

**RECLAMATION DISTRICT NO. 1601**

**306 Second Street  
Isleton, CA 95641**

**Minutes of the Board of Trustees  
Regular Meeting  
December 19, 2023**

**1. CALL MEETING TO ORDER.**

President Barry Sgarrella called the regular meeting of the Board of Trustees (Board) to order on December 19, 2023, at 9:00 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. Ricky Carter Sr., Ms. Ceci Giacomia, Ms. Brooke Bechthold, Mr. Casey Stockon, Mr. Morgan Johnson and Mr. Richard Silva.

Attending by conference call, District's secretary Mrs. Linda Carter and Mr. David Julian.

**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 November 21, 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 December 6, 2023, EFT payment to PERS for \$916.66, due to the timing of the due date. On December 12, 2023, deposited \$131.67, from RD 536 for December rent payment, deposited \$186.25, from US Bank, from a rebate and deposited \$75.00 from SDRMA for refund.

Mr. Jesse Barton asked about the charge from ZipRecruiter, he thought last month was the last time they would be charging the District. Mr. Ricky Carter Jr., told the Board he had cancelled them by email, but ZipRecruiter keeps on charging the District. Mr.

Carter will follow up with them about continually charging the District for their services which the District no longer needs. Mrs. Perla Tzintzun-Garibay told the Board she brought a blank check with her today. She received an email late in the afternoon yesterday, stating that COBALT Fleet Maintenance, has not received payment for invoice 6328 for the amount of \$606.00. After some discussion it was decided to wait for one or two weeks before issuing another check if necessary. Mrs. Perla Tzintzun-Garibay has received some ASTA Construction invoices, she sent them to Mr. Chris Neudeck. Mr. Neudeck said that the invoices need to have a contract for each of the invoices. The invoices will be addressed at the January meeting for payment.

After some discussion President Sgarrella entertained a motion to approve accounts payable of \$65,000.00, (invoices that were presented today, 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 \$24,487.43, 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.

Account Receivable: DWR Trust: \$4,412.87

Account Receivable: NOAA: \$12,441.56 (weather station utilities reimbursement 11/21-9/23, 10/23, and 11/23).

Special Project Invoices Pending Approval: \$28,833.26

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

**5. 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. THE BOARD WILL ALSO CONSIDER APPROVAL OF THE DRAFT INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION FOR THIS PROJECT, WHICH WILL INCLUDE ADOPTING A NOTICE OF DETERMINATION.**

Mr. Chris Neudeck reviewed with the Board the general status of the drill seed planting progress. The contractor broadcast seed this past week and plans on drill seeding this week. Mr. Neudeck reminded the Board that Hanford Applied Restoration and Conservation (Hanford ARC), contracted \$432,207.00 for site preparation and seeding, and for plant maintenance for \$536,349.00. The maintenance amount is more than the site preparation and seeding due to they don't know if they will have to truck in water. It was pointed out they have syphons that could be used. Only problem is at this time they did not put berms in. There is also a concern that birds may have eaten most of the seeds. Mr. Rod Thoms the consultant working for Department of Water Resources said they did a site walk and things looked good.

**6. 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 Antonio has been moving a lot of equipment out of the rice field area. He doesn't know how many of the hunters have come out to get their hunting items from the rice fields.

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

President Sgarrella told the Board that in January 2024, PG&E will be increasing the rate at 7% and then in April they will be increasing the rate to 11%, by years end there could be a 24-25% rate increase by PG&E.

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

Mr. Ricky Carter Jr. gave the Board a report on the Districts stuck excavator (a copy of the report is attached to the minutes). In the report Mr. Carter Jr., explains in detail what happened to the District's excavator. Mr. Jesse Barton told the Board the District's insurance company has been contacted. At this time we do not know what the insurance company will pay if anything. President Sgarrella told the Board that Mr. Carter Jr. has been in touch with him, Mr. Jesse Barton and Mr. Chris Neudeck throughout this ordeal.

The Board had a discussion on the following items: Would the insurance company pay for the extraction of the excavator? The problem is insurance companies don't move too quickly. The insurance company said they wouldn't have any-one out to look at the situation before the first of the year. The Board discussed if they should hire someone to try and get the excavator out, it is on Department of Water Resources property, they spoke about the cost and equipment needed to extract the excavator, environmental issues, replacement expense and maintenance to the crossings without an excavator. Mr. Barton announced the outcome of the Boards discussion: The District will not be removing the stuck excavator. The Board will need to decide if they want to rent a backhoe to clean the crossings and do small jobs that are needed to be done or hire someone with the equipment and operator such as Carter Fisher, before next month's meeting. After some discussion Trustee Huston entertained a motion to have the District rent a back hoe so the crossings can be cleaned, motion was seconded by President Sgarrella, VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Gill NOES: None ABSTAIN: None ABSENT: None, motion carried.

Hopefully there will be some word from the insurance company by next month's meeting on whether or not they are going to cover the removal of the excavator, clean up and replacement value of the excavator.

**9. 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.**

President Sgarrella reported to the Board that KSN is still working on the bid packages.

He has been in contact with Mr. Jeff Mueller and Mr. Chris Neudeck, they have the structural package ready to put out to bid. The package should be ready for the February meeting for the Board to review. President Sgarrella told the Board that the Federal government said that they may be dropping the interest rate 4 times next year (2024). Mr. Neudeck said that an electrical engineer needs to take a look at the plans and put their stamp on the plans. President Sgarrella thinks that the PPA providers may be in a position to offer a PPA for the construction part of the solar project in February or March. Holding off on the foundation bid for now.

**10. BOARD TO REVIEW AND CONSIDER ACCEPTANCE OF THE DEPARTMENT OF WATER RESOURCES OFFER TO FUND THE DISTRICT'S PROJECT SOLICITATION PROPOSAL FOR THE SAN JOAQUIN RIVER MULTI-BENEFIT PROJECT.**

Mr. Jesse Barton told the Board that this item should have been taken off the agenda. The Board adopted and accepted the award from Department of Water Resources for the Project Solicitation Package for the San Joaquin River Setback Levee Reach 6 project funding at last month's meeting. Mr. Barton has sent the documents to Ms. Andrea Lobato. Mr. Barton does not have an update on this matter. Mr. Chris Neudeck told the Board he is working on refining the cost estimate for the project before seeking cost sharing partners. The cost proposal is 10 years old and needs to be brought up to date. There are more details that needs to be worked out. Need to refine the waterside habit and agreements with the mitigating aspects of it. Looking to start this summer, but haven't confirmed a date at this time. Mr. Barton does not have the agreement to review. He does not know what the finance terms will be.

**11. ENGINEERING REPORT: MR. CHRIS NEUDECK**

- I. Project Funding Agreement TW-21-1.0 TIMES Project
  - A. Look under item number 5.
- II. Delta Levee Subventions Project-Special Project Multi-Benefit PSP-San Joaquin River Setback Levee Reach 6.
  - A. Look under item number 10.

**12. SUPERINTENDENT REPORT: MR. RICKY CARTER JR.**

- Made daily levee inspections.
- Checked pumps and oil in the pumps at pump station daily.
- Rodent control on beavers and squirrels.
- Worked on the District's Kubota tractor on overheating issues.
- Worked on pricing for a new mower deck and parts.
- Asta Construction came out to regrade the levee roads on Twitchell Island.
- Worked on Subventions reports.
- Continued mowing the levee.
- Continued cleaning the toe ditch.
- Had Asta Construction come and help unstuck the Districts excavator 2 times before the last time it got stuck.
- Worked with the insurance company on the excavator claim.
- Went to town to purchase absorbent socks.

**13. CLOSED SESSION-CONFERENCE WITH LEGAL COUNSEL –  
ANTICIPATED LITIGATION SIGNIFICANT EXPOSURE TO LITIGATION  
PURSUANT TO PARAGRAPH (2) OF SUBDIVISION (D) OF SECTION  
54945.9. ONE CASE.**

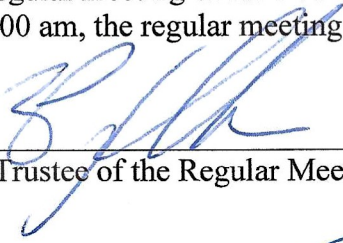
Closed Session: 10:15 am

Open Session: 10:24 am

Report: No reportable action.

**14. ADJOURN REGULAR MEETING.**

The next regular meeting of the Board of Trustees will be called to order January 16, 2024, at 9:00 am, the regular meeting was adjourned at 10:25 am.

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

  
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Secretary