

RECLAMATION DISTRICT NO. 1601

306 Second Street
Isleton, CA 95641

Minutes of the Board of Trustees Special Meeting June 29, 2022

Meeting held by teleconference consistent with AB361.

1. CALL MEETING TO ORDER.

President Barry Sgarrella called the special meeting of the Board of Trustees (Board) to order on June 29, 2022, at 9:02 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, District's attorney Mr. Jesse Barton, District's accountant/treasurer Mrs. Perla Tzintzun-Garibay with Butterfield and Company. Also attending Mr. Ricky Carter, Jr., Mrs. Laura Smith, Ms. Jennifer Hogan, Ms. Otome Linsey, Mr. Cole Bakke, Mr. Juan Mercado Jr., 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. Cole Bakke, grandson of Mr. Joe Mattos (IOU Sheep), addressed the Board about sheep and goats getting outside of their fences on Twitchell Island. Mr. Bakke showed the Board on the wall map of the island the area he was talking about. He told the Board he has videos and pictures to show the Board of the goats and sheep that are out. It is believed that these sheep belong to Mr. Jaime Rodriquez. Mr. Jesse Barton reminded everyone that the District does not have a contract with Mr. Jaime Rodriquez, this is a Department of Water Resources land management issue. This matter will be agenzized for the next month's meeting.

3. CLOSED SESSION: PUBLIC EMPLOYEE PERFORMANCE EVALUATION TITLES: SUPERINTENDENT, MAINTENANCE WORK/OPERATOR, AND SECRETARY.

It was decided to table this matter until the July 19, 2022 meeting. The meeting will start at 8:00 am on July 19th.

4. MINUTES REGULAR MEETING.

President Sgarrella entertained a motion to approve the May 25, 2022, special meeting minutes as written, motion was seconded by Trustee Good VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Good NOES: None ABSTAIN: None ABSENT: None, motion carried.

5. 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. Garibay also noted the following payments made between meetings: On May 8, 2022, EFT payment to PERS for \$2,577.63 due to the timing of the due date. On May 15, 2022 deposit of \$261.49 for RD No.

341 reimbursement for AT&T cell phone charges. On June 30, 2022, check 12086 to Dohrmann Insurance for \$2,753 for Umbrella invoice arrived after meeting. On June 30, 22, check 12087 to Judith Ortega for \$45 for janitorial services.

After some discussion President Sgarrella entertained a motion to approve accounts payable of \$46,574.46, and the transfer of \$110,000 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 \$12,200.58, from Bank of Stockton 3167 (TW12-1) TIMES, 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 \$59,598.43, 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.

6. ACCOUNTING SERVICES-BOARD TO REVIEW AND POSSIBLY APPROVE ENGAGEMENT LETTER WITH BUTTERFIELD +CO., CPA'S FOR ONGOING ACCOUNTING SERVICES.

Mrs. Perla Tzintzun-Garibay told the Board that each year the District needs to have an approved engagement letter with Butterfield +Co., CPAS for ongoing accounting services for the District. After some discussion Trustee Huston entertained a motion to approve an engagement letter with Butterfield +Co. CPAS, for 2022, motion seconded by Trustee Good VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Good NOES: None ABSTAIN: None ABSENT: None, motion carried.

7. BOARD TO REVIEW AND POSSIBLY APPROVE ENGAGEMENT WITH CROCE, SANGUINETTI AND VANDER VEEN CPS'S, INC. TO PERFORM THE INDEPENDENT AUDIT AND SPECIAL DISTRICT FINANCIAL TRANSACTION REPORTS FOR THE YEAR ENDING JUNE 30, 2022.

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, 2022. 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, 2022. The audit fees range is \$7,250-\$7,550. The special district financial transaction report fee is \$500 (\$50 increase). She 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, 2022. Trustee Good seconded the motion VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Good NOES: None ABSENT: None, motion carried

8. BOARD TO DISCUSS AND POSSIBLY APPROVE RESOLUTION 2022-10, AND ORDER LEVYING ASSESSMENT CALL NO. 30 AND NO. 31, BASED UPON OPERATION AND MAINTENANCE VALUATION ASSESSMENT ROLL DATED JULY 21, 1992.

Mr. Chris Neudeck went over with the Board of Trustees the District's draft assessment summaries calculated for 100%, 90%, 80%, of the \$700,000 approved assessment. After some discussion Trustee Good entertained a motion to approve Resolution 2022-10 and Order Levying Assessment Call No.30 and Call No. 31 at 90%, of the maximum approved assessment, based upon Operation and Maintenance Valuation Assessment Roll Dated July 21, 1992, President Sgarrella seconded the motion VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Good NOES: None ABSENT: None, motion carried.

9. BOARD TO DISCUSS AND POSSIBLY APPROVE THE DISTRICT'S BUDGET FOR 2022-2023.

Mrs. Perla Tzintzun-Garibay went over with the Board a draft copy of the budget for 2022-2023. The budget is based on the amount of the assessment at the 90% level. Changes to the draft budget were made as discussed at last month's meeting. After some discussion it was decided \$1,500 would be taken out of the Website expenses budget line item. After reviewing the draft budget and some discussion, Trustee Huston entertained a motion to approve the budget for 2022-2023 with the mentioned change to the budget, motion seconded by President Sgarrella VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Good NOES: None ABSTAIN: None ABSENT: None, motion carried.

10. BOARD TO DISCUSS AND POSSIBLY APPROVE WHETHER THE DISTRICT SHOULD HIRE LEADING EDGE AERIAL TECHNOLOGIES INC., TO SPRAY THE DISTRICT'S CANAL, TOE DITCHES AND SEVENMILE SLOUGH TO CONTROL VEGETATION GROWTH.

Mr. Ricky Carter Sr. reported to the Board that he had met with and spent 4 hours with Mr. Joe Davis, a drone pilot for Leading Edge Aerial Technologies Inc. Mr. Davis took measurements of the Sevenmile Slough and the District's canals to prepare a cost for spraying for the District. Mr. Carter Sr. handed out a copy of the quote he received from Leading Edge Aerial Technologies Inc., for the Board to review. After some discussion it was decided that the following needs to take place: 1. Get in touch with Grow West in Walnut Grove and ask if they have someone who can advise what chemicals to use on the vegetation problems the District is having in several locations on the island and if the chemicals can be used by drone application. 2. See if Leading Edge Aerial Technologies Inc. will give a quote for just spraying C-1, to see how and if

this type of application will work on the rest of the District's needs. 3. Need to find the contact person with the company and possibly ask them to attend next month's meeting so the Board can ask them any questions they may have. 4. Make sure Leading-Edge Aerial Technologies Inc. have the proper application permits. No action taken on this matter.

11. BOARD TO DISCUSS DROUGHT CONDITIONS ON TWITCHELL ISLAND.
Nothing to report on this matter.

12. DELTA FLOOD FULL/FULL-SCALE EXERCISE SCHEDULED FOR THURSDAY, AUGUST 25TH. THE BOARD WILL CONSIDER APPROVING TWITCHELL ISLAND'S PARTICIPATION IN THIS EVENT.

Mr. Chris Neudeck told the Board that Mr. Brady was looking for a site to do an artificial boil training at. Mr. Neudeck asked the Board authority to conduct the Delta Flood Full/Full-Scale Exercise scheduled for Thursday, August 25, 2022 on Twitchell Island. The exercise includes all of the RD's Delta wide including the 5 delta Counties and DWR. Twitchell has been selected to have mini flood fight training led by DWR along with a demonstration of a flood fight exercise sacking an artificial boil over along the San Joaquin River by Oulton Pont similar to what has been done in the past for CCC training etc. The exercise is an all-day event but likely the field portion on Twitchell will be in the 1st half of the day in the morning. All participants are to register <https://www.eventbrite.com/e/solano-county-delta-flood-functionalfull-scale-exercise-tickets-297727229157>. Any participant that is going to be in the fields at Twitchell Island will be recognized by Sacramento County and covered by the Disaster Services Worker Volunteer Registration agreement (see attached). Ricky Carter Sr. and Ricky Carter Jr. have already participated in the ½ day table top exercise (TTX) held for Sacramento County.

Its anticipated 30 or less to be in the field for this portion of the exercise at Twitchell. Mr. Neudeck and the Board went over exhibit E, from the engineer's report: Disaster Services Worker Volunteer Registration. After some discussion President Sgarrella entertained a motion to approve the District (Twitchell Island), to participate in the Delta flood Full/Full-Scale exercise scheduled for Thursday, August 25, 2022, motion seconded by Trustee Huston VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Good NOES: None ABSTAIN: None ABSENT: None, motion carried.

13. BOARD TO RECEIVE AN UPDATE ON THE USGS ENCROACHMENT PERMIT TO INSTALL A WATER QUALITY MONITORING DEVICE ON THE DISTRICT'S PUMPING STATION.

Mr. Ricky Carter Sr., told the Board USGS did not come back this month.

14. 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. 2022-11

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.

15. 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 there has been a fence put up by the edge of the Levee Road and the District's toe ditch between Levee Stations 370+00 and 450+00. Mr. Carter Sr. told the board that he is asking the Board to ask the Department of Water Resources land manager to have the person leasing the land (Mr. Jaime Rodriguez) remove the fence. Mr. Juan Mercado Jr. told the Board that while he had Carter Fisher out to clean ditches parallel to the toe ditches from the District's C-4 Canal, to the DWR's East-End project, he asked Mr. Carter Sr. if he wanted Carter Fisher to clean any of the ditches. Mr. Carter told him no. Mr. Mercado Jr. told the Board that the ditch has not been cleaned where the questionable fence is. Mr. Jesse Barton told the Board according to the District's Rules and Regulations for non-project levee it states the boundary line is one hundred and forty feet (140') inside the landside toe of the levee. So that means the fence in question located between Levee Stations 370+00 and 450+00 is an encroachment and needs to be removed. It is also an encroachment since the fence is impeding access to a District ditch, regardless of how far it is from the levee. Mr. Barton told the Board that this matter should be brought up again at next month's meeting and he suggested that the Board go out individually and see the fence themselves before the meeting. The Board will vote on the matter when the item comes up for discussion next month. Trustee Huston asked if Mr. Juan Mercado Jr. with DWR gave Mr. Rodriguez permission to put the fence up at that location? Mr. Ricky Carter Sr., told the Board that he had asked Mr. Rodriguez about the fence and Mr. Rodriguez told him that Mr. Mercado Jr. said he could put the fence up. Mr. Mercado Jr. told the Board he allowed Mr. Rodriguez to put the fence up. Mr. Mercado Jr. also said that the Board should take a look at it. Mr. Carter Sr. said for every gate that is put in a crossing needs to be put in. The Board took no action on this matter at this time. This matter will be revisited at next month's meeting.

16. PROJECT FUNDING AGREEMENT TW-14-1.1-PROJECT FUNDING AGREEMENT FOR A HABITAT ENHANCEMENT PROJECT ON TWITCHELL ISLAND (EXPIRES 10/31/2023). THE BOARD WILL HEAR AN UPDATE ON THE FINALIZATION OF THIS ITEM. THE BOARD WILL CONSIDER APPROVING A CHANGE ORDER FOR ADDITIONAL MAINTENANCE WORK.

Mr. Jesse Barton explained to the Board that the District's request to the Department of Water Resource (DWR) for an extension to be able to use the remaining balance of funds to cover maintenance activities for Agreement TW-14-1.1 has been approved. Today, Ms. Lindsey is asking the Board to consider approving a change order for the additional maintenance work and the use of the remaining funds in the PFA TW-14-1.1, project account. Mrs. Perla Tzintzun-Garibay told the Board that there is only \$57,000 left in the TW-14-1.1 project fund

account. After some discussion Trustee Huston entertained a motion to approve change order number 4, motion was seconded by Trustee Good VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Good NOES: None ABSTAIN: None ABSENT: None, motion carried.

Mr. Barton told the Board the contract for the PFA is coming to an end and Ms. Lindsey would like to ask the Board to consider having Mr. Chris Neudeck sign off on the completion forms on behalf of the District. Mr. Neudeck noted that it is not common for him to sign off on DWR-managed projects, but he is willing to do it with Board approval. After some discussion President Sgarrella entertained a motion to approve having Mr. Chris Neudeck sign off the final PFA completion form on behalf of the District, motion was seconded, by Trustee Huston VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Good NOES: None ABSTAIN: None ABSENT: None, motion carried.

17. PROJECT FUNDING AGREEMENT TW-21-1.1, 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 FROM THE PROJECT PROPONENT AND THE DISTRICT ENGINEER ON THE SCOPE OF A RIGHT- OF -WAY FOR THIS PROJECT. BOARD TO REVIEW AND POSSIBLY APPROVE KSN'S COST ESTIMATE FOR GEOTECH WORK AND DESIGN COST FOR AN IMPROVED LEVEE SECTION ALONG THE NORTH SIDE OF THIS PROJECT.

Mr. Jesse Barton told the Board that everyone will be given time to speak, one person at a time, during this agenda item. The issue is that the Department of Water Resource (DWR) wants to plant up to the levee toe. The District desires to maintain a right-of-way at the levee toe for future levee work.

Mr. Chris Neudeck reviewed with the Board matters associated with the District's ultimate levee standard along Sevenmile Slough together with a twenty-foot (20') levee setback from toe for DWR's proposed mitigation area. Mr. Neudeck went over with the Board Exhibit D from the engineering report: Slides depicting the recommended setback for future mitigation bank, Mitigation Bank Plans Sets and some comparisons drafted by DWR. Looking at DWR Levee Considerations (date 6/16/2022) Mr. Neudeck told the Board the Sacramento County typically requires a 36' wide road. There was also some discussion going from 6:1 to 3:1 on the landside slope. Mr. Neudeck told the Board this is a failing section because it is dropping and rotating on the land side. President Sgarrella asked Mr. Neudeck maybe we need to have information from water soundings or soil tests. Mr. Barton told the Board that RD 341 has been successful negotiating with Sacramento County and reducing the road width from 36' to 24'. Mr. Neudeck told the Board he would like to see the project footprint and determine what impacts it may have on the levee size. Ms. Lindsey questioned the need for additional levee height when there are dams at each end of Sevenmile? She said that she needs to know if the dams still work. Action item; Mr. Neudeck will speak with DWR and ask them to come and take a survey. The DWR representatives

generally agreed with having a survey performed. Mr. Juan Mercado Jr. told the Board that DWR will not give or sell any more property to the District or any projects. Ms. Otome Lindsey went over with the Board the information from her packet, the background and history of the TIMES project, project status, project elements, elevation map, planting plan, wetland conceptual design project timeline and levee consideration. Ms. Lindsey took over the project in 2019. No action taken on the KSN's cost estimate for Geotech work and design cost for an improved levee section along the North side of this project.

18. 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. THE BOARD WILL ALSO DISCUSS ISSUING A CHANGE ORDER TO THE CONTRACTOR TO CONTINUE TO PERFORM MAINTENANCE WORK.

Mr. Jesse Barton told the Board that Mr. Bryan Brock has asked Mr. Barton to ask the Board to issue a change order to the contractor (Mr. Bruce Gornto), to continue to perform maintenance work for the Subsidence Mitigation Funding Agreement (SFMA). Mr. Gornto's contract has expired and Mr. Brock has continued paying him. The cost for labor and other items have not changed. After some discussion President Sgarrella entertained a motion to approve issuing a change order to the contractor (Mr. Bruce Gornto) to continue to perform maintenance work, motion seconded by Trustee Good VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Good NOES: None ABSTAIN: None ABSENT: None, motion carried.

19. 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 reported to the Board that the final draft has been submitted.

20. 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 he had been contacted by Department of Water Resources through an email that they have signed and recorded the solar property easement. The District should be receiving a copy in a few weeks.

21. 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.

President Sgarrella told the Board that he and Mr. Chris Neudeck are in the process of gathering quotes from California Environmental Quality Act (CEQA) consultant firms to help the District go through the process.

22. 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 reviewed with the Board the need to advertise for bidders for the 2022 Levee improvement project along the San Joaquin River between Levee Stations 450+00 to 530+00. Mr. Neudeck told the Board the project is ready to go to bid, but it will be but back on the shelf until the District can find funding for the project.

Mr. Neudeck went over with the Board exhibit F from his engineer's report: 2022 Levee Improvement Plans between levee station 450+00 to 530+00 and exhibit G 2022 Levee Improvement Opinion of Probable Construction Costs between Levee Station 450+00 to 530+00. After some discussion it was decided that this matter will be postponed until the District's August meeting. Mr. Bryan Brock told Mr. Neudeck that maybe the District could do several small projects instead of a large one.

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

I. 2021-2022/ 2022-2023 ASSESSMENT BY LANDOWNER SUMMARIES

A. Look under item number 8.

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

A. Look under item number 17.

III. Delta Flood-Full Scale Exercise

A. Look under item number 12.

B. Look under item number 12.

IV. AB 360 Delta Levee Subventions Program

A. Look under item number 22.

V. Districts Drainage Pump Stations

A. Mr. Neudeck gave the Board an updated on the Districts drainage pump number 2 status: KSN has made many calls to Moorman Water Systems to find out the status of Pump #2, they have not been able to speak with any one nor have they returned KSN's phone calls. As time goes by the prices are going up for pumps and supplies. Mr. Ricky Carter Sr., expressed his feelings that a deadline should be set for the new pump installation. He thought August or September. If they can't meet the deadline then the District will need to go elsewhere to find someone to buy a new pump and have it installed. Mr. Neudeck will speak with Mr. Greg Moorman.

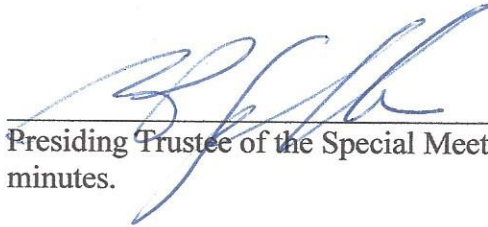
24. SUPERINTENDENT REPORT: Mr. Ricky Carter Sr.

- Routine levee patrols daily.
- Checked pumps and oil in the pumps at pump station daily.
- Placed District's Big-Tex trailer in the Chevron Point Barn.
- Used the District's excavator with the long reach on to remove prim rose from the District's canal
- Picked up parts from MECOM in Stockton for the District's excavator.
- On June 2, 2022, checked levee due to earthquake 4.1 at 5:06 am.

- On June 3, 2022, completed cleaning on the District's canal with Mr. Bruce Gornto's long reach excavator.
- Toe ditch cleaning from Threemile Slough gate to the Setback levee.
- Called Mr. Juan Carlos to work on the AC on the District's excavator.
- Had Williams Tire replace tires on the District's Big-Tex trailer.
- Spotted the District's excavator for safety under the power lines.
- Called Dolk Tractor to fix AC on the District's Kubota tractor.
- Called MECON Equipment to fix AC-unable to fix must have aftermarket AC installed.
- Chopped top of road edge
- Chopped lower road edge,
- Changed out grease fittings on the District's Kubota tractor.
- Sealed lower front window that broke from rock on the District' Kubota tractor.

25. ADJOURN:

The regular meeting of the Board of Trustees will be called to order July 19, 2022, at 9:00 am, the special meeting was adjourned at 12:40 pm.



Presiding Trustee of the Special Meeting June 29, 2022, certified the above minutes.



Secretary