

RECLAMATION DISTRICT NO. 1601

**306 Second Street
Isleton, CA 95641**

**Minutes of the Board of Trustees
Regular Meeting
February 20, 2024**

1. CALL MEETING TO ORDER.

President Barry Sgarrella called the regular meeting of the Board of Trustees (Board) to order on February 20, 2024, at 9:02 a.m. ROLL CALL: In attendance: President Barry Sgarrella, Trustee Dave Huston and Trustee Jasbir Gill. District's 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 Giacomina, Mr. David Julian Mr. Richard Silva, Ms. Otome Lindsey, Mr. Larry Gardiner, Mr. Vince Chavier, Mr. Paul Cutino, Mrs. Patty Huyssoon, Mr. Richard Vierra, Mr. Dominic Calabro, Mrs. Devery Stockon and Mr. Casey Stockon.

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 FOR REGULAR MEETING.

President Sgarrella entertained a motion to approve the January 16, 2024, 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. BOARD WILL DISCUSS ENTERING INTO A MUTUAL AID AGREEMENT WITH ADJACENT DISTRICTS TO PROVIDE EMERGENCY SERVICES DURING HIGH -WATER EVENTS.

President Sgarrella gave opening remarks to the Board, he had received a phone call from the District's Superintendent Mr. Ricky Carter Jr., telling him that water levels were at static water levels (level was at the top of the levee), due to high tides, rain and wind (gusting to 60 mph) and after speaking with Mr. Chris Neudeck who recommended to sandbag about 100 feet long, four feet high sandbag wall at Levee Station 500+00. Mr. Carter did not have the manpower at the time. Mr. Carter called Mr. Wilson who is a captain with the Rio Vista Fire Department asking for some help from the fire department (Twitchell Island falls under Rio Vista/Delta Fire District's jurisdictional area) (Solano County). Captain Wilson said he was not on duty and to contact Captain Williams who is the duty officer at the time with the Rio Vista Fire

Department. At that time Captain Williams stated he did not have any personnel available. Mr. Carter called Captain Williams and Captain Williams stated he did not have any personnel available. Mr. Carter then called neighboring fire station River Delta Fire District (Sacramento County), and spoke with their fire chief Mr. Paul Cutino. Mr. Carter asked Chief Cutino if he had any man power that he could send to help with sand bagging. Fire Chief Cutino told Mr. Carter he had a few guys he could send over, but Rio Vista/Delta Fire Department has to give River Delta Fire District permission to come to Rio Vista/Delta Fire District's jurisdictional area. Mr. Carter then called the Fire Chief of Rio Vista/Delta Fire Department asking him for permission for River Delta Fire District to be able to assist with filling and setting sand bags under their mutual aid agreement with River Delta Fire District. However, it turns out these two districts do not have a mutual aid agreement. Mrs. Patty Huyssoon with the Delta Fire District handed out a packet with a printout of a dispatch call out sheet between the Rio Vista/Delta Fire Department, Solano County OES and River Delta Fire District. Also in the packet was Rio Vista/Delta Fire Department 2023 annual run report. And service jurisdiction maps for River Delta Fire District and Rio Vista/Delta Fire District. Mr. Carter reported there was about a two hour wait with the two fire chiefs going back and forth. At the end, River Delta Fire District supplied the District with five personnel to help with the sand bagging. Mr. Barton asked who Mr. Carter called first, Mr. Carter told the Board that he called Rio Vista Fire Department/Delta Fire District, then he called River Delta Fire District.

President Sgarrella told the Board he thought that Rio Vista Fire Department/Delta Fire District and River Delta Fire District had a mutual aid agreement, but he just learned that the mutual aid agreement was canceled by former Rio Vista /Delta Fire Chief Jeff Armstrong by letter dated August 2, 2019, Termination of Automatic Agreement (2005).

Mr. Barton asked Mr. Rick Carter Sr. if the District historically asked the fire department for help in sand bagging, or was this a special request. Mr. Carter Sr. told the Board that if at any time the need to sand bag would happen, the District would go through the chain of command, starting with calling Rio Vista/Delta Fire Department to see if they have personnel. If they don't Mr. Carter Sr. has gone to our neighboring district to supply the man power for sand bagging. The problem this time could have been a lack of communication.

Mrs. Patty Huyssoon, Mr. Vince Chavier (Chairman of the Rio Vista/Delta Fire District Board) and Mr. Richard Vierra, all from the Rio Vista/Delta Fire District attended today's meeting. Mr. Chavier said he agreed with Mr. Carter Sr. that there was lack of communication. Mrs. Patty Huyssoon went over the information she had in her packet that she handed out. Mrs. Huyssoon told the Board that they apologize for the confusion on that day. Mrs. Huyssoon told the Board that Delta Fire District was formed in 1947 and has a contract to share services with the Rio Vista Fire Department (They have the same address and phone number). She also discussed the maps that she passed out. She also told the Board the following: The chief for Rio Vista Fire Department is an interim fire chief and he came from Tulare County and was custom to Tulare County procedure and not accustomed to the procedures of the Delta.

Mrs. Huyssoon confirmed to the Board that there is not a mutual aid between Rio Vista/Delta Fire Department and River Delta Fire District. She then told the Board that

Rio Vista/Delta Fire Department can call City of Suisun, City of Fairfield, Walnut Grove and Contra Costa County for aid. The Rio Vista/Delta Fire Department interim fire chief got in touch with Solano County OES office, and that delayed time for anyone to come and help with the sand bagging. Rio Vista/Delta Fire Department has a staffing issue; they were short staffed that day. They have 12 paid fire fighters on their roster. River Delta Fire Chief Paul Cutino went over with the Board the steps of an emergency call. He told the Board that River Delta Fire District has mutual aid agreements set in place with Woodbridge Fire District (San Joaquin County), Montezuma Fire District (Solano County and housed at the Rio Vista/Delta Fire Department station) and South Sacramento County agencies. Chief Cutino told the Board to look at the dispatch sheet, it shows that Rio Vista/Delta Fire Department contacted Sacramento County OES. Mr. Barton said that he believes the Board wants to hear the reason for the delay and what can be done to improve it. If this was a one-time ordeal and there was a miss communication is this a onetime occurrence? Perhaps this could be corrected with some education so this does not happen in the future. Or does a document need to be put in place, which would ease the provision of services between the two districts. The Reclamation District was not aware of the cancelation of the mutual aid agreement between River Delta Fire District, and Rio Vista/Delta Fire District. Mr. Barton told the

Board if it was two fire districts and one district believed this was not working for them, there is a government code that does authorize any local agency to enter into a mutual aid agreement with a fire district. Mr. Barton asked if, Rio Vista/Delta Fire Department does not want a mutual aid agreement with River Delta Fire District then does River Delta Fire District want a mutual aid agreement with the District during flood emergency if they have personal available for the Reclamation District? The Department of Water Resources has a written contract with Delta Fire District for to supply fire, rescue services and anything along those line according to Mrs. Huyssoon. She did not have a copy of the contract between Rio Vista Fire Department and Delta Fire District with her. Mrs. Huyssoon does not want a new mutual aid agreement done between Rio Vista/Delta Fire Department and River Delta Fire District until Rio Vista/Delta Fire Department has hired a full-time permanent fire chief.

After discussion it was decided by the Board to have Mr. Barton work with the two fire districts and Mr. Carter Jr. and then write up a mutual aid agreement for the Board to review and possibly approve at the Districts meeting next month.

The Board spoke about Mr. Casey Stockon happenings with Rio Vista/Delta Fire Department on several events, one with a man falling in the water another when they had a fire. It was suggested that Mr. Stockon attend Delta Fire District meeting and call or come to the Rio Vista/Delta Fire Department and speak with Mrs. Huyssoon.

5. 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 February 7, 2024, EFT payment to PERS for \$1,024.68, due to the timing of the due date. On January 21, 2024, deposited \$4,771.87, from DWR reimbursement payment for (\$4,412.87) and ACE Hardware refund (359.00).

On February 16, 2024, deposited \$43,254.11, from SDRMA Insurance settlement for Asta Construction invoice #6153 for excavator extraction costs.

Mrs. Perla Tzintzun-Garibay spoke to the Board about the Gornto Ditching invoice for \$4,475.95, for repairs to a 21" pipe that got crushed by the District during trying to extraction of the District's excavator. After some discussion it was decided that Mrs. Perla Tzintzun-Garibay would change the charge from the SMFA account to the District's general administration account. There was a discussion on where Gornto Ditching stands since Mr. Bruce Gornto's passing. The California State Board of Contractors' licenses, shows as of February 2, 2024, the license was transferred to Ms. Bianca Suzanne Gornto (Mr. Gornto's daughter). Her sole ownership expiration date is November 7, 2024. Mrs. Perla Tzintzun-Garibay told the Board that the licenses has been put into the daughter's name, but the tax identification number and certification is in Mrs. Ofelia Gornto's name which does not match the information that the State Licenses Board has. At this time Gornto Ditching is being operated by Mrs. Gornto and the work they are doing is under her. There are some issues with them being able to do any contract work at this time. Mr. Barton told the Board all of the documents need to match. Mr. Barton recommends to the Board, if the Board decides to approve today's invoice, then in the future the district will need to look closely at all other invoices received from Gornto Ditching. Mr. David Julian told the Board they are holding off on any maintenance work for the SMFA and wet lands until things get straighten out. Mrs. Perla Tzintzun-Garibay told the Board that some progress has been made with NOAA, a number from the District they requested has been approved by them.

After some discussion President Sgarrella entertained a motion to approve accounts payable of \$ 156,000.00, (invoices that were presented today, including the invoice from Gornto Ditching and DWR invoices, 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.

After some discussion President Sgarrella entertained a motion to approve the transfer of \$66,932.87, from Bank of Stockton 3167 (TW 21-1) TIMES, 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.

After some discussion President Sgarrella entertained a motion to approve the transfer of \$7,725.67, from Bank of Stockton 2223 (SMFA) Wetland 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: DWR Trust: None

Account Receivable: Mr. Joe Mattos for land lease with the district: \$4,902.44

Account Receivable: NOAA: \$13,450.34 (weather station utilities reimbursement 11/21-9/23, 10/23, 11/23, 12/23 and 1/24).

Special Project Invoices Pending Approval: \$83,720.52

Subvention Claim FY 2022-2023: \$321,646: Expected Reimbursement: \$232,310

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

President Sgarrella told the Board that this month's PG&E bill was for \$14,118.10.

President Sgarrella questions the high electrical bill, maybe the pumps are going off and on a lot. The water levels have gone up during this billing cycle. There were peaks on January 4th and 5th. There had been a lot of power outages during this time. President Sgarrella is going to check with PG&E about the peak times during the power outages and needing to pump the water off due to heavy rains and the power outage. They charge higher price once the pumps come on and have to pump the extra water off the island.

7. BOARD TO HEAR AN UPDATE AND DISCUSS EXPLORING A SOLAR POWER ALTERNATIVE TO POWER THE RD 1601 PUMP STATION. THE BOARD MAY APPROVE ONE OR TWO BID PACKAGES FOR THIS PROJECT.

Mr. Chris Neudeck is working with solar contractors, nothing new to report.

8. BOARD TO DISCUSS THE POTENTIAL LOSS OF ITS EXCAVATOR AND POSSIBLE REMEDIES.

Mr. Chris Neudeck reviewed with the Board exhibit A in his engineering report preliminary plans and estimates for the temporary excess road contraction for the extraction of the District's excavator. This does not include cutting the excavator or removal; it includes the construction of just the road only. Estimated cost is \$842,613.00. This is not a bid estimate it is not ready to go out to bid, it is to be given to Mr. Jesse Barton to give to the Insurance company for review. At this time no one knows how Department of Water Resources (DWR) feels about leaving the excavator where it is stuck at or leaving the excess road. The cost could go up another \$ 300,000, for cutting, removal of the excavator and removal of the temporary excess road. Mr. Jesse Barton has not transmitted this to SDRMA (insurance company) nor SDG (handling the claim) and nor MKA (extraction company that SDG hired to come out to take a look). Mr. Barton wanted to have the Board take a look at the preliminary plans and estimates for the temporary excess road contraction for the extraction of the District's excavator and seek the Boards approval before sending it to SDRMA. Mr. Neudeck told the Board that the district damaged a pipe, the one that was discussed earlier today, the invoice needs to be sent to the insurance company to seek reimbursement. Still have not talked to DWR to see their position on leaving the excavator, putting the temporary excess road in and if they want the excess road left there or removed. The District still needs to seek permission from DWR and what they want to happen. Mr. Barton asked the Board what they want to do with the preliminary plans and estimates for the temporary excess road contraction; the insurance company asked Mr. Neudeck to produce and does the Board want to send it to the insurance company? The Board discussed what to do. Trustee Gill told the Board

that he has spoken with his supervisors with DWR real estate and when they first looked at it, they had environmental concerns. They are also weighing on what the environmental impact would be if the temporary road was put in. They are waiting for environmental to way in to see what to do. President Sgarrella said he thinks it would be cheaper to leave it there and to take care of the environmental issue, by replacing the absorbent socks. Would like to talk with DWR about leaving the excavator there. Mr. Barton said he thinks the next step is to have Mr. Neudeck transmit the preliminary plans and estimates for the temporary excess road contraction for the extraction of the District's excavator to SDG and to MKA and then they will send it to SDRMA, then we will have to see what happens next. Mr. Ricky Carter Sr. told the Board the area hasn't been farmed over 10 years. In the past Mr. Salvador Nolasco would gopher plow the area that would allow the water to drain off into the toe ditch. But now the project has put in a 20-inch pipe going east and west in the field. There is a thought to wait and let the ground dry up and then try to take in light weight equipment. President Sgarrella told the Board he had looked at building a less wide road and putting a crane out there, maybe make a walk way for a way to get out there, so the excavator can be cut up. Then get a helicopter to take the cutup pieces out. Mr. Barton asked President Sgarrella how much would this idea cost? Mr. Barton said the insurance company wants ideas, plans and cost. President Sgarrella will work on his idea and he will work on a plan, proposal and find out the cost. Then he will send the plans and cost to Mr. Neudeck. It was decided that Mr. Neudeck will transmit the preliminary plans and estimates for the temporary excess road contraction to the insurance company. In the meantime Mr. Neudeck and Mr. Barton will probably have more discussions with the insurance company. They will bring this back to the Board at next month's meeting. President Sgarrella will work on his proposal. Mrs. Perla Tzintzun-Garibay told the Board that the district has been reimbursed \$43,254.11, from the insurance company. But she has outstanding invoices for about \$13,000.00, they are tracking. Maybe will need to send a package of reimbursements. Mrs. Perla Tzintzun-Garibay will enter Gornto Ditching's invoice for fixing the 20-inch pipe to the Extraction Costs Account. She will also prepare the paperwork to send to the insurance company for reimbursement. Trustee Gill said DWR (real estate), will probably want to see Mr. Neudeck's final plan that will be used to move forward. He will find out if they will find out if they want it to be removed and what permits will be needed after the DWR engineering need to review the plans. Trustee Gill was asked if he needed this to be formally submitted to DWR. He said that he will get the answer for the Board. He needs to check with the DWR property managers and the DWR engineering department if they want the application submitted or just have them review the plan. Then there was a discussion on exploring hiring a wrecking crew who do large recovery or a large crane. Mr. Barton said it was a good idea to get as many ideas as possible.

9. BOARD WILL CONSIDER AND POSSIBLY APPROVE EXTENDING THE SUBLEASE WITH RECLAMATION DISTRICT 536.

Mr. Jesse Barton explained that RD 1601 and RD 341 lease the office space at 306 Second Street, Isleton CA, and that RD 536 needed a place to hold their monthly meetings. RD 536 asked RD 1601 and RD 341 if they could sublease the office space, the two RD's agreed that RD 536 could sublease the office space. Now the lease needs

to be renewed as it expired of Jan 1, 2024. RD 536 and RD 341 is interested in subleasing, it is in RD 1601 best interest to sublease to RD 536 due to they are sharing in the cost. The terms of the sublease will be the same as the master lease. Mr. Barton recommends the sublease.

President Sgarrella entertained a motion to approve subleasing the office space to RD 536, motion was seconded by Trustee Gill, VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Gill NOES: None ABSTAIN: None ABSENT: None, motion carried.

10. BOARD TO REVIEW CURRENT STATUS OF NPDES PERMIT, DISCUSS AND POSSIBLY APPROVE SEEKING AN ALTERNATIVE DRONE SPRAYING CONTRACTOR.

President Sgarrella told the Board that the drone contractor the District had set up last year to come and do spraying of herbicides were set up to spray aqua master. There are other herbicides that can work and may do a better job in other areas. When the District submitted its NPDES permit, there was a list of herbicides that the District wanted to be using. It turns out that when the District went out to spray the drone contractor was only approved to spray aqua master. So, the drone company tried to add other herbicides they can spray for a year. They said they have permits now, but the biology consultant has other drone sprayer contractors who can spray all of the other herbicides. After some discussion President Sgarrella entertained a motion that the District investigate the potential of another drone sprayer contractor who can spray all of the herbicides that the District needs to use, and with all their spraying permitting in order, motion was seconded by Trustee Gill, VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Gill NOES: None ABSTAIN: None ABSENT: None, motion carried.

11. PROJECT FUNDING AGREEMENT TW-21-1.2, PROJECT FUNDING AGREEMENT FOR THE PLANNING, ENGINEERING, AND CONSTRUCTION OF THE TWITCHELL ISLAND WETLAND ENHANCEMENT AND RESTORATION PROJECT. PROJECT (EXPIRES 12/31/2027). THE BOARD WILL HEAR A STATUS UPDATE AND DISCUSS. THE BOARD WILL CONSIDER APPROVING AN AMENDMENT TO THIS AGREEMENT FOR ADDITIONAL FUNDS. THE BOARD WILL ALSO CONSIDER FINAL APPROVAL OF THE INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION (MND) FOR THIS PROJECT, WHICH WILL INCLUDE ADOPTING A NOTICE OF DETERMINATION.

Mr. Jesse Barton had a bunch of handouts to give out. Mr. Barton gave the Board an update, he told the Board that he had received two comments on the MND. One comment was received from the Delta Protection Commission (DPC) and one from the California Department of Fish and Wildlife (CDFW). Mr. Barton went over with the Board letters he had sent to Mr. Blake Roberts with DPC and to Erin Chappell with the CDFW responding to their concerns. Mr. Barton worked with Ms. Otome Lindsey and Kim with Duck Unlimited to make some changes to the MND. CDFW and Wilton Rancheria made some comments that resulted in changes to some mitigation measures in the document. Wilton Rancheria wanted more notification in case anything of an archaeological nature was discovered, which was fine. CDFW concerns were on

Swainson's Hawks impacts. Some subtle changes were made to the mitigation regarding to Swainson's Hawks surveys. No big changes to the document. Mr. Barton has prepared a resolution and filled out the notice of determination to be filed with the Sacramento County clerk and the State clearing house for 30 days for the Board to consider approving. After some discussion President Sgarrella entertained a motion to approve Resolution 2024-01, Approving and Adopting a Mitigated Negative Declaration on the Environmental Impact of the Twitchell Island Wetland and Enhancement Project and the filling of the Notice of Determination, motion was seconded by Trustee Huston, VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Huston NOES: None ABSTAIN: None ABSENT: None, motion carried. Mr. Chris Neudeck is working with Ms. Lindsey and her team preparing a couple new bid packages. One bid package they are working on is for planting plants.

12. 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. THE BOARD MAY APPROVE AN EXTENSION OF TIME TO THIS AGREEMENT.

Mr. David Julian reported to the Board he is working with DWR on an extension for the SMFA project. Mr. Julian is still working with DWR real estate deciding whether the project contract will go out to bid or go out for lease.

13. ENGINEERING REPORT: MR. CHRIS NEUDECK

- I. Project Funding Agreement TW-21-1.0 TIMES Project
 - A. Look under item number 11.
- II. District Excavator Recovery with Insurance Company.
 - A. Look under item number 8.
- III. Solar Project
 - A. Look under item number 7.

14. SUPERINTENDENT REPORT: MR. RICKY CARTER JR.

- Made daily levee inspections, inspection during high (king) tides and during heavy rains.
- Checked pumps and oil in the pumps at pump station daily.
- Rodent control on beavers and squirrels. Also obtained a new depredation permits for beavers.
- Worked on Subventions reports.
- Rented a backhoe to clean toe ditch crossings.
- Purchased more absorbent socks and deployed them.
- Went to town to purchase a chain saw and safety equipment for the District.
- Built sand bag wall with River Delta Fire District at Levee Station 500+00.
- Worked on road repairs after storms.
- Called Asta Construction to come out and dig out and fill in beaver dens at Levee Station 338+00 (behind Owl Harbor). Rented a skid steer tractor from Mr. Richard Silva to place rip rap around beaver den site.

**15. CLOSED SESSION – PUBLIC EMPLOYEE PERFORMANCE EVALUATION
TITLE: MAINTENANCE WORKER/OPERATOR-Mr. Dominic Calabro**

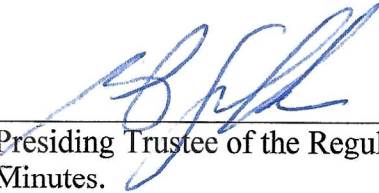
Closed Session: 10:50 am

Open Session: 11:30 am

No reportable action taken.

16. ADJOURN REGULAR MEETING.

The next regular meeting of the Board of Trustees will be called to order
March 19, 2024, at 9:00 am, the regular meeting was adjourned at 11:31 am.



Presiding Trustee of the Regular Meeting February 20, 2024, certifies the above
Minutes.



Secretary