

RECLAMATION DISTRICT NO. 1601

306 Second Street
Isleton, CA 95641

Minutes of the Board of Trustees Regular Meeting

August 16, 2022

Meeting held by teleconference consistent with AB361.

1. CALL MEETING TO ORDER.

President Barry Sgarrella called the regular meeting of the Board of Trustees (Board) to order on August 16, 2022, at 9:00 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 and District's attorney Mr. Jesse Barton. Also attending Mr. Ricky Carter, Jr., Ms. Otome Lindsey, Mr. Richard Silva, Mr. Jaime Rodriguez and Mr. David Julian.

Attending by conference call, District's secretary Mrs. Linda Carter, District's accountant/treasurer Mrs. Perla Tzintzun-Garibay with Butterfield and Company, Mr. Bill Reynolds and Ms. Jennifer Hogan.

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.

Mr. Richard Silva asked the Board if the public could have access to the District's surveillance cameras. Mr. Jesse Barton told the Board, giving the public access to the District's cameras would not be a good idea. This item will be placed on the agenda for next month's meeting.

3. MINUTES REGULAR MEETING.

Trustee Good entertained a motion to approve the July 19, 2022, regular meeting minutes as written, motion was seconded by President Sgarrella 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. Perla Tzintzun-Garibay also noted the following payments made between meetings: On July 20, 2022, check number 12109 to Cab Air Systems, Inc. for \$9,426.25 (Excavator AC). On July 8, 2022, EFT payment to PERS for \$2,579.66 due to the timing of the due date. On August 11, 2022, deposit for \$311.37 Dohrmann refund (\$180), RD 536 August rent \$131.67. On July 20, 2022 deposit \$13,472 Assessment Call payments and RD 536 July rent.

The Board and Mrs. Perla Tzintzun-Garibay went over Moorman's Water Systems invoice for \$24,000 for a portion of the payment for the new Pump No. 2 and repairs. FPOP mobile no longer provides service to cameras, the District is trying T-Mobile at \$30 per camera per month.

After some discussion President Sgarrella entertained a motion to approve accounts payable of \$77,419.75, (invoices that were presented today) and the transfer of \$90,000 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 \$8,796.49, from Bank of Stockton 1597 TW 14-1, 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. After some discussion President Sgarrella entertained a motion to approve the transfer of \$5,146.15, 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. BOARD TO DISCUSS AND POSSIBLY ADOPT BOARD AND PUBLIC INVOLVEMENT PROCEDURES AT FUTURE MEETINGS.

Mr. Jesse Barton told the Board that at last month's meeting he wanted to speak to the Board about having the Board discuss and possibly adopt Board and public involvement procedures at future meetings. With more public coming to the meetings the Board needs to manage the public comments. Mr. Barton would like for the Board to streamline the comments from the public and put a procedure in place.

The procedure should go as follows: The Board or staff member are first to speak about the item, then there will be comments from the Board. After that if someone from the Board entertains a (makes a first) motion for an approval of the item, Mr. Barton will ask the Board for a first and then a second. Once the second has been made then Mr. Barton will ask the public for any comments. The Board will hear the public comments, then the Board will talk about the comments. During this time the board can amend the motion before voting and or drop the motion all together. This will be the procedures the Board will follow for future meetings.

6. PUBLIC EMPLOYEE WAGE REVIEW: TITLES: SUPERINTENDENT, MAINTENANCE WORKER/OPERATOR, AND SECRETARY. THE BOARD WILL DISCUSS ITS CURRENT EMPLOYEE WAGES AND MAY AUTHORIZE CHANGES.

Mr. Jesse Barton reminded the Board that at last month's meeting the Board reviewed employee performance and the outcome was that the Board was prepared to discuss wage adjustments, but actual wage adjustments (actual dollar amounts) cannot be discussed during closed session, wage adjustments must be discussed in open session. An open session item was not placed on the agenda to discuss wage adjustment. President Sgarrella told the Board that he would like to make permanent the Secretary's

maximum monthly hours at 35. The Secretary's hours were previously capped at 30 hours per month, but that was temporarily increase to 35 in January. President Sgarrella reveled to the Board that he will not be voting due to Mr. Ricky Carter Jr. lives on his property. After some discussion Trustee Good entertained a motion to approve increasing Mr. Ricky Carter Sr. and Mrs. Linda Carter wages by 5%, starting August 16, 2022, and to make permanent Mrs. Linda Carter's hours at 35 hours per month, motion was seconded by Trustee Huston, VOTE: AYES: Trustee Huston and Trustee Good NOES: None ABSTAIN: President Sgarrella ABSENT: None, motion carried. President Sgarrella noted that Mr. Ricky Carter Jr. rents from him, so he has a conflict and cannot vote or comment on any raise for Mr. Ricky Carter Jr. After some discussion Trustee Good entertained a motion to approve increasing Mr. Ricky Carter Jr. wages by 5%, starting 90 days after his hiring date of February 7, 2022, and, motion was seconded by Trustee Huston, VOTE: AYES: Trustee Huston and Trustee Good NOES: None ABSTAIN: President Sgarrella ABSENT: None, motion carried.

7. BOARD TO REVIEW AND POSSIBLY APPROVE AN ENCROACHMENT PERMIT FOR MR. RICKY CARTER SR. AND MRS. LINDA CATER FLOATING DOCK AT 2360 W. TWITCHELL ISLAND ROAD (SEVENMILE SLOUGH).

Mr. Jesse Barton told the Board that Rick and Linda Carter are seeking an encroachment permit from the District so they can install a boat dock in Seven-Mile slough. Because the permit is essentially a contract, and because Rick and Linda Carter are District employees, the mere consideration of this item is a conflict of interest for Rick and Linda Carter. As a result, Rick and Linda Carter cannot be part of the meeting when this agenda item is discussed. Rick Carter left the meeting room and Linda Carter hung up the phone. Mr. Neudeck reviewed with the Board exhibit D in his engineering report, a copy of the Rick and Linda Carter's application and plans for a proposed dock along the Sevenmile Slough in front of their residence. After Rick Carter returned to the meeting room and Linda Carter was back on the phone, Mr. Barton announced that the Board had approved Resolution No. 2022-13, Disclosing Conflict of Interest and Authorizing Issuance of Encroachment, with one special condition, the pilings need to be sunk 10 feet deep or to refusal.

8. BOARD TO DISCUSS AND POSSIBLY ACT ON A FENCE ENCROACHMENT BETWEEN LEVEE STATIONS 370+00 AND 450+00.

Mr. Ricky Carter Sr. reported to the Board that he and, Mr. Ricky Carter Jr., met with Mr. Jaime Rodriguez to discuss the fence issue. After talking with Mr. Rodriguez, Mr. Carter Sr. would like for the Board to consider approving a permit for the fence that does not affect the District's toe ditch cleaning and mowing. Mr. Rodriguez has taken down the fence around the corner. Mr. Carter Sr. would like the rest of the fence taken out. Permanent fence needs to be removed and relocated at Levee Stations 365+50 to 369+00. At Levee Stations 369+00 to 371+00 No removal. At Levee Stations 371+00-448+00 remove and relocate. At Levee Stations 448+00-505+00 No removal. Where the permanent fence is being required to be removed and relocated, the landowner can erect a temporary electrical fence to corral livestock. Trustee Good told the Board that on August 24th, he and Mr. Vincent Wong (with DWR) will be meeting with Mr. Jaime

Rodriguez about the fence issue. Mr. Jesse Barton asked if the Board would like to put on next month's agenda the Board to discuss and possibly approve an encroachment permit for some of the permanent fencing. President Sgarrella said to wait until the next meeting for Board to approve the encroachment permit. Mr. Barton told the Board that he needs a map marking the location of the fences. No action was taken on this matter.

9. BOARD TO HEAR AN UPDATE ON THE DELTA FLOOD FULL/FULL – SCALE EXERCISE SCHEDULED FOR THURSDAY, AUGUST 25TH.

Mr. Chris Neudeck told the Board that there have been no changes. Mr. Rick Carter Sr. and Mr. Ricky Carter Jr. will be checking the pump to make sure it runs and check on the flood fight materials that will be needed for the exercise. There will be approximately 30 people on-island August 25th for the exercise.

10. BOARD TO HEAR AN UPDATE ON SACRAMENTO COUNTY PROPOSED COUNTY ORDINANCE REGARDING CAMPING AND ENCAMPMENTS.

Mr. Jesse Barton and Mr. Chris Neudeck took part in the Sacramento County workshop for the County's ordinance regarding camping and homeless encampments on levees. Mr. Barton told the Board the county ordinance would not affect the District (Twitchell Island), it is more for urban settings. In order to force the homeless to move, they must have a place to go. The county would not create a homeless shelter down here. Mr. Barton stated that as long as the person has wheels (motor home, camper, car etc.) then the Sacramento County Sheriff's department will come out and cite for possible parking violations.

11. BOARD TO DISCUSS AND POSSIBLY TAKE ACTION ON SHEEP AND GOATS ON THE LEVEES WITHOUT PERMISSION FROM THE DISTRICT.

Mr. Cole Bakke did not attend today's meeting. Mr. Ricky Carter Sr, told the Board the sheep and goats are staying penned up for now.

12. BOARD WILL HEAR AN UPDATE AND REVIEW THE PROPOSAL SUBMITTED BY LEADING EDGE AERIAL TECHNOLOGIES TO USE A DRONE FOR SPRAYING IN THE DISTRICT'S CANALS AND GENERATING IMAGERY TO BE USED TO CREATE A FLIGHT PLAN FOR SPRAYING SEVENMILE SLOUGH TO CONTROL VEGETATION GROWTH.

Last week President Sgarrella, Mr. Ricky Carter Sr. and Mr. Bill Reynolds had a phone meeting, about spraying the District's canal and Sevenmile Slough by using a drone. After the phone meeting Mr. Reynolds emailed a quote that provides detailed pricing information to complete an area for test spray. The quote also includes imagery to be used to create the precision fight planning and applications. The total quote amount is for \$2,530.00. At today's meeting, Mr. Bill Reynolds joined the District's meeting by conference call. After the test area at the District's canal C-1 has been sprayed and the results of the spraying have been found and after the District has added spray application done by drone to the District's NPDES spray permit, then the Board will address spraying Sevenmile Slough. After some discussion President Sgarrella entertained a motion to hiring Leading Edge Aerial Technologies Inc., to spray the District's canal banks for one day, only if the NPDES spray permit is in order, motion

was seconded by Trustee Good, VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Good NOES: None ABSTAIN: None ABSENT: None, motion carried. Mr. Bill Reynolds told the Board he is willing to wait for the District to get their NPDES spray permit in order.

13. BOARD TO DISCUSS DROUGHT CONDITIONS ON TWITCHELL ISALND.

Nothing to report on this item.

14. BOARD TO DISCUSS AND POSSIBLY APPROVE THE RENEWAL OF ITS INSURANCE AND A NEW INSURANCE CARRIER.

Mr. Jesse Barton told the Board that he will be addressing two separate insurance policies. The first policy, which is up for renewal is the crime policy that the District had to obtain in order to make Mrs. Perla Tzintzun-Garibay the District's treasurer. After some discussion Trustee Good entertained a motion to approve renewing the District's crime policy, motion was seconded by President Sgarrella, VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Good NOES: None ABSTAIN: None ABSENT: None, motion carried.

The other policy that Mr. Barton discussed with the Board is the District's property/general/auto policy. Mr. Barton has received a competitive quote from SDRMA for property, general liability, and auto liability. Mr. Barton obtained this quote at the Board's request because the District's current insurance carrier, WaterPlus (Allied), keeps increasing the premiums, reducing coverage, and dropping the service quality. For the past years the premiums have been: 2008-\$22,000, 2009-\$23,000, 2020-\$24,000, 2021- \$28,000 and 2022-\$31,000. Mr. Barton is currently comparing these two policies (WaterPlus vs. SDRMA) and the comparison is in SDRMA's favor. WaterPlus (Allied) no longer covers flood. Dohrman Insurance told Mrs. Perla Tzintzun-Garibay if the District decides the District can cancel the current insurance policy.

The quote from SDRMA does not include the Chevron Barn (warehouse), It does include the, pump station. Also with SDRMA you must join California Special District Alliance, California Special Districts Association. Mrs. Perla Tzintzun-Garibay told the Board there was a page for mobile contract equipment. Mr. Barton said the policy currently only includes (2) vehicles and, pump station. If the Board want it to cover the warehouse and mobile equipment, then the policy will need to change. President Sgarrella told the Board if someone could give him the size measurements of the Chevron building he will get the value of the building. President Sgarrella questioned about the equipment owned by the District, but used by the SMFA Rice Project. After some discussion it was decided that President Sgarrella will find the value of the Chevron building, Mr. Barton and Mrs. Tzintzun-Garibay will work on the mobile equipment.

15. BOARD TO RECEIVE AN UPDATE ON THE USGS ENCROACHMENT PERMIT TO INSTALL A WATER QUALITY MONITORING DEVICE ON THE DISTRICT'S PUMPING STATION. BOARD MAY APPROVE AMENDING THE EXISTING USGS ENCROACHMENT PERMIT FOR A REDESIGNED MONITORING SYSTEM.

Mr. Ricky Carter Sr. reported to the Board that he had received a phone call from USGS to take some measurements at the District's pump station. They told him they are working on a new design. Mr. Jesse Barton told the Board we need to wait for USGS to present to the Board with their new design for the monitoring system.

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. 2022-14 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-14-1.2-PROJECT FUNDING AGREEMENT FOR A HABITAT ENHANCEMENT PROJECT ON TWITCHELL ISLAND (EXPIRES 10/31/2023). THE BOARD WILL HEAR A STATUS UPDATE AND DISCUSS.

Ms. Otome Lindsey reported to the Board that the retention check for \$113,357.68 for TW14-1.1, according to DWR accounting department should be here by the next Board meeting. SMP will be out doing maintenance work.

18. PROJECT FUNDING AGREEMENT TW-21-1.2, 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). THE BOARD WILL HEAR A STATUS UPDATE AND DISCUSS HABITAT AND RIGHT OF WAY ISSUES. THE BOARD MAY REQUEST ADDITIONAL FUNDING FOR THIS PROJECT.

Ms. Otome Lindsey reported to the Board that 60% of the designs for the wetlands have been done. The boundary survey is on the doc, no date when it will be done.

Ms. Lindsey asked the Board to approve the letter to Ms. Jennifer Hogan, dated August 16, 2022, requesting additional funding (\$239,452) for the TW21-1.2 project. After some discussion Trustee Huston entertained a motion to approve sending a letter to Ms. Jennifer Hogan requesting additional funding (\$239,452) for the TW21-1.2 project, motion was seconded by President Sgarrella 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 WILL HEAR A STATUS UPDATE AND DISCUSS.

Mr. David Julian (with DWR) introduced himself to the Board. Mr. Julian will be the one of the contact persons for the project. This month the rice fields are drying out. He noticed an issue with a riser and the out-let. Mr. Tim Nix has been doing tree trimming. Mr. Julian will check on what equipment is for used for the project.

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.

Mr. Chris Neudeck went over the Base Map showing compliance with Bulletin 192-82 Standard and Exhibit C, from his engineering report: Bulletin 192-82 Compliance Base Map from Drafts 5-year plan. Mr. Neudeck went over the map where all the low points are located on Twitchell Island. When funds do come in maybe the District should start with the setback area for the first area of attack.

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 June 29, 2022-July 28, 2022, in the amount of \$8,940.30, 1,004.59 KWh used per day. On July 18, 2022, President Sgarrella, Mr. Ricky Carter Sr. and Mr. Jack Wilber met to discuss changing the clock timer, It did not have Saturday and Sunday on the program. The program has been changed. This will eliminate the issue of the pumps running the wrong time on the weekends.

On July 28th, Mr. Ricky Carter Sr. had an issue with weed growth in the District's canal C-1, weeds held the water back at Mr. Bruce Gornto's grate. It needed to be cleaned, a long reach is coming in, which will to be used to clean the grates again.

The pump station still needs to have a transfer switch put in, so pump number 2 can be switched from running on electric from PGE and solar power.

22. BOARD WILL REVIEW AND POSSIBLY APPROVE HIRING A CEQA CONSULTANT TO PERFORM CEQA REVIEW FOR THE SOLAR ARRAY EASEMENT PROJECT JUST NORTH OF THE DISTRICT'S PUMP STATION.

Mr. Chris Neudeck and President Sgarrella explained to the Board that there is nothing new to report. They are waiting for a quote from a CEQA consultant. However, Mr. Neudeck checked his phone and a quote came in during the meeting. Mr. Neudeck told the Board the proposal will not exceed \$5,000. After some discussion President Sgarrella entertained a motion to approve hiring Base Camp to perform a CEQA review for the solar array and not to exceed \$5,000, motion was seconded by Trustee Huston, VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Good NOES: None ABSTAIN: None ABSENT: None, motion carried.

23. BOARD TO REVIEW AND POSSIBLY GIVE AUTHORITY TO ADVERTISE FOR BIDDERS FOR THE 2022 LEVEE IMPROVEMENT PROJECT ALONG THE SAN JOAQUIN RIVER BETWEEN LEVEE STATIONS 450+00 TO 530+00.

Mr. Chris Neudeck reported to the Board he is still waiting for word from DWR.

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

I. AB 360 Delta Levee Subventions Program

- A. Mr. Neudeck reviewed with the Board Geotechnical Report from adjacent setback levee and proposed borrow area that was never investigated due to DWR decision. Material from the lower bench was used for the Setback Site.
Exhibit A: Geotechnical Report from Neal O. Anderson for Levee Improvement Projects along Sevenmile Slough.
Exhibit B: Borrow Site Base Map

II. AB 360 Delta Levee Subventions Program

- A. Look under item number 20.

III. Districts Drainage Pump Stations

- A. Mr. Chris Neudeck reported to the Board that the new Pump No. 2 has been put in. Moorman's Water Systems reported to Mr. Neudeck that the pump is in place, but it runs for 10 minutes then shuts off, so there is a problem in the relay switch. The pump pumped 700-1000 gallons, something is wrong. They also are having problems with the butterfly valves. A solar disconnect needs to be put in, so the pump can be switched from using solar the connect to the PG&E grid.

IV. Plan review for Carters Proposed dock in Sevenmile Slough.

- A. Look under item number 7.

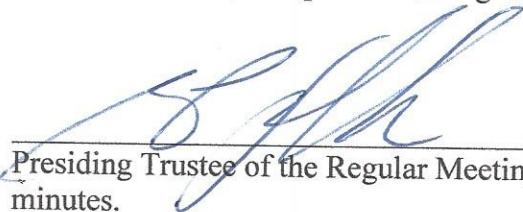
25. SUPERINTENDENT REPORT: Mr. Ricky Carter Sr.

- Routine levee patrols daily.
- Checked pumps and oil in the pumps at pump station daily.
- Helped welder on counter balance for the District's excavator.
- Adjusted float at the District's pump house 3 inches higher.
- Fixed water line at the District's pump station.
- Worked on Subvention Claim 2022-2023.
- Worked on the District's cameras.
- Met with Mr. Vincent Wong, Mr. Juan Mercado Jr. and Mr. Ricky Carter Jr. about fence issue.
- Two days-Levee inspection for monitor and high tide notifications.
- Cancelled FREEDOMPOP cards.
- Had a Tech from "Verve" here to determine service that will work for the District's cameras.
- T-Mobile cards will work, purchased and put in.
- Ordered booster for the Chevron Point barn.
- Phone meeting with President Barry Sgarrella and Mr. Bill Reynolds about spraying with drones.

- Ordered three transfers of sand to be piled at Oulton Point.
 - Ordered two porta potties for the August 25, 2022, Delta Flood Full/Full-Scale Exercise.
 - Sent a copy of the Carter's encroachment permit applications to Mr. Jesse Barton and Mr. Chris Neudeck.
 - Two days-Levee inspection for high water 11:00 pm to 2:00 am and 12:15 am to 3:00 am.
 - Asta Construction delivered (3) loads of sand to Oulton Point.
 - Mr. Ricky Carter Jr. finished as far as he could go on the toe ditch, until fence issue is resolved.
 - Moorman Pump installed the District's pump number 2 and soft start panel.
 - Picked up paperwork from Mrs. Perla Tzintzun-Garibay for the meeting.
 - Met with IT tech to fix camera issue.
 - Asta Construction will be grading the levee crown and Middle Road.
- Mr. Ricky Carter Sr, told the Board that T-Mobile should be crediting the District \$200 due to the District had to purchase a hot spot and the problems the District has had setting the cameras up with T-Mobile.

26. ADJOURN:

The regular meeting of the Board of Trustees will be called to order September 20, 2022, at 9:00 am, the special meeting was adjourned at 11:53 am.



 Presiding Trustee of the Regular Meeting August 16, 2022, certified the above minutes.



 Secretary