

RECLAMATION DISTRICT NO. 1601

**306 Second Street
Isleton, CA 95641**

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

September 19, 2023

1. CALL MEETING TO ORDER.

President Barry Sgarrella called the regular meeting of the Board of Trustees (Board) to order on September 19, 2023, at 9:01a.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 Ms. Otome Lindsey, Ms. Ceci Giacomia, Mr. David Julian, Mr. Dominic Carablo 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.

Mr. Richard Silva spoke to the Board about double siding the no parking and no trespassing signs, so people can see the message from both directions.

3. MINUTES FOR REGULAR AND SPECIAL MEETING.

President Sgarrella entertained a motion to approve the August 15 2023, regular meeting minutes and the August 29, 2023 special meeting minutes as presented, motion was seconded by Trustee Gill 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 September 2, 2023, deposited \$498.38 from RD 536 for rent (\$131.67) and US Bank Q3 rebate (\$366.71). On September 6, 2023, EFT payment to PERS for \$2,749.99, due to the timing of the due date.

President Sgarrella told the Board that the two invoices for Blankinship and Associates, Inc. are valued invoices. Blankinship has billed to their cap of their contract with the District. The two invoices from California Waste Recovery System (\$145.66) and

(169.40) are for two garbage boxes located in two different locations. Mrs. Perla Tzintzun-Garibay told the Board that the invoice is split with the District and DWR. Mrs. Perla Tzintzun-Garibay informed the Board Gornto Ditching submitted an invoice for \$8,078.57 for Twitchell Rice-Alexander AG Flying (spraying).

After some discussion President Sgarrella entertained a motion to approve accounts payable of \$88,537.90 (invoices that were presented today) and the transfer of \$75,000.00, 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 \$9,102.72, from Bank of Stockton 2223 (SMFA) Wetlands Development, 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: Assessment Call No 32: \$542,549.89

Account Receivable: DWR Trust None

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

Special Project Invoices Pending Approval: \$89,116.71

Accounts Payable: Times Project:

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

KSN (Times SP reimbursement July and August services) - \$1,732.50

Stillwater Sciences (Times SP reimbursement July services) - \$7,058.75

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 that the District's audit and the special District Financial transaction report is coming for the year ending June 30, 2023. Croce, Sanguinetti & Vander Veen Inc. sent their letter of engagement for them to perform the annual independent audit and special district financial transaction report for the year ending June 30, 2023. The audit fees range is \$5,825-\$6,025. Last year the total charged was \$6,250 for the audit and the financial transaction report. This year the special district financial transaction report fee is \$550 (\$50 increase). Mrs. Perla Tzintzun-Garibay told the Board we have had only good experiences with the company, and they are up to date on the laws and procedures of accounting. After some discussion, Trustee Huston entertained a motion to approve the letter of engagement with Croce, Sanguinetti and Vander Venn to perform the District's audit and Special Districts Financial Transactions Report for year ending June 30, 2023. Trustee Gill seconded the motion VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Gill NOES: None ABSENT: None, motion carried

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 \$542,549.89 (DWR) is still outstanding. Trustee Gill told the Board that he asked for a copies of the DWR's invoices for the assessment Call 32 from the District's secretary. He said it should take a couple of weeks to process the payment. It was recommended for next year DWR invoices be emailed and send hard copies by mail.

7. 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 reported to the Board there were two seats up for election. Only two people, Trustee Dave Huston and Trustee Jas Gill, submitted nominations. The notice period is over. Mr. Barton has sent a request to the Sacramento County Board of Supervisors to appoint both Trustee Huston and Trustee Gill to a four- year term.

8. BOARD TO HEAR AN UPDATE AND DISCUSS LIVESTOCK ON THE LEVEE.

Mr. Ricky Carter Jr. reported to the Board that things are going pretty well. At the last month's meeting Mr. Richard Silva had his guys out working on the fence in the marshy area.

Trustee Gill reported to the Board that he had spoken with Mr. Jaime Rodriquez; they pointed out their concerns to Mr. Rodriquez.

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

Mr. Ricky Carter Jr. told the Board that they were scheduled to come out to spray September 11th -15th. Mr. Carter received a call from Leading Edge telling him that they don't have the right applicator license to spray the herbicide the District will be using. They said it would take about 45 days for them to get the right applicator license. After speaking with them Mr. Carter told them to get their license and reschedule the spraying for next year. In the meantime, with President Sgarrella approval, Mr. Carter purchased a long reach sprayer with a 50-foot reach. He put the sprayer in the back of the District's Kubota side by side. He can run along the top of the levee and spray from there. He will be able to spray the San Joaquin River levee and the District's canal C-1 to help keep the prime rose and the water hyacinth from choking off at the canal and the trash racks. President Sgarrella will follow up to find out why at the last minute the District found out that they didn't have the right applicator license for the chemicals the District needs to use. He will tell them to put the District on top of their list for spraying next year. Mr. Carter told the Board he went online and found a class for chemical handlers. Mr. Carter competed the course and has his handler certificate, he now can handle the chemicals used by the district. Mr. Carter will be purchasing more chemicals to have on hand and ready for next year's spraying. This matter will be taken off the agenda and brought back again in March. Mr. Richard Silva suggested another vendor for Mr. Carter to contact for spraying. Mr. Carter will speak with the vendor after today's meeting, and may get a bid from him. Also find out from him what the amount of chemicals should be used for the application.

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

President Sgarrella reported to the Board that he has been in contact with Mr. Tom Ayers with NOAA. President Sgarrella intended to go out last month after the District meeting to measure the amperage, but he forgot to bring his clamp meter. Today he has his clamp meter with him, and plans to check the amperage today after the meeting. He had Mr. Carter purchased a clamp meter for the District, so Mr. Carter can go out periodically to check on it. Mr. Ayers told President Sgarrella that NOAA has a similar set up at a different area the usage is about 1700 kWh per month. President Sgarrella went over the District's PG&E invoice for September 2023. With the Board. NOAA demand charges are \$504.39. After checking the meter today President Sgarrella will calculate the charges and have Mrs. Perla Tzintzun-Garibay rebill NOAA. President Sgarrella told Mr. Ayers they need to get their own meter, and he gave him a contact person with PG&E.

11. BOARD TO CONSIDER APPROVING DELTA LEVEE MAINTENANCE SUBVENTIONS PROGRAM WORK AGREEMENT FOR FISCAL YEAR 2023-2024.

Mr. Jesse Barton told the Board that he had looked over the Subventions Program Work agreement for 2023-2024 and it is the same as last years. Mr. Chris Neudeck went over the history of the Subventions program. After June 2024 the program is scheduled to come to an end. After some discussion President Sgarrella entertained a motion to approve the Delta Levee Maintenance Subventions Program Work Agreement for fiscal year 2023-2024 and Resolution 2023-09, motion seconded Trustee Gill VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Gill NOES: None ABSTAIN: None ABSENT: None, motion carried.

12. 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 TO ACCOMMODATE THIS PROJECT. THE BOARD WILL HEAR A STATUS UPDATE AND DISCUSS. THE BOARD WILL REVIEW DWR'S NATIVE GRASS SEEDING PLAN FOR THE UPPER BENCH AREA OF THE TIMES PROJECT. THE BOARD WILL CONSIDER AUTHORIZING KSN TO SOLICIT BIDS FOR THIS WORK.

Mr. Neudeck reviewed with the Board documents in his engineering report: The status of the TIMES project and the meeting held with DWR on September 8, 2023. DWR's endorsement of RD 1601's standard levee template and levee footprint to establish appropriate setbacks for future mitigation plantings. And Exhibit A: RD 1601's standard levee template adjacent to the TIMES mitigation area. Exhibit B: DWR's endorsement dated September 11, 2023, of RD 1601's standard levee template adjacent to the TIMES mitigation area. He reviewed DWR's Native Grass Seeding plan for the upper bench area of the TIMES project. Mr. Neudeck spoke to the Board about KSN

Inc.'s efforts to get this project out to bid and seek authorization to solicit bids for work from the Board of Trustees. Reviewed Exhibit C: DWR's Native Grass Seeding DRAFT Plan dated 9/7/2023. Looking to endorse the first contract for this project, native grass seeding. Drill seed is a ground cover, it will not be part of the mitigation. It does not impact the setback, would like to see them seed up to the existing template setback so there is no gap. Still working on the cost for seeding per acre. KSN is finalizing the bid. The bid will be handled by Ms. Otome Lindsey. Ms. Lindsey told the Board that the current water system is flood irrigation. After some discussion President Sgarrella entertained a motion to approve the drill seeding bid package going out to bid, motion was seconded by Trustee Huston VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Gill NOES: None ABSTAIN: None ABSENT: None, motion carried.

13. 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 going on. They do have a leak. He has talked with Mr. Bruce Gornto to come and fix it. The PFA will be expiring at the end of next year, December 31, 2024. DWR management needs to start now working on an extension.

14. BOARD TO DISCUSS THE RISING COST OF THE ELECTRICITY USED FOR THE DISTRICT'S PUMPS.

President Sgarrella wanted this matter to be a separated item on the agenda for the Board to discuss. President Sgarrella reported to the Board that the District PG&E charges for August 2023, is \$18,762.93. Last year the kWh per day charges were 702.06 kWh current period 2,825.53 kWh. Mr. Ricky Carter and President Sgarrella have been trying to figure out where all the water is coming from. Mr. Carter has rented long reach excavators to clean the District's canal C-1 to clean the prim rose. It hasn't rained, so where is all the water coming from. Could be DWR lessees using water to flood the fields, leakage, water from Threemile slough, wet lands or the rice fields has a leak. Mr. Richard Silva and Mr. Jaime Rodriguez are flooding their fields. The demands for the usage of electricity and the price of electric have gone up. No recycling pumps working for the rice field project, so the water is going straight into the District's canal. Could change the PGE rate schedule from AGC to AGB, but that means the demand charges would be lower, and the kWh would be higher. Might consider this change after the solar array is in.

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 he talked to a couple of people that he thought would be third-party-owners. They told him that they would prefer to put their money in the bank and collect interest, due to today's economy. Need to look at borrowing money from the Bank of Stockton. After some discussion it was decided that

Mr. Chris Neudeck will bring back a spec. bid package. It will include a carport style solar array at least 425kW range. Looking at this coming spring to start construction. Bank of Stockton wants to see the bid package, before approving the loan. The bank also wants to see how much the solar array will save the District. Mr. Neudeck will bring the bid package to next month's meeting.

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 waiting on DWR management for an answer. May see an answer in 30 days.

17. ENGINEERING REPORT: MR. CHRIS NEUDECK

- I. Project Funding Agreement TW-21-1.0 TIMES Project
 - A. Look under item number 12
- II. Delta Levee Subventions Project-Special Project Multi-Benefit PSP
 - A. Look under item number 16.

18. ASSISTANT SUPERINTENDENT REPORT: MR. RICKY CARTER JR.

- Made daily levee inspections.
- Checked pumps and oil in the pumps at pump station daily.
- Had Asta to bring out a long reach excavator and operator out to straighten Canal (C-1).
- Finished Aquatic pest management online course.
- Put job for labor/equipment operator up on Indeed. Followed up with candidates.
- Worked on Subvention reports for August.
- Continued mowing the levee.
- Continued cleaning the toe ditch.
- Took delivery of new spray rig for the District's Kubota side by side.
- Spot sprayed spots on the San Joaquin River levee and on the Sevenmile Slough with the new spray rig.
- Sprayed the bank at the District's canal (C-1).
- Called to set up a time to have Jack Wilbur with KSN to come out and work on the District's pump stations alarm agent.
- Met with PG&E about the meter in the District's pump house (will elaborate on this).
- Met with potential candidates to show them and talked to them about the District's empty position.
- Took pictures of levee toe and toe ditch for KSN for the TIMES Project (Sevenmile Slough).
- Talked with Aerial Technology and Blankenship and associates about drone spraying. They said that they don't have the right licenses to spray.

Mr. Ricky Carter Jr. reported to the Board that last night September 18, 2023, there was an earth quake reported, he made the rounds. Crack at levee station 500+00 got fixed. Monitoring cracking at levee stations 410+00 to 440+00, he thinks its surface cracking. Mr. Jack Wilber with KSN came out on September 18, 2023, to replace the mother

board at the District's pump station. The new mother board fried. KSN will replace the mother board.

**19. CLOSED SESSION: PUBLIC EMPLOYEE PERFORMANCE REVIEW
TITLE: SUPERINTENDENT**

Closed Session: 10:31 am

Open Session: 10:50 am

Reported Action: The Board unanimously voted to promote Mr. Ricky Carter Jr. to the position of the District's Superintendent.

**20. CLOSED SESSION: PUBLIC EMPLOYMENT
TITLE: LABORER/EQUIPMENT OPERATOR**

Closed Session: 10:51 am

Open Session: 11:28 am

Reported Action: The Board approved the decision to offer the job to Mr. Dominic Calabro providing he passes the background check and drug testing. And if Mr. Calabro accepts the District's offer of employment.

21. BOARD TO DISCUSS AND POSSIBLY APPROVE/ SALARY AND WAGES OF ITS EMPLOYEES.

After some discussion President Sgarrella entertained a motion to approve giving Mr. Ricky Carter Jr. a raise of 15% and put on salary, starting pay period September 16, 2023. Offer Mr. Dominic Calabro \$28.00 per hour to start with if he accepts the employment offer from the District and passes the background check and drug testing, motion seconded Trustee Gill VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Gill NOES: None ABSTAIN: None ABSENT: None, motion carried.

22. ADJOURN REGULAR MEETING.

The next regular meeting of the Board of Trustees will be called to order October 17, 2023, at 9:00 am, the regular meeting was adjourned at 11:37 am.



Presiding Trustee of the Regular Meeting September 19, 2023, certifies the above Minutes.



Secretary