

**RECLAMATION DISTRICT NO. 1601  
306 Second Street  
Isleton, CA 95641**

**Minutes of the Board of Trustees  
Regular Meeting**

**May 16, 2023**

**1. CALL MEETING TO ORDER.**

President Barry Sgarrella called the regular meeting of the Board of Trustees (Board) to order on May 16, 2023, at 9:01 a.m. ROLL CALL: In attendance: President Barry Sgarrella, Trustee Dave Huston and Trustee Jasbir Gill. District's superintendent Mr. Ricky Carter Sr., District's engineer Mr. Chris Neudeck, District's attorney Mr. Jesse Barton and District's accountant/treasurer Mrs. Perla Tzintzun-Garibay with Butterfield and Company. Also attending Mr. Ricky Carter Jr., Mr. Grant Haney, Mr. Cole Bakke, Ms. Ceci Giacoma, Mr. David Julian and Mr. Richard Silva. Attending by conference call, District's Secretary Mrs. Linda Carter.

**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.**

President Sgarrella entertained a motion to approve the April 18, 2023, regular meeting minutes and the May 3, 2023 special meeting minutes as presented, motion was seconded by Trustee Huston VOTE: AYES: President Sgarrella and Trustee Huston and Trustee Gill 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 Sgarrella and Trustee Huston reviewed the accounts payable before today's meeting.

Mrs. Perla Tzintzun-Garibay also noted the following payments made between meetings: On May 8, 2023, EFT payment to PERS for \$2,750.27, due to the timing of the due date. On May 8, 2023, deposited \$263.34 from RD 536 for April and May rent payments.

Mrs. Perla Tzintzun-Garibay went over the unpaid invoices with the Board. After some discussion President Sgarrella entertained a motion to approve accounts payable of \$100,619.53, (invoices that were presented today) and the transfer of \$125,000.00, 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 Gill NOES: None ABSTAIN: None ABSENT: None, motion carried.

After some discussion President Sgarrella entertained a motion to approve the transfer of \$1,530.00, from DWR 5-Year Plan (TW18-1.0), into the Bank of Stockton 1878 (General Account), motion was seconded by Trustee Huston VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Gill NOES: None ABSTAIN: None ABSENT: None, motion carried. After some discussion President Sgarrella entertained a motion to approve the transfer of \$7,102.87, from Bank of Stockton 3167 TW 21-1 TIMES, into the Bank of Stockton 1878 (General Account), motion was seconded by Trustee Huston VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Gill NOES: None ABSTAIN: None ABSENT: None, motion carried. After some discussion President Sgarrella entertained a motion to approve the transfer of \$7,618.92, from Bank of Stockton 2223 SMFA –Wetland Dev., into the Bank of Stockton 1878 (General Account), motion was seconded by Trustee Huston VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Gill NOES: None ABSTAIN: None ABSENT: None, motion carried

Account Receivable: DWR Trust \$15,840.21

Account Receivable: SWP Right of Way Management: \$6,245.10 (NOAA to pay direct)

Special Project Invoices Pending Approval: \$58,618.65

Subventions Claim FY 2020-2021: \$211,586; Expected Reimbursement: \$158,689

Subventions Claim FY 2021-2022: \$186,888; Expected Reimbursement: \$131,241

President Sgarrella told the Board that no one has heard from NOAA concerning their unpaid invoice to the district for electrical usage. It was decided that Trustee Gill will give NOAA a call and give them a month to pay their invoice. Then President Sgarrella will give NOAA a call.

**5. BOARD TO DISCUSS AND CONSIDER POSSIBLY APPROVING A RESOLUTION TO REMOVE MR. PRESTON GOOD FROM THE DISTRICT'S BANK SIGNATURE CARD AND AUTHORIZE TRUSTEE GILL TO BE ADDED TO THE DISTRICT'S SIGNATURE CARD.**

Mrs. Perla Tzintzun-Garibay told the Board that a resolution is needed to remove Mr. Preston Good from the District's bank signature card and to give authorization for Trustee Gill to be added to the District's signature card for the Bank of Stockton. After some discussion Trustee Huston entertained a motion to approve a resolution 2023-05 to remove Mr. Preston Good from the District's bank signature card and authorize Trustee Gill to be added to the District's signature card, motion was seconded by President Sgarrella VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Gill NOES: None ABSTAIN: None ABSENT: None, motion carried.

**6. BOARD TO REVIEW AND POSSIBLY APPROVE AUDITED FINANCIAL STATEMENTS FOR THE YEAR ENDED JUNE 30, 2022 AS PREPARED BY CROCE, SANGUINETTI & VANDER VEEN, INC.**

Mrs. Perla Tzintzun-Garibay told the Board that she had emailed draft copies of the audited financial statements for the year that ended June 30, 2022 as prepared by Croce, Sanguinetti & Vander Veen, Inc. She handed out copies at today's meeting. Mrs.

Tzintzun-Garibay went over the draft audit with the Board. She told the Board that they did not modify anything and they said that they did not have any changes to the reports. After some discussion President Sgarrella entertained a motion to approve the audited financial statements for the year ending June 30, 2022, as prepared by Croce, Sanguinetti & Vander Veen, Inc., motion was seconded by Trustee Gill VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Gill NOES: None ABSTAIN: None ABSENT: None, motion carried.

**7. BOARD TO CONSIDER HIRING A NEW FULL-TIME EMPLOYEE.**

Mr. Jesse Barton reminded the Board that at last month's special meeting on May 3, 2023, the Board decided to conditionally offer Mr. Grant Haney the full-time position of maintenance worker/operator for \$25.00 per hour including applicable employee benefits. Mr. Haney has accepted the offer and has completed the pre-employment background check. Mr. Barton apologized to the Board that not all of the paper work had not been completed. After some discussion President Sgarrella entertained a motion to approve the hiring of Mr. Grant Haney as a full-time maintenance work/operator for \$25.00 per hour including applicable employee benefits assuming all the paperwork is satisfactorily completed. Mr. Haney will start working for the District once the paper work has been completed. Mr. Haney will have a performance evaluation after 90 days of employment, motion was seconded by Trustee Gill VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Gill NOES: None ABSTAIN: None ABSENT: None, motion carried.

**8. BOARD TO DISCUSS AND POSSIBLY MODIFY THE HOURLY RATE OF ITS EXISTING MAINTENANCE WORKER/EQUIPMENT OPERATOR/ASSISTANT SUPERINTENDENT.**

Mr. Jesse Barton reminded the Board that at last month's meeting the Board had approved changing the title of Mr. Ricky Carter Jr., to Maintenance/Equipment Operator/Assistant Superintendent. When acting as the District's superintendent Mr. Ricky Carter Jr. will receive a pay differential of an additional \$1.00 per hour and he will indicate such change on his time sheet when applicable. Mr. Ricky Carter Jr.'s current wage rate is \$24.15 plus \$1.00 (when he is the assistant superintendent) Mr. Jesse Barton had this item placed on the agenda due to the Board hiring Mr. Grant Haney at \$25.00 per hour. After some discussion President Sgarrella entertained a motion to increase Mr. Ricky Carter's salary from \$24.15 to \$26.50 per hour with the \$1.00 per hour when acting as the District's superintendent starting. The wage increase will start as of now, motion was seconded by Trustee Huston VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Gill NOES: None ABSTAIN: None ABSENT: None, motion carried

**9. BOARD TO DISCUSS DISTRICT'S BUDGET FOR 2023-2024.**

Mrs. Perla Tzintzun-Garibay discussed with the Board the Budget vs. Actual from the July 1, 2022 through May 16, 2023. The budget is based on the amount of the assessment funds. Once the assessment amount is determined then Mrs. Perla Tzintzun-Garibay will be able to present a proposed budget to the Board.

**10. BOARD TO DISCUSS ASSESSMENT CALL 32 (FOR 2023-2024 ASSESSMENT).**

Mr. Chris Neudeck went over with the Board the District's 2023-2024 Draft Assessment summaries calculated for 100%, 90% and 80% of the \$700,000 approved assessment. At today's meeting, the Board is collecting information and at the June District meeting the Board will discuss and possibly approve assessment call 32 (2023-2024). After some discussion, the consensus is the Board is leaning towards the 100%.

**11. BOARD TO CONSIDER AND POSSIBLY APPROVE MR. COLE BAKKE'S (LEVEE GRAZING FOR HIS SHEEP) LEASE. THE BOARD WILL CONSIDER AND POSSIBLY APPROVING CHANGE THE NAME ON THE LEASE MR. JOE MATTOS HAS WITH THE DISTRICT ON THE SOUTH END (CHEVRON POINT) OF THE DISTRICT'S PROPERTY.**

Mr. Jesse Barton reminded the Board that Mr. Cole Bakke, Mr. Joe Mattos grandson would like to have the board of trustees consider approving a lease for his sheep to graze the levees on Twitchell Island. By having Mr. Bakke leasing the levees, it helps reduce some of the mowing and using pesticides. Mr. Bakke was given a draft copy of the lease before the meeting. After reading the draft lease Mr. Bakke wanted to ask the Board to make some changes to the lease. Mr. Bakke would like to graze his sheep along the Middle Road on both sides. The change has been added to the lease. Mr. Bakke will keep his sheep out of the habit areas. He will be charged one dollar fee for the lease per year due to the benefit that the District receives. The lease will start on May 16, 2023 until December 31, 2027. After some discussion President Sgarrella entertained a motion to approve the new final lease with Mr. Bakke. Letting him graze his sheep on the District's levees and including both sides of Middle Road for the fee of \$1.00 per year starting May 16, 2023 until December 31, 2027, motion was seconded by Trustee Huston VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Gill NOES: None ABSTAIN: None ABSENT: None, motion carried. This item was addressed after agenda item number 4, due to Mr. Bakke's time restrictions.

**12. BOARD WILL RECEIVE AN UPDATE ON THE DISTRICT'S NPDES SPRAY PERMIT.**

President Sgarrella reported to the Board the District's spray permit application has been posted on the State Water Board and the Districts website for 30 days, no comments were made. The Aquatic Pesticide application plan (APAP) and permit should be here by next Friday.

**13. BOARD TO DISCUSS AND POSSIBLE APPROVE A NEW CONTRACT WITH LEADING EDGE FOR SPRAYING WITH A DRONE.**

Blankenship will need to come to Twitchell and take pre spraying water samples before any spraying takes place, then he will need to come back and take a sample after the spraying has taken place.

Leading Edge has provided the District with a quote in the amount of \$7,912.10, which includes travel time (at \$350.00) PV Digital Imagery -9er 100 acres, PV Liquid application 1-3 gallon per acre. The quote is for one application and does not include herbicides. After some discussion President Sgarrella entertained a motion to approve

the contract with Leading Edge to spray herbicides by drone for up to \$10,000.00 per spray, motion was seconded by Trustee Gill VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Gill NOES: None ABSTAIN: None ABSENT: None, motion carried. If Leading Edge needs to do any additional spraying this matter will go back to the Board for approval.

**14. BOARD TO HEAR AN UPDATE AND DISCUSS THE SHARED USE OF ITS PG&E ELECTRICAL METER.**

Look under item 3.

**15. BOARD TO CONSIDER APPROVING THE SUBVENTIONS AGREEMENT FOR 2022-2023 AND DECLARING THE MAINTENANCE WORK EXEMPT FROM CEQA.**

Mr. Jesse Barton told the Board that he had reviewed the agreement and it was the same as last year's agreement. Mr. Barton recommended approval to the Board. After some discussion President Sgarrella entertained a motion to approve the Delta Levee Maintenance Subventions Program Work Agreement for fiscal year 2022-2023 and Resolution 2023-06, motion was seconded by Trustee Huston VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Gill NOES: None ABSTAIN: None ABSENT: None, motion carried.

**16. PROJECT FUNDING AGREEMENT TW-21-1.1, PROJECT FUNDING AGREEMENT FOR THE PLANNING, ENGINEERING, AND CONSTRUCTION OF THE TWITCHELL ISLAND MITIGATION AND ENHANCEMENT SITE (TIMES) PROJECT (EXPIRES 12/31/2027). THE BOARD WILL HEAR A STATUS UPDATE AND DISCUSS.**

Nothing to report.

**17. DWR AGREEMENT "SUBSIDENCE MITIGATION FUNDING AGREEMENT" (SMFA) (WETLAND DEVELOPMENT/SUBSIDENCE REVERSAL AND CARBON SEQUESTRATION PROJECT) (EAST END AND RICE PROJECT) (SMFA EXPIRES 12/31/2024). THE BOARD WILL HEAR A STATUS UPDATE AND DISCUSS.**

Mr. David Julian reported to the Board that they have been mowing. A distribution siphon pipe broke. Tomorrow afternoon the Water Education Foundation will be here taking a tour.

**18. BOARD TO HEAR AN UPDATE AND DISCUSS EXPLORING A SOLAR POWER ALTERNATIVE TO POWER THE RD 1601 PUMP STATION. BOARD WILL HEAR AN UPDATE ON THE NEM APPLICATION.**

President Sgarrella went over with the Board a copy of the May 2023, PGE invoice. The total invoice was \$9,353.66 for the month of April.

President Sgarrella told the Board that Bank of Stockton is moving forward, they are doing an audit on the District's financial statements. The NEM application has been approved. President Sgarrella is working on funding for the solar project.

- 19. BOARD TO CONSIDER SUBMITTING A FULL APPLICATION TO THE DEPARTMENT OF WATER RESOURCES (DWR) FOR THE PSP PROGRAM. THIS SUBMITTAL INCLUDES THE FOLLOWING ACTIONS:**
- A. ADOPTING A RESOLUTION AUTHORIZING SUBMITTAL OF FULL APPLICATION TO DWR FOR THE PSP PROGRAM, AND THE EXECUTION OF NECESSARY DOCUMENTS.**
  - B. SUBMITTING A LETTER TO DWR REQUESTING LANDS FOR HABITAT.**
  - C. SEEKING AND OBTAINING A RESUME FROM A QUALIFIED BIOLOGIST ENDORSING THE PROJECT.**
  - D. SEEKING AND OBTAINING A STATEMENT FROM THE DISTRICT'S PROJECT BIOLOGIST DISCUSSING HOW THE PROJECT MEETS THE REQUIREMENTS OF THE WATER CODE.**

Mr. Chris Neudeck went over with the Board items A-D. Mr. Neudeck is working a dead line, its due sometime in June. Mr. Jesse Barton went over with the Board the resolution and a cover letter. Mr. Neudeck is still looking for someone to cost share with the District. The Board reviewed the engineering report- exhibit A: Section 5B from the PSP that describes requirements for the full application and highlighted resolutions and commitments for the Board and DWR. After some discussion President Sgarrella entertained a motion to approve the letter to DWR and the approval of authorizing Resolution 2023-07 for Resolution of the Board of Trustees of Reclamation District 1601 Authoring the Grant Application, Acceptance, and Execution for the San Joaquin River setback Levee Project, motion was seconded by Trustee Huston VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Gill NOES: None ABSTAIN: None ABSENT: None, motion carried.

**20. Engineering Report: Mr. Chris Neudeck**

- I. Delta Levee Subventions Project-Special Projects Multi-Benefit PSP
  - A. Reviewed status of Full Proposal Application. Look under item number 19.
- II. Delta Levee Subventions Program 2023 High Water Event
  - A. Mr. Neudeck reviewed with the Board the status of FEMA claim for flood related expenses, KSN Inc. on behalf of RD 1601 met with FEMA representatives on April 25, 2023, in their kickoff meeting to review preparing the formal application for disaster assistance funding with the FEMA team.
  - B. Mr. Neudeck reviewed with the Board the current hydrology conditions in the South Delta for ongoing high water run-off into August.  
Exhibit B: Report dated May 8, 2023, from DWR Weekly Flood Operation Center and USACE of coordinated reservoir operation on the San Joaquin River.
- III. 2023-2024 Assessment by Landowner Summaries
  - A. Look under item number 10. Mr. Neudeck recommends 100% for the assessment. Mr. Neudeck explained to the Board that the subventions program is set to expire. 2023-2024, this will be the last year for the program. There could be a change if a bond could be passed. There may be a year gap or longer without any funding from the program.

**21. Superintendent Report: Mr. Ricky Carter Sr.**

- Routine levee patrols daily.
- Checked pumps and oil in the pumps at pump station daily.
- Repair the District's pesticide sprayer.
- Waterside vegetation spraying from the District's pump station east toward Owl Harbor gate.
- Worked on the District's air compressor.
- Levee road repair by Asta Construction (3sites).
- Tailgate meeting.
- On May 31, 2023, called and set up MVP safety class for (3) people in Woodland.
- Purchased parts for the District's sprayer.
- Worked on inactivating old ID number and was reissued new number for Haz Mat.
- Removed very large wood pile at the entrance to Threemile Slough,
- Interviewed (3) people for positions of Maintenance/Operator.
- Went to a Drone demonstration at Miller Regional Park.
- At the Chevron Point Barn on May 5, 2023, it was broken into and tools taken but retrieved. The notification alert was off.
- Meeting with Jorge with Sacramento County Ag Commission for an audit.
- Purchased (2) water tanks for wash basin and shower as need for Sacramento County compliance with the Ag commissioner.
- Worked on water tank to correct a safety violation.

**22. Closed Session: Public Employee Performance Evaluation**

**Titles: Superintendent and Secretary**

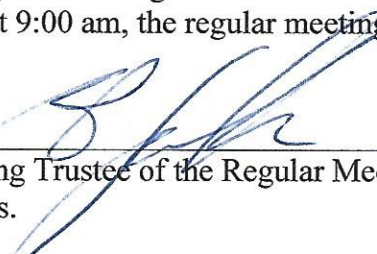
Closed Session: 10:30 am

Open Session: 10:40 am

No reportable action taken.

**23. Adjourn Regular Meeting.**

The regular meeting of the Board of Trustees will be called to order June 20, 2023, 2023, at 9:00 am, the regular meeting was adjourned at 10:50 am.

  
\_\_\_\_\_  
Presiding Trustee of the Regular Meeting May 16, 2023, certifies the above Minutes.

  
\_\_\_\_\_  
Secretary