

RECLAMATION DISTRICT NO. 1601

306 Second Street
Isleton, CA 95641

Minutes of the Board of Trustees Special Meeting May 25, 2022

Meeting held by teleconference consistent with AB361.

1. CALL MEETING TO ORDER.

President Barry Sgarrella called the special meeting of the Board of Trustees (Board) to order on May 25, 2022, at 9:02 a.m. ROLL CALL: In attendance: President Barry Sgarrella, Trustee Dave Huston and Trustee Preston Good. District's superintendent Mr. Ricky Carter Sr., District's engineer Mr. Chris Neudeck, District's attorney Mr. Jesse Barton, District's accountant/treasurer Mrs. Perla Tzintzun-Garibay with Butterfield and Company. Also attending Mr. Ricky Carter, Jr., Mr. Brandon Wilson, Mr. Scott Goodwin, Mr. Vince Chavier, Mr. Richard Silva, Mr. Larry Gardiner, Mr. Paul Cutino, Mr. Scott Baroni Mr. Gene Sennett, Mr. Vincent Wong, Mr. Juan Mercado Jr. and Ms. Otome Linsey.

Attending by conference call, District's secretary Mrs. Linda Carter, Mr. Raul Barba, and Liz with DWR.

2. PUBLIC COMMENT: ANY PERSON MAY SPEAK ON ANY TOPIC INCLUDING ANY AGENDA ITEM LISTED BELOW, PROVIDED IT IS WITHIN THE JURISDICTION OF RD 1601.

Nothing to report.

3. MINUTES REGULAR MEETING.

Trustee Good entertained a motion to approve the April 19, 2022, regular meeting minutes as written, motion was seconded by Trustee Huston VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Good NOES: None ABSTAIN: None ABSENT: None, motion carried.

4. ACCOUNTS PAYABLE.

Mrs. Perla Tzintzun-Garibay went over the accounts payable, accounting notes and financial statements with the Board. President Barry Sgarrella reviewed the accounts payable before today's meeting. Mrs. Garibay also noted the following payments made between meetings: On May 2, 2022, EFT payment to PERS for \$1,718.41 due to the timing of the due date. On May 16, 2022 deposit of \$131.67 for RD No. 536 April rent. Accounting notes reflect the May 1, 2022 - May 1, 2023, insurance renewal invoices are pending for approximately \$28,811. During the meeting, Mrs. Perla Tzintzun-Garibay told the Board that the insurance invoices for the general liability insurance \$25,600, auto policy for \$3, 211, arrived yesterday but were too late to process into the

financial reports before the meeting. She asked the Board to approve the late invoices for the District's insurance and automobile insurance policy to avoid lapse in coverage. Mr. Ricky Carter Sr. told the Board that he had repair costs to the District's excavator to repair the air conditioner, it is not completely fixed. The boom on the District's excavator was changed. The quick connects on the excavator to make it a faster switch over, has been purchased. The Board decided to send MAYACO their payment. Ms. Otome Lindsey asked to have the invoice and detail for the TIMES project sent to her in advance of the District's meeting. After some discussion President Sgarrella entertained a motion to approve accounts payable of \$49,782.46, and the transfer of \$110,000 from Bank of Stockton 1878 (General Account) into the Bank of Stockton 4201 (Checking Account), and to pay the invoices presented today, motion was seconded by Trustee Huston, VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Good NOES: None ABSTAIN: None ABSENT: None, motion carried. After some discussion President Sgarrella entertained a motion to approve the transfer of \$6,217.99, from Bank of Stockton 2223 SMFA Wetland Development, into the Bank of Stockton 1878 (General Account), motion was seconded by Trustee Huston, VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Good NOES: None ABSTAIN: None ABSENT: None, motion carried.

5. DEPARTMENT OF WATER RESOURCES WILL ADDRESS THE BOARD REGARDING THE USE OF THE FLOOD FIGHT WAREHOUSE LOCATED ON TWITCHELL ISLAND.

Mr. Raul Barba with Department of Water Resources Flood Management told the Board about bond funds that are going to be used to acquire flood fighting materials, storing the materials and flood fighting training. Mr. Barba and some others from DWR came to Twitchell Island and checked out the flood fight supplies at the DWR warehouse, to see what was there and what condition the supplies were in. They may have a command post and more containers brought to Twitchell Island. Training may take place on island. They plan to have containers filled with supplies so they can be moved to areas that need the supplies during a flood fight. The containers will supplement the supplies that are in the warehouse. Mr. Chris Neudeck told the Board that DWR had removed the fork lift from the warehouse and it needs to be replaced. Both he and Mr. Barton added that without the forklift or some other equipment, there is no way to load the pallets of flood fight materials that are stored in the containers onto trucks or other equipment should that need arise. Mr. Barba told the Board they are looking into options of putting a fork lift back into to the warehouse. Mr. Barba said that this was an update letting the Board know what is planned for the future. This matter will be placed on the District's September agenda.

6. BOARD TO DISCUSS CHANGING THE FIRE DISTRICT SERVING TWITCHELL ISLAND AND WHETHER TO START THE SACRAMENTO LAFCO PROCESS

Mr. Jesse Barton told the Board at last month's meeting the Board asked him to talk to the Sacramento LAFCO and see what needs to be done to change the fire district serving Twitchell Island in the event that the Board wanted to move forward with this change. He explained there are generally two ways to do this: one, annex the District

into the River Delta Fire District; or two, enter into a contract with River Delta Fire District and comply with a variety of obligations. Neither approach guarantees an outcome. He estimates the District would have to pay \$30,000-\$40,000 to accomplish either. It would take months of hearings with Twitchell Island land owners. Then it would need to go to a vote. Trustee Huston questioned whether the effort was necessary because although Delta Fire District has to cross the Rio Vista Bridge, if they are unable to respond to a call, they can call another fire district to respond under a “mutual aid” obligation. This was generally agreed to by the fire department personnel in the room. The fire chief for Rio Vista noted that he only had one situation where the bridge delayed his response to a call and the response was only delayed by 45 seconds. After some discussion President Sgarrella argued the change was not warranted and entertained a motion for RD-1601 to not take part in changing the fire district serving Twitchell Island and not to start the Sacramento LAFCO process, motion was seconded by Trustee Huston, VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Good NOES: None ABSTAIN: None ABSENT: None, motion carried.

7. BOARD TO DISCUSS AND POSSIBLY PURCHASE A DRONE FOR THE USE OF SPRAYING HERBICIDES ALONG THE DISTRICT’S CANAL, TOE DITCHES AND SEVENMILE SLOUGH. MR. BILL REYNOLDS WITH LEADING EDGE AERIAL TECHNOLOGIES INC., WILL SPEAK TO THE BOARD ABOUT SPRAYING HERBICIDES FROM A DRONE.

Mr. Ricky Carter Sr. told the Board that Mr. Bill Reynolds with Leading Edge Aerial Technologies Inc. was supposed to be at today’s meeting to explain about spraying herbicides from a drone. Mr. Carter Sr. had met with Mr. Joe Daviss, a drone pilot for Leading Edge Aerial Tech. Mr. Daviss took measurements of the Sevenmile Slough and the District’s canals to prepare a cost for spraying for the District. Waiting to hear from Leading Edge Aerial Technologies Inc. about the cost to do the spraying.

8. BOARD TO DISCUSS ASSESSMENT CALL 30 FOR (2021-2022 ASSESSMENT).

Mr. Chris Neudeck went over with the Board the District’s Draft Assessment summaries calculated for 100%, 90%, 80%, of the \$700,000. Last year the Assessment Call 29 was for \$630,000 at 90%. At today’s meeting, the Board is collecting information and at the June meeting the Board will discuss and possibly approve call Assessment 30. The Board spoke about calling (2) assessments Call 30 and Call 31 for 2021-2022 and 2022-2023. It could be split 80% and 10% total of the calls would be 90%. Mr. Chris Neudeck told the Board that this information did not make it to his engineering report, but there is a plan for a \$1M project. Starting from the Center Road (Old Ferry Road) along the San Joaquin River to Oulton Point, there are several sections that need to have the crown raised. Mrs. Perla Tzintzun-Garibay reminded the Board that the District has other additional incomes such as land leases \$78,000 (this revenue offsets some of the revenue from the assessment due to the District owning property), and funds from the Subvention program (estimate reimbursement for 2020-2021 \$158,689), cash to date (\$80,166.01), General Fund (\$449,930.41). The Board generally agreed to pursue an assessment call of 90% for the June meeting.

9. BOARD TO DISCUSS District's Budget for 2022-2023.

Mrs. Perla Tzintzun-Garibay discussed with the Board the Budget vs. Actual from July 1, 2021 through May 25, 2022. The Budget is based on the amount of the assessment. Funds. The District needs funds to finish the repairs to the District's pump station (pump number 2) \$150,000, solar array another \$50,000. Once the assessment amount is determined then Mrs. Tzintzun-Garibay will be able to present a proposed budget to the Board.

10. BOARD TO HEAR AN UPDATE ON THE DISTRICT'S INSURANCE POLICY RENEWAL FOR PERIOD 5/1/22-5/1/23.

At last month's meeting the Board gave Mr. Jesse Barton approval to contact Mr. Greg Dohrman with Dohrman Insurance asking if the District could get a 30 day binder to give the District time to compare the quotes for this year and potentially acquire additional quotes. The District's General Liability and Auto Insurance policies with Dohrman Insurance expired on May 1st and had to be approved without adequate review. Mr. Barton got hold of Mr. Greg Dohrman and asked about the 30 day binder. Mr. Dohrman told him that his company is having trouble getting the policies out and no to the 30 day binder.

Mrs. Perla Tzintzun-Garibay told the Board that the insurance invoice for \$28,811, came yesterday too late to process in the financial reports before the meeting. After some discussion it was decided that Mr. Barton will contact Mrs. Perla Tzintzun-Garibay to find out information on the last claim the District turned in. He will then shop around for another insurance company for the District to consider for next year.

11. BOARD TO DISCUSS AND POSSIBLE APPROVE A RESTATEMENT OF ITS EMPLOYEE 401 (K) PLAN.

Mr. Jesse Barton told the Board that the IRS requires a retirement plan to be restated, no changes will be made for the District employee retirement plan. After some discussion President Sgarrella entertained a motion to approve restatement of the District's employee 401 (K) plan, motion was seconded by Trustee Huston VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Good NOES: None ABSTAIN: None ABSENT: None, motion carried.

12. BOARD TO DISCUSS WATER USAGE ON TWITCHELL ISLAND.

Nothing to report.

13. BOARD TO DISCUSS DECLARING THE PONTOON BOAT AS SURPLUS PROPERTY.

Mr. Jesse Barton reminded the Board that the District had purchased a pontoon boat for spraying herbicides in Sevenmile Slough under its NPDES permit. The pontoon boat has a hole in one of its pontoons which cannot be fixed. Since the break in, the thieves took the outboard motor and cut the steering and control lines making the boat useless. President Sgarrella told the Board that the District should keep the trailer, it would be useful to haul pipes and other construction materials. Mr. Ricky Carter Sr. told the Board that he contacted Mr. Edward Hard with the California State Parks and Recreation about being put on the surplus list to be able to purchase a gator boat (flat

bottom boat) when one comes up to be rotated out of their inventory. After some discussion President Sgarrella entertained a motion to approve declaring the District's pontoon boat surplus property but **not** the trailer, **boat only**, and to have a scrapper come onto the island to scrap the boat, motion seconded, by Trustee Good VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Good NOES: None ABSTAIN: None ABSENT: None, motion carried.

14. BOARD TO DISCUSS PONDING OF WATER BETWEEN DWR'S EAST-END PROJECT AND THE DISTRICT'S TOE DITCH AT LEVEE STATION 430+00.

Mr. Ricky Carter Sr. reported to the Board that Carter Fisher is working for DWR on mats while cleaning the ditches parallel to the toe ditches from the District's C-4 Canal, to the DWR'S East-End project. Mr. Ricky Carter Jr., has completed cleaning the C-4 Canal.

15. BOARD TO RECEIVE AN UPDATE ON THE USGS ENCROACHMENT PERMIT TO INSTALL A WATER QUALITY MONITORING DEVICE ON THE DISTRICT'S PUMPING STATION.

Mr. Ricky Carter Sr., told the Board that yesterday USGS came out to take measurements and they will be back next month to install the water quality monitoring equipment at the District's pump station.

16. BOARD TO DISCUSS AND DECIDE WHETHER TO RESUME IN-PERSON MEETINGS OR ALLOW BOARD MEMBERS TO ATTEND FROM REMOTE LOCATIONS.

Mr. Jesse Barton told the Board that if the Board wishes to hold remote meetings, then the District will need to approve a resolution every 30 days (before each District Meeting) that extends the Board's decision to hold remote meetings. After some discussion Trustee Huston entertained a motion to approve Resolution No. 2022-08 Ratifying the COVID-19 State of Emergency and Authorizing Remote Teleconference Meetings Pursuant to the Ralph M. Brown Act, motion was seconded by President Sgarrella VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Good NOES: None ABSTAIN: None ABSENT: None, motion carried.

17. PROJECT FUNDING AGREEMENT TW-14-1.1-PROJECT FUNDING AGREEMENT FOR A HABITAT ENHANCEMENT PROJECT ON TWITCHELL ISLAND (EXPIRES 12/31/2021). THE BOARD WILL HEAR AN UPDATE ON THE FINALIZATION OF THIS ITEM. THE BOARD WILL CONSIDER REQUESTING AN EXTENSION TO THIS AGREEMENT.

Mr. Jesse Barton explained to the Board That Project Funding Agreement Tw-14-1.1-Project Funding Agreement for a Habitat Enhancement Project on Twitchell Island expired December 31, 2021, Ms. Otome Lindsey has asked for an extension from DWR to use the remaining balance of funds to cover maintenance activities. She is requesting the Board to approve sending a draft letter to Ms. Jennifer Hogan. The draft letter to Ms. Jennifer Hogan dated May 25, 2022 from RD 1601 requesting an amendment to project funding agreement (PFA) TW-14-1.1, the agreement expired in December 2021, due to land maintenance activities are still needed on the two new habitat

enhancement sites and the three existing habitat mitigation sites. Funding through the original PFA is still available. The District requested an extension to October 31, 2023, in order to complete the land maintenance activities as originally designed. After some discussion Trustee Good entertained a motion to approve sending a letter to Ms. Jennifer Hogan dated May 25, 2022, requesting an amendment to project funding Agreement (PFA) TW-14-1.1, the District request an extension to October 31, 2023, motion was seconded by Trustee Sgarrella VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Good NOES: None ABSTAIN: None ABSENT: None, motion carried.

18. Project Funding Agreement TW-21-1.1, Board to hear an update on the Project Funding Agreement for the Planning, Engineering, and Construction of the Twitchell Island Mitigation and Enhancement Site (TIMES) Project (Expires 12/31/2027). Board to discuss approving a right-of-way needed for this project. Board to consider approving opening a new bank account at Bank of Stockton for advanced funds received for the TIMES Project.

Mr. Jesse Barton told the Board at last month's meeting it was decided that Ms. Lindsey would set up a meeting to be held with Mr. Jesse Barton and a Department of Water Resources attorney to discuss right of way issues. The Board reviewed matters associated with the District's levee standard along Sevenmile Slough together with a twenty-foot (20') levee setback from toe and DWR's proposed mitigation area. President Sgarrella requested project drawings including an engineered plan view of the project layout with dimensions that tied the project to the existing ground. He told the Board that he thinks the District and DWR can figure out a way to make this work to the mutual benefit of both. Ms. Lindsey agreed she will provide a description and have drawings for the Board to review before the next Board meeting. The Board needs to consider approving opening a new bank account at Bank of Stockton for advanced funds received for the TIMES Project. After some discussion President Sgarrella entertained a motion to approve opening a new bank account at the Bank of Stockton for advanced funds received for the TIMES Project, motion was seconded by Trustee Good. VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Good NOES: None ABSTAIN: None ABSENT: None, motion carried.

19. DWR AGREEMENT "SUBSIDENCE MITIGATION FUNDING AGREEMENT" (SFMA) (WETLAND DEVELOPMENT/SUBSIDENCE REVERSAL AND CARBON SEQUESTRATION PROJECT) (EAST END AND RICE PROJECT) (SFMA EXPIRES 12/31/2024). THE BOARD TO HEAR AN UPDATE.

Nothing to report.

20. PROJECT FUNDING AGREEMENT TW-18-1.0-SP-(EXPIRES 12-31-2022). BOARD TO HEAR AN UPDATE ON THE DELTA LEVEES SPECIAL FLOOD CONTROL PROJECT PROGRAM FIVE YEAR PLAN AGREEMENT. THE BOARD TO HEAR AN UPDATE.

Nothing to report.

21. BOARD TO HEAR AN UPDATE AND DISCUSS EXPLORING A SOLAR POWER ALTERNATIVE TO POWER THE RD- 1601 PUMP STATION.

President Sgarrella reported to the Board that the PGE invoice for electric charges from March 30, 2022-April 28, 2022, in the amount of \$6,478.26, 1,082.25 KWh used per day. The low cost for this billing period suggests that there has been previously too much water being brought onto the island for irrigation purposes. It is low for this billing period because of DWR's requirement that no high water use crops could be planted on DWR lands this year.

President Sgarrella stated that DWR had signed the solar property easement and are still waiting to record it. The District still have not received a signed copy from the Department of Water Resources. We will need to go through the California Environmental Quality Act (CEQA) process before building the solar array Mr. Barton told the Board that RD-1601 will need to hire a CEQA consultant to go through the process. President Sgarrella asked Chris Neudeck to check into CEQA consultant firms and to have a CEQA processing proposal ready for review at next month's meeting.

22. DISCUSS COMMENCING THE CEQA PROCESS FOR ITS SOLAR POWER ALTERNATIV.

Look at agenda item number 21.

23. ENGINEER'S REPORT: Mr. Chris Neudeck's engineering report is attached to the minutes.

I. 2021-2022 ASSESSMENT BY LANDOWNER SUMMARIES

A. Look under agenda item number 8.

II. Project Funding Agreement TW-21-1.0 TIMES Project

A. Look under agenda item number 18.

III. Districts Drainage Pump Stations

- A. Mr. Chris Neudeck review with the Board the status to replace motor on Pump No. 2. Still waiting for cost on some of the items ordered.
Boring from Control Point to verify additional electrical service users
Exhibit D: Email correspondence from KSN Inc. with Moorman Pump Company dated 5/19/2022.

24. SUPERINTENDENT REPORT: Mr. Ricky Carter.

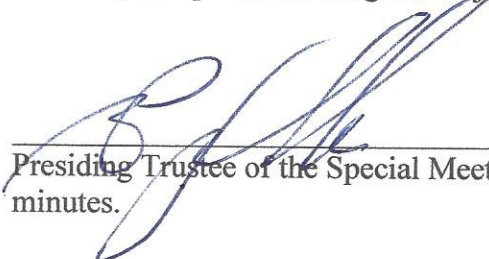
- Routine levee patrols daily.
- Checked pumps and oil in the pumps at pump station daily.
- Check water elevation in the canal daily.
- Cattle were on the bank drinking water from the District's canal C-2.
- Met with Mr. Louie Lira, tried to put pin in the boom on the District's excavator.
- Mr. Juan Carlos came with Mr. Louie Lira to work on the District boom. Mr. Carlos ground down the bushing and the pin slid in.
- Mr. Juan Carlos charged the air conditioner on the District's Kubota.
- Mr. Tim Nix chopped the Elderberry site with the District's Kubota.
- Mr. Ricky Jr. chopped the levee roadside edge.
- Worked on the District's long reach excavator overheating issues.
- Ordered a water pump from MECOM for the District's long reach excavator.

- Purchased 4'X8' plywood to cover the hole in the District's pump house.
- Mr. Ricky Carter Sr. called Mr. Ed Hard and requested to be able to obtain a spray boat when they come up for surplus.
- Mr. Ricky Carter Jr. pushed the burn pile.
- Worked with Linda on the District's website issue.
- Worked on the Districts' excavator boom swap-now it takes 4 hours to do the swap vs. previous 10 - 12 hours. District has new hydraulic quick disconnects that will be installed during the next boom swap.
- Worked on tracks and actuator motors for the District's excavator.
- Worked on siphon issue (Water Board), curtailment.
- Ordered head unit for air conditioner on the District's excavator.
- Delivered a \$75,000, check to Perla Tzintzun-Garibay for the TIMES project.
- A trailer accidentally burned at the sheep camp.
- Called Leading Edge Aerial Tech. for pricing.
- Vehicle in Sevenmile Slough, DART and Sacramento County Sheriff Department, CHP pulled (2) vehicles from the same area.
- Cut and replaced lock at the Elderberry site, Sacramento County Sheriff Department, cut the lock and tree limbs to make access.
- Contacted Ms. Molly Ferrell about the lock replacement.
- Mr. Carter Fisher was stuck, two days to get him unstuck.
- Met with Mr. Joe Daviss drone pilot for Leading Edge Aerial Tech. Took measurements of the Sevenmile Slough and the District's canals for pricing.
- Purchased and picked up (2) 24"X25' crossing pipes.
- USGS came to work on Seismic well.
- Met with Mr. Jeff Mueller with KSN on project, crown raising project on the San Joaquin River.

Mr. Ricky Carter Sr. reported to the Board that Mr. Joe Mattos grandson Mr. Cole Bakke had plans on talking to the Board about goats on the levee. He could not attend today's meeting, he was on the phone but he had to get off the phone. Mr. Bakke is planning to attend future District's meetings.

25. ADJOURN:

The regular meeting of the Board of Trustees will be called to order June 21, 2022, at 9:00 am, the special meeting was adjourned at 12:35 pm.



 Presiding Trustee of the Special Meeting May 25, 2022, certified the above minutes.



 Secretary