

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

Minutes of the Board of Trustees
Regular Meeting

August 15, 2023

1. CALL MEETING TO ORDER.

President Barry Sgarrella called the regular meeting of the Board of Trustees (Board) to order on July 18, 2023, at 9:02 a.m. ROLL CALL: In attendance: President Barry Sgarrella, Trustee Dave Huston and Trustee Jasbir Gill. Districts assist superintendent Mr. Ricky Carter Jr., 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 Sr., Ms. Ceci Giacoma, Mr. Cole Bakke, Mr. David Julian and Mr. Richard Silva. Attending by conference call, District's Secretary Mrs. Linda Carter and Ms. Elizabeth Davis.

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.

Ms. Elizabeth Davis gave the Board an update on the mitigation site. They are planting trees and had the Sacramento-Yolo County vector control come out to Twitchell Island.

Mr. Richard Silva wanted to know from the Board who to call if he finds other people's cows out such as Mr. Jaime Rodriguez cows. He asked if he should call DWR, President Sgarrella or the District's the Carter's. Mr. Jesse Barton suggested to have Mr. Rodrigues and the DWR representative meet with the Board. Mr. Barton will send a copy of the Districts Rules and Regulations to Mr. Silva as requested.

3. MINUTES REGULAR MEETING.

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

Mrs. Perla Tzintzun-Garibay also noted the following payments and deposits made between meetings: On August 8, 2023, EFT payment to PERS for \$2,749.99, due to the

timing of the due date. On July 26, 2023, deposited \$4,759.65 from Mr. Joe Mattos for land lease payment (July-December 2023). On August 14, 2023, deposited \$131.67 from RD 536 for July rent payment.

There seems to be a problem with Williams Mobile Service and Rio Vista Tire (both are owned by Mr. Lee Williams) both companies doubled charged the District for tire repair and tires for the Districts Ford 2021 truck. After meeting Mrs. Perla Tzintzun-Garibay will check in to the matter. In the meantime the checks will be held back. Mrs. Perla Tzintzun-Garibay will void the check for Grow West for \$19,508.53, this invoice will be captured under the SMFA account.

After some discussion President Sgarrella entertained a motion to approve accounts payable of \$95,000.00 (invoices that were presented today) and the transfer of \$95,000.00, 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 Gill, 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 \$20,567.96, from Bank of Stockton 2223 (SMFA) Wetlands Development, into the Bank of Stockton 1878 (General Account), motion was seconded by Trustee Gill VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Gill NOES: None ABSTAIN: None ABSENT: None, motion carried.

Account Receivable: Assessment Call No 32: \$642,286.83

Account Receivable: Cole Bakke \$1.00 Annual Grazing Lease Agreement (Payment delivered to RD office to 8/8/2023).

Account Receivable: DWR Trust None

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

Special Project Invoices Pending Approval: \$100,581.95

Accounts Payable: Times Project:

Gallery& Barton (Times SP reimbursement July services)- \$1,017.64

KSN (Times SP reimbursement July services)- \$1,335.00

Stillwater Sciences (Times SP reimbursement July services)- \$2,901.25

5. BOARD TO CONSIDER APPROVING ENGAGEMENT LETTER FROM CROCE, SANGUINETTI & VANDER VEEN, INC., TO PREPARE THE ANNUAL INDEPENDENT AUDIT AND SPECIAL DISTRICTS FINANCIAL TRANSACTION REPORT FOR THE YEAR ENDED JUNE 30, 2023.

Mrs. Perla Tzintzun-Garibay told the Board this matter needs to be carried over until next month's meeting, due to she has not received the engagement letter from Croce, Sanguinetti and Vander Veen, Inc.

6. BOARD TO HEAR AN UPDATE ON ASSESSMENT CALL 32 (FOR 2023-2024 ASSESSMENT), BASED UPON OPERATION AND MAINTENANCE VALUATION ASSESSMENT ROLL DATED JULY 21, 1992.

Mrs. Perla Tzintzun-Garibay reported \$642,286.83 is still outstanding. DWR and CRC have not paid, they have until August 21, 2023 after that the assessment becomes delinquent.

7. BOARD TO DISCUSS AND POSSIBLY APPROVE ALLOWING MR. RICKY CARTER SR. TO REMAIN ON THE DISTRICT PAYROLL AS PART-TIME, ON-CALL EMPLOYEE.

Mr. Jesse Barton said the Board wants to discuss and possibly approve allowing Mr. Ricky Carter Sr. to remain on the District payroll as part time employee. He is not sure what to call it. President Sgarrella told the Board since Mr. Ricky Carter Sr.'s retirement he has continued to work for the District. Mr. Carter Sr. has been attending meetings on behalf of the District since he knows the history of the District. After some discussion President Sgarrella entertained a motion to keep Mr. Ricky Carter Sr. as a short-term casual employee starting as of August 16, 2023, pay at \$38.00 per hour (with no benefits), and capped at 16 hours per week, motion was seconded by Trustee Huston
VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Gill NOES: None
ABSTAIN: None ABSENT: None, motion carried.

8. NOTICE OF GENERAL ELECTION FOR (2) SEATS ON THE RECLAMATION DISTRICT 1601, BOARD OF TRUSTEES, FOR TERM OF FOUR YEARS (2023-2027).

Mr. Jesse Barton told the Board that Trustee Huston's and Trustee Gill's seats on the Board of trustees are coming up for election. They need to get their election papers to Mr. Barton as soon as possible.

9. BOARD TO DISCUSS LIVESTOCK ON THE LEVEE.

Mr. Jesse Barton reminded the Board that the Board discussed Mr. Richard Silva installing a fence at the top of the levee which included the levee slope at last month's meeting. The fence is now down. No action was taken, the issue with this has been resolved. After last month's meeting Mr. Barton and President Sgarrella had a conversation with Ms. Lisa Baker. Ms. Baker said she would speak with Mr. Silva about the fence issues.

Mr. Barton told the Board that they also spoke to Ms. Baker about the livestock getting out and being on the levee. Mr. Ricky Carter told the Board that Mr. Silva's men are out putting fence up now in the back of the property. Mr. Barton told the Board the District has the right to clean both sides of the toe ditch.

Mr. Ricky Carter Sr. told the Board that he does not mow during the bird nesting season due to DFW requirements. Mr. Barton suggested that Mr. Silva call Mr. Ricky Carter Jr. to let him know when Mr. Silva wants it mowed, and if Mr. Carter Jr. can schedule the mowing of the levee. In the meantime, Mr. Silva can mow his property, as long as he does not put up a fence.

Mr. Silva brought up Mr. Jaime Rodriguez's cows getting out, Trustee Gill told the Board he will meet with Mr. Rodriguez about his cows getting out. Trustee Gill told the Board Mr. Rodriguez is a DWR lessee. If the cows get out again Mr. Ricky Carter Jr. can call Mr. Vincent Wong with DWR and let him know that the cows are out. The Board is waiting for an update from DWR about their lessee's cows getting out.

10. BOARD TO DISCUSS FENCING REQUIREMENTS FOR ITS LESSEES.

Look under item 9.

11. BOARD WILL RECEIVE AN UPDATE ON THE DISTRICT SPRAYING WITH A DRONE WITH LEADING EDGE.

Mr. Ricky Carter Jr. told the Board that spraying with the drone is scheduled for September 25th.

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

Mr. Jesse Barton told the Board that the District still has not received money from NOAA for using the electricity for their trailer on Twitchell Island. President Sgarrella told the Board that he is continually having conversations with NOAA through emails. President Sgarrella planned on bring a meter today, but forgot to bring it to today's meeting. NOAA still owes for demand charges on the District's PG&E bill.

13. 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). REVIEW THE DESIGN DETAILS FOR LEVEE SETBACK ALONG SEVENMILE SLOUGH WITH THE DISTRICTS ULTIMATE LEVEE STANDARD SLOUGH TOGETHER WITH A TWENTY-FOOT (20'), LEVEE SETBACK FROM THE TOE FOR DWR'S PROPOSED MITIGATION AREA. THE BOARD WILL HEAR A STATUS UPDATE AND DISCUSS.

Ms. Otome Lindsey did not attend today's meeting. Mr. Chris Neudeck reviewed with the Board the status of the TIMES Project and meeting with DWR scheduled for Friday August 11, 2023 at 9:30 am. Mr. Neudeck and Mr. Eric Almas attended the meeting by phone. They only have a 30% plan and no permit. They are in the process of coming up with a plan, moving very slow. Mr. Neudeck stated that Ms. Lindsey has put together a great group of people to do this project.

14. 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 there was not too much to report. They did work on one of the risers, it was leaking. They used Mr. Bruce Gornto's backhoe to dig it out and fix it. Mr. Ricky Carter told the Board that in the past there have been problems with the risers.

15. 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 PG&E rates are higher. Last year the customer charge was \$1,004.59, now the charge is \$1,435.22. We had no rain at this time. Peak charge for this period is \$43.62 which is low.

President Sgarrella told the Board he is waiting to hear from Bank of Stockton with a loan offer and an offer from a potential Third-Party Owners.

16. BOARD TO HEAR AN UPDATE ON THE APPLICATION AND THE SUBMITTALS TO THE DEPARTMENT OF WATER RESOURCES (DWR) FOR THE PSP PROGRAM.

Mr. Chris Neudeck reviewed with the Board the letter of commitment (dated May 16, 2023) from DWR. DWR agreed to provide the land on which the project will be built. Mr. Neudeck discussed with the Board DWR requirement for RD 1601 to acquire sufficient real property right from DWR to build, operate and maintain the levee improvements. The San Joaquin River Setback Levee Project, Reach 6 Project will be built between Levee Station 482+00 and 508+00 to provide flood protection and habitat benefits. It is expected that approximately 18.4 acres of DWR land will be necessary for the project. District's financials have been turned over. Construction for the new setback levee project won't start until next fall.

17. Engineering Report: Mr. Chris Neudeck

I. Levee Distress at Levee Station 500+00.

- A. Mr. Chris Neudeck reviewed with the Board the conditions of cracking and subsidence of levee at levee station 500+00. He also reviewed with the Board bathymetric survey comparisons and recent photographs. Mr. Ricky Carter Jr. notified Mr. Neudeck about the problem. Mr. Ricky Carter Jr. had Asta open up the crack and heal the area. Looks like no movement on the waterside.

Exhibit A: Bathymetric survey comparisons and cross-section comparisons.

Exhibit B: Photographic summary.

II. Project Funding Agreement TW 21-1.0 TIMES Project

- A. Look under item 13.

III. Delta Levee Subventions Project-Special Project Multi-Benefit PSP

- A. Look under item 16.

18. Superintendent Report: Mr. Ricky Carter Sr. and Mr. Ricky Carter Jr.

- Routine levee patrols daily.
- Checked pumps and oil in the pumps at pump station daily.
- Chopped Threemile Slough levee.
- Ordered and picked up parts in Stockton.
- Checked the alarm agent and cleared alarms on 1 and 2.
- Ordered (2) 5-gallon drums of Tellus 68 for pumps.
- Purchased (2) containment troughs for the oil purchased.
- Purchase and picked up oil pump for oil drums.
- Had a fire on the waterside slope at Levee Station 370+00 -380+00, while chopping. Hit a rock and sparked a fire.
- Had Mr. Grant Haney walk the Districts excavator from Threemile Slough to the mid crossing.

- Worked with Mr. Ricky Carter Jr. and Mr. Juan Carlos to put the track back on the District's excavator. Cleaned vegetation out of canal (C1).
 - Checked cracking on the road at Levee Station 500+00.
 - Flat tire repaired on the District's Kubota tractor. Mr. Tim Nix was using the Kubota tractor and the chopper when a large stick went into the left rear tire.
 - Meeting with AECOM and KSN.
 - Worked on water for sheep camp.
 - Meeting with Ms. Amy Williams by the setback levee.
 - Checked cracks at Levee Station 400+00-440+00.
 - Had new tires put on the District's Ford 2021 truck.
 - Worked on the trucking for possibly free material with Ken (broker), Mr. Ricky Carter Jr. and Mr. Aaron Lickingteller (KSN), decided not to receive the material. And it was a short notice.
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- Made daily rounds.
 - Checked pumps and oil in the pumps at pump station daily.
 - Found crack in the middle of the levee at Levee Station 500+00.
 - Met with KSN at Levee Station 500+00 about crack and slip.
 - Met with RCD to determine whose responsibilities it is for the vegetation control from lower road to the toe ditch.
 - Mowing levees.
 - Called Asta to come out and bring a D-6 dozer to help move material that was going to be brought in for the center canal C-1.
 - Finished levee inspection reports for the month of July 2023.
 - Graded Middle Road with District's Kubota tractor and scraper.
- President Sgarrella told the Board that he had talked with Mr. Ricky Carter Sr. and Mr. Ricky Carter Jr. about looking into purchasing a good condition long reach excavator to keep at the District's pump station to clean the District's canals. Mr. Carter Sr. told the Board what is happening, the prim rose keeps the water backing up and blocks the water flow from getting to the pumps making the pumps run off and on. The new purchased long reach excavator would be kept at the pump station area and the District's now owned (short reach) excavator would be used to clean the District's toe ditches.

19. Closed session: Public Employee Performance Review

Title Laborer

Closed Session: 10:59

Open Session: 11:32

Reported Action: No action taken.

20. Adjourn Regular Meeting.

The next regular meeting of the Board of Trustees will be called to order September 19, 2023, at 9:00 am, the regular meeting was adjourned at 11:35 am.

[Handwritten Signature]

Presiding Trustee of the Regular Meeting August 15, 2023, certifies the above Minutes.

Linda Cast
Secretary