

RECLAMATION DISTRICT NO. 1601

**306 Second Street
Isleton, CA 95641**

**Minutes of the Board of Trustees
Regular Meeting
October 17, 2023**

1. CALL MEETING TO ORDER.

President Barry Sgarrella called the regular meeting of the Board of Trustees (Board) to order on October 17, 2023, at 9:02 a.m. ROLL CALL: In attendance: President Barry Sgarrella, Trustee Dave Huston and Trustee Jasbir Gill. Districts 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. Randy Weinrich, Ms. Ceci Giacomini, Mr. David Julian and Mr. Richard Silva.

Attending by conference call, District's secretary Mrs. Linda Carter, Mr. Grayson Sandy and Ms. Otome Lindsey.

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 told the Board that the electrician that came out to check on the District's pump station panel problem told him that it needed a breaker and may need to make some changes to it.

3. MINUTES FOR REGULAR MEETING.

Trustee Huston entertained a motion to approve the September 17, 2023, regular 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 October 5, 2023, EFT payment to PERS for \$916.66, due to the timing of the due date. On October 12, 2023, deposited \$120.75 from SDRMA 2022-2023, prorated refund for NH tractor T5070.

Mrs. Perla Tzintzun-Garibay told the Board they will see several Asta Construction invoices from earlier this year, they just now are getting processed for payment.

Majority of the invoices are for subventions and some are for cleaning the District canal (general administration).

PG&E gave the District a credit for \$312.84. President Sgarrella told the Board that the NOAA billing has been resolved with the help from Trustee Gill. DWR said they are stepping out of the picture and the District will need to invoice NOAA directly.

President Sgarrella told the Board that he will get in contact with Mr. Tom Ayers with NOAA to find out what the hang up is with the payment.

Mrs. Perla Tzintzun-Garibay told the Board they still do not know who to send the invoices to. President Sgarrella will be emailing Mr. Ayers asking him where the payment is and who and where to send future invoices to.

After some discussion President Sgarrella entertained a motion to approve accounts payable of \$360,097.77, (invoices that were presented today), the advance request letter for SMFA and the transfer of \$360,000.00, from Bank of Stockton 1878 (General Account) into the Bank of Stockton 4201 (Checking 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: \$542,549.89

Account Receivable: DWR Trust: \$4,412.87

Account Receivable: NOAA: \$11,432.78 (weather station utilities reimbursement 11/21-9/23).

Special Project Invoices Pending Approval: \$80,013.99

Subvention Claim FY 2022-2023: \$321,646: Expected Reimbursement: \$309,746

Accounts Payable: Times Project:

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

KSN (Times SP reimbursement July and August services) - \$7,546.25

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

5. 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.

Mr. Jesse Barton reported to the Board that DWR is the only one that is delinquent with their payment for Assessment Call 32, in the amount of \$542,549.89. Trustee Gill told the Board that the invoices are in the process to be paid. Mrs. Perla Tzintzun-Garibay told the Board that if the District does not receive DWR's payment before next month's meeting the District will have to have Bank of Stockton purchase a warrant from the District. Trustee Gill told the Board he will check to see where the payment is within DWR payment processing.

6. MR. RANDY WEINRICH WITH CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE WILL SPEAK TO THE BOARD ABOUT THE 2023-2024 WATERFOWL HUNTING ON TWICHELL ISLAND.

Mr. Randy Weinrich with California Department of Fish and Wildlife (CDFW), spoke to the Board about the 2023-2024 waterfowl hunting on Twitchell Island. Mr. Weinrich told the Board that CDFW have been putting these hunts on for years on Twitchell Island, and if everything goes right there will be a waterfowl hunt this year in the rice fields. The CDFW waterfowl hunt will start December 2, 2023 (Saturday) and continue

till January 31st. Hunters will sign a waiver of liability and a safety meeting will be held before each hunt. Mr. David Julian told the Board all hunts this year on the rice fields will be going through CDFW. CDFW will be processing the hunters for the hunts on Twitchell Island. Mr. Weinrich told the Board to make sure that the signs are posted correctly, so if CDFW needs to site someone for a validation, the signage will need to be correct. CDFW is checking into holding a late season hunt in the alfalfa fields and maybe in the rice fields. That would take place sometime in February. Trustee Gill and Mr. Vincent Wong with DWR will be working with CDFW with these late season hunts. Mr. Weinrich told the Board if the Board has any construction work going on in the hunt areas at the time of the hunts, they will make some other arrangements. After some discussion President Sgarrella entertained a motion to approve giving CDFW access to Twitchell Island to hold their waterfowl hunts on Twitchell Island for this season, 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 HEAR AN UPDATE AND DISCUSS THE SHARED USE OF ITS PG&E ELECTRICAL METER.

Mr. Jesse Barton told the Board that Mrs. Perla Tzintzun-Garibay sent Mr. Tom Ayers with NOAA an invoice and so far, no response from NOAA. If there is no response in a couple of weeks President Sgarrella will call Mr. Tom Ayers. After some discussion it was decided that this agenda item will be removed from the agenda and tracked through the accounts receivables.

8. 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. BOARD TO REVIEW AND CONSIDER AWARDED A CONTRACT FOR DRILL SEEDING. KSN INC. WILL PRESENT THE BID SUMMARY.

Mr. Chris Neudeck told the Board that the bid opening for the Twitchell Island-Native Grass Seeding was held on October 12, 2023, at 10:00am. Only one bid came in and it was from Hanford Applied Restoration and Conservation (Hanford ARC), for a bid total amount of \$968,556.00. Mr. Neudeck went over with the Board the specification of the invitation of the bid, the Native Grass Seeding plans which were prepared by Stillwater Sciences. Mr. Neudeck went over the bid summary of DWR's Native Grass Seeding plan for the upper bench area of the TIMES project.

Hanford ARC bid for schedule 1 (site preparation and seeding) \$432,207.00. Hanford ARC bid is low compared to KSN Inc.'s estimate of \$640,000.00. For schedule 2 (plant maintenance), KSN Inc. had nothing in the bid for plant maintenance, due to not knowing what the costs would be. ARC bid \$536,349.00. This amount could change if we have rain. This is not a Reclamation District 1601 project, it is DWR's project. Mr. Neudeck went over the endorsement letter from Angela Calderaro with DWR endorsing giving the bid to Hanford ARC. Mr. Neudeck told the Board that Hanford ARC are the ones who did the original planting some twenty years ago on Twitchell Island. They are

familiar with the irrigation and lay of the land. Mr. Neudeck recommends to the Board awarding the Native Grass Seeding bid to Hanford ARC on the condition that the District first receives the advance payment check. Ms. Otome Lindsey spoke on the phone and told the Board she has been putting pressure on the state controller's office to release the advance payment check for \$1.8 Million to the District. She told the Board she had sent Mrs. Perla Tzintzun-Garibay a copy of the receipt of the warrant that was cut. The check is some where outside of the controller's office. She was told the check had been mailed out on Friday.

Ms. Lindsey told the Board the plant maintenance portion of the bid could be for half of a year. The upper bench could be for 8 months.

After some discussion President Sgarrella entertained a motion to approve awarding the Native Grass Seeding bid to Hanford ARC, subject to the District receiving the advance payment check for \$1.8 Million from DWR, motion was seconded by Trustee Gill
VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Gill NOES: None
ABSTAIN: None ABSENT: None, motion carried.

Ms. Otome Lindsey thanked the Board for taking the contract in to consideration and for their patience.

9. 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 identified a couple of the leaks. They fixed them as best as they could. One leak was basically three outlets. It has been patched up. They have turned off all of the syphons to the wet lands. No water is going to the rice fields right now. The outlet at a low point of the rice field has some leaks. The plan is to not put any water in that area, only rain water. They plan on replacing the risers next year. They are looking for some to help with showing Tim Nix how to operate the recycling pumps. Mr. Julian and the Board discussed Sherman Island and Twitchell Island sharing one large portable generator between the two islands, No action taken. All hunting this year will go through CDFW.

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

Mr. Jesse Barton said the electrical bills seem to be going up higher and especially during the summer months which makes little sense, since there has been no rain. President Sgarrella said there are a couple operational issues. Canal C-1 has been getting clogged up with water hyacinth and prim rose. This causes the pumps to come on and off making the electricity bill go up. The superintendent had to bring Asta out to pull the water hyacinth and prim rose out of canal C-1. Then had to have ASTA come and remove some of the dirt that was sluffing off into the canal C-1. Besides that, PG&E keeps raising their rates. We can't do anything about that except continue to move toward installing a solar power plant that will reduce the power costs by bypassing most of PG&E's billings in the future.

11. 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 is still looking for a TPO (third-party-owner) that could provide PPA financing, but he has also been talking with Bank of Stockton and other traditional lenders as financing alternatives for the solar projects. After some discussion President Sgarrella entertained a motion to approve giving authorization to KSN to put together two bid spec packages: one bid spec package for foundation and the other spec package for solar structure and two engineering estimates, bring the spec packages and the engineering estimates to the Board for the Board to review. Motion was seconded by Trustee Gill VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Gill NOES: None ABSTAIN: None ABSENT: None, motion carried.

12. 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 reported to the Board that there is no word on the PSP from DWR, except that it is forthcoming. It's California's budget time. Mr. Neudeck told the Board that the department received \$27 million, which is moving towards special projects. Mr. Neudeck advocates for half of the money to go towards the subventions program, due to a gap in the subvention program next year. Still not sure bond measure money will cover the year 2025, but sure there is money for 2024.

13. ENGINEERING REPORT: MR. CHRIS NEUDECK

I. AB 360 Delta Levee Subvention Program.

A. Mr. Chris Neudeck reviewed with the Board the District's claim for Fiscal Year 2022/2023. The Total Estimated Claim \$321,646.34, Less District Share: \$11,900.00 Total Eligible \$309,746.34, Max Reimbursement =75% of Eligible: \$232,309.76.

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

A. Look under item number 8.

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

A. Look under item number 12.

B. Mr. Neudeck reviewed with the Board the recent seepage repair by ASTA Construction and District staff of levee between levee stations 549+50-550+50.

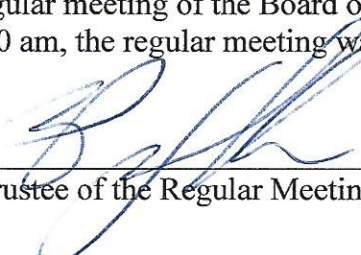
14. SUPERINTENDENT REPORT: MR. RICKY CARTER JR.

- 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 to straighten Canal (C-1).
- Worked on Subvention reports.
- Continued mowing the levee.
- Continued cleaning the toe ditch.
- Took contract to Asta to have them sign the contract.
- Training Mr. Dominic Calabro on the Districts short reach excavator and the Districts chopper.

- Worked on core trenching at Levee Station 550+00.
- Went to town for parts.
- Installed decked drawer system on the District's 2021 Ford F250 truck.
- Delivered spray and squirrel bait to Owl Harbor.
- Worked on the District's Kubota tractor for overheating issue.
- Worked on the District's pump station alarm agent.

15. ADJOURN REGULAR MEETING.

The next regular meeting of the Board of Trustees will be called to order November 21, 2023, at 9:00 am, the regular meeting was adjourned at 10:19 am.



Presiding Trustee of the Regular Meeting October 17, 2023, certifies the above Minutes.



Secretary