compliance is needed by the Mayfields than in the past. It has become relatively expensive for the District to have the engineer do the inspections, draft the reports, and draft and send several letters. Mr. Neudeck further stated that by the time the matter reaches to the Show Cause Hearing stage, the District is already looking at several thousand dollars every time for just one homeowner. The more compliance there is by homeowners, the less of an expense it is for the District.

President Panzer opened the Show Cause Hearing at 8:09 a.m. Mr. Morgan Mayfield, the owner of the property, was present.

Levee Superintendent, Joe Bryson, stated Mr. Mayfield had hired the temporary levee workers to do the job and the violation has been corrected. The Engineer and Trustees stressed that it is not the responsibility of the District, Joe Bryson, or his levee workers to maintain the property, it is the responsibility of the homeowners. The issue of regrowth not being maintained to standards has become a problem. The alternative is for the permit to be revoked. If the permit is revoked, then the maintenance responsibility falls on the District and groundcover will be used to minimize maintenance. Trustee Lofstrom requested to hear from Mr. Mayfield on this matter. Mr. Mayfield explained why there were delays and informed the Board that his landscaper would be taking over the maintenance of the area once a week and would be working with Joe Bryson to get his suggestions so that this does not become a problem in the future. The Trustees agreed that it's a good plan for Mr. Mayfield to have his landscaper take care of maintaining the vegetation but strongly expressed they do not want to revisit this same problem in the future. If this issue should arise again, the permit will be revoked.

The Show Cause Public Hearing closed at 8:23 a.m. at which time Mr. Mayfield left the meeting.

It was moved, seconded (D. MacDonnell/D. Lofstrom) and unanimously carried by the Trustees of Reclamation District 1608 to find the violation corrected at 4149 Fort Donelson Drive and that in the event there is any other show cause hearing on this matter, the permit will be revoked.

- (b) Discussion and possible action to revoke permit held by Morgan and Susan Mayfield at 4149 Fort Donelson Drive in accordance with Section 8 of the Levee Encroachment Standards.

Please see above section 4(a)

- (c) SJAFCA – Lower San Joaquin River Feasibility Study.
1. Report on the meeting held on Thursday, December 16, 2021, with SJAFCA, local RDs, and San Joaquin County to be briefed on the latest status of the Project.

Please see Engineer's Report Section II.A.

FROM ENGINEER'S REPORT:

I. PLAN REVIEW.

A. Review property with on-going violations and Show Cause Hearing. Seek authorization of the Board to resolve this ongoing violation of the District's Levee Encroachment Standards.

- a) 4149 Fort Donelson Drive
Morgan & Susan Mayfield
Index No. 127, Lot No 2220
APN 098-420-16

Review correspondence and photographs related to the Mayfield residence.

EXHIBIT A: Show Cause Hearing Correspondence from Dan Schroeder dated December 21, 2021

EXHIBIT B: Current Photos of the Mayfield residence taken on 11/2/21

EXHIBIT C: Prior violation notice from KSN Inc dated March 26, 2021

EXHIBIT D: Chapter 4 – Excerpt from Reclamation District 1608 Levee Encroachment Standards. (emphasis highlight added)

Please see Agenda Item 4(a) for Show Cause Hearing

II. SJAFCA – LOWER SAN JOAQUIN RIVER FEASIBILITY PROJECT (LSJRFP)

- A. Review the meeting held on Thursday, December 16, 2021 with SJAFCA, local RD's and SJCo to be briefed on the latest status of the Project. Trustee Lofstrom, Counsel Pinasco and Engineer Neudeck all attended.

EXHIBIT E: Meeting handouts and PowerPoint presentation.

Chris Neudeck presented this item. He included in his report the handouts that were given at the December 16th meeting where representatives from several reclamation districts were in attendance. At that meeting, SJAFCA explained the goals of the project, the priority actions, and gave funding and cost share updates. Mr. Neudeck said about the meeting that it was a team of flood control professionals sharing flood control issues of our region where they were able to give their concerns to SJAFCA. Trustee Lofstrom was glad she was able to attend the meeting to get a better understanding of the project and feels attendance at future meetings is important. Mr. Omar Al-Hindi from SJAFCA encourages

participation and attendance from reclamation districts at the future quarterly meetings that are being planned. Discussion was held and questions were answered.

Comment by member of the public:

Claude Pellarin re Improvements to the Marina

Chris Neudeck reported working closely with Claude Pellarin on a variety of improvements being done at the Marina. Mr. Pellarin decided to come to the meeting to give an update of what his plans are for the Marina. He explained part of the plans are to improve the existing building and recreational area and include a new fitness center, café, and a yoga studio, among other things. Mr. Pellarin and his brother will be making a substantial monetary investment and are looking for general direction before proceeding further. Engineer Neudeck has requested Mr. Pellarin submit the details, he will then review, do the research and give his recommendations. Mr. Neudeck does not have concerns as everything Mr. Pellarin has done so far has been on par with the Standards. The Trustees are not opposed to the project since it's just an extension of what is there right now but are not ready to endorse until all details are reviewed by the District Engineer. Mr. Pinasco said there was going to be no action taken at this meeting on this matter. The next step is for Mr. Pellarin to submit a permit application.

5. **County-Wide Local Hazard Mitigation Update. Discussion and possible action to authorize District Official to sign letter of commitment to participate in the County-Wide Local Hazard Mitigation Update Planning Effort.**

Andy Pinasco presented this item. He reported that every five years the County goes through and updates the local hazard mitigation plan. The County receives money to conduct this process and reaches out to agencies affected to participate. The letter needs to be submitted to the County indicating the District does want to participate. Mr. Neudeck noted participation is important to be able to apply for funds under this program in accordance with FEMA guidelines. At the moment, the District doesn't have any projects that would qualify but recommends the District participate to be able to apply for a grant in the future. Engineer Neudeck will be the point of contact for the District.

It was moved, seconded (D. MacDonnell/D. Lofstrom) and unanimously carried by the Board of Trustees of Reclamation District 1608 to authorize Attorney Dan Schroeder to sign the Letter of Commitment to Participate in the County-wide Local Hazard Update Planning Effort.

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

Joe Bryson presented an oral and written report. Mr. Bryson reported being very busy due to the last big storm bringing down many tree limbs. In addition, he has been dealing with repairs due to break-ins and with rocks being taken at Grupe Park. As a result of this, Mr. Bryson is in need of additional levee workers to help with the additional work and repairs needed.

In item 4 of his report, he noted having received a call from Mr. Dominick Gulli regarding trees by Delta Cove Apartments. Mr. Gulli was present at the meeting and asked if the eucalyptus trees are on RD 1608's property since they are not on Delta Cove property and wanted to know if the District can remove those trees. Mr. Pinasco stated the District does not own the property in question nor does it have any obligation to maintain. The easement the District has is only for the ability to enter to perform repair or routine maintenance and the removal of the trees falls on San Joaquin County Flood Control & Water Conservation District. Mr. Gulli was going to report to his client that the area is owned by the San Joaquin County Flood Control and Water Conservation District.

For a complete list of items reported by Mr. Bryson, please refer to the Levee Superintendent Report provided at this meeting.

7. **Newsletter.** Discussion and direction.

Andy Pinasco will be reaching out to Kristen Dyke as to the status of the newsletter. At the last meeting, Trustee Lofstrom was given the authority to do the final review and approval of the newsletter.

8. **Report by Trustees on meetings attended and upcoming meetings.** Request for direction. No additional reports.

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

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

11. **District Calendar.** Discussion and direction.

- a. Next meeting February 2, 2022.

Andy Pinasco reported the annual trustee compensation is on the calendar. In order for this to be considered at the next meeting and to be able to take action, a notice has to be

published. The Board directed Staff to issue appropriate publication and to bring the item to the next Board meeting.

Trustees Lofstrom and MacDonnell would like to bring back to the agenda an item related to the District's website.

12. **Correspondence.** No correspondence of note.

13. **Approval of Bills.** After review,

It was moved, seconded (D. Lofstrom/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 January 5, 2022 meeting be approved.

14. **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.

15. Adjournment. The meeting adjourned at 10:07 a.m.

Respectfully submitted,



Elvia C. Trujillo
District Secretary

Reclamation District 1608
Bills to be Paid - January 5, 2022 Board Meeting

NAME	Date	INVOICE #	AMOUNT	TOTAL \$	WARRANT #	CHECK #	SUBVENTION FUND
Michael Panzer (1/5/2022 Regular Mtg)	1/5/2022	Trustee Fee	\$272.04				
				\$272.04	6556		
Dan MacDonnell (1/5/2022 Regular Mtg)	1/5/2022	Trustee Fee	\$272.04				
				\$272.04	6557		
Dottie Lofstrom (1/5/2022 Regular Mtg)	1/5/2022	Trustee Fee	\$272.04				
SJAFA Mtg with RDs 12/16/21	12/16/2021	Trustee Fee	\$272.04				
				\$544.08	6558		
Elvia Trujillo (December 2021 Services)	12/28/2021	Secretary Fee	\$977.69				
				\$977.69	6559		
PG&E (Landview & Seagull)	12/1/2021	0950847867-5	\$11.51				
PG&E (Stone River)	11/19/2021	2999432760-8	\$23.19				
				\$34.70	6560		
Neumiller & Beardslee	12/17/2021	323143	\$2,476.96				
				\$2,476.96	6561		
Kjeldsen Sinnock & Neudeck	12/17/2021	31872	\$1,662.77				
	12/17/2021	31873	\$662.50				
	12/17/2021	31874	\$6,046.08				
	12/17/2021	31875	\$865.00				
				\$9,236.35	6562		
Paul E. Vaz Trucking, Inc.	12/2/2021	76822	\$410.14				
	12/2/2021	76823	\$285.48				
				\$695.62	6563		
Transfer to Sediment Removal Proj Fund	1/5/2021	For Registered Warrant #6393	\$25,950.00				
				\$25,950.00			
Bank of Stockton		Registered Warrant No. 6393	\$25,950.00				
(Payment of Registered Warrant 6393)				\$25,950.00	RW6393		

