

RECLAMATION DISTRICT NO. 1601

306 Second Street
Isleton, CA 95641

Minutes of the Board of Trustees Regular Meeting October 19, 2021

Meeting held by teleconference consistent with Executive Order N-29-20.

1. CALL MEETING TO ORDER.

President Mercado called the regular meeting of the Board of Trustees to order on October 19, 2021, at 9:05 a.m. ROLL CALL: In attendance: President Juan Mercado, Trustee Barry Sgarrella, Trustee Dave Huston, District's superintendent Mr. Ricky Carter, District's engineer Mr. Chris Neudeck, District's attorney Mr. Jesse Barton, District's accountant Mrs. Perla Tzintzun-Garibay with Butterfield and Company (left at 10:30 am), Mr. Preston Good and Mr. Joe Frackrell. Attending by conference call, District secretary Mrs. Linda Carter, Ms. Otome Lindsey, Ms. Tamara Kraus and Mr. Chris Carlson.

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 REGULAR MEETING.

Trustee Sgarrella entertained a motion to approve the September 21, 2021, regular meeting minutes as written, motion was seconded by President Mercado, VOTE: AYES: President Mercado, Trustee Sgarrella and Trustee Huston 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. She also noted the following payments made between meetings:

On September 22, 2021, Dohrmann Insurance Payment of \$1,287, was paid with check 11873, for new crime policy.

On October 10 2021, EFT payment to PERS for \$4,241.50, due to timing of due date.

Mrs. Perla Tzintzun-Garibay went over the accounts payable with the Board.

Mrs. Perla Tzintzun-Garibay requested approval to pay total accounts payable of \$50,592.14, General Fund Warrant No. 3365 for \$100,000, transfers and special project invoices as noted. See detailed accounting reports under separate cover.

After some discussion President Mercado entertained a motion to approve the transactions requested and motion was seconded by Trustee Sgarrella, VOTE: AYES: President Mercado, Trustee Sgarrella and Trustee Huston NOES: None ABSTAIN: None ABSENT: None, motion carried.

5. BOARD TO HEAR AN UPDATE ON CHANGING THE DISTRICT'S TREASURER FROM SACRAMENTO COUNTY TO BUTTERFIELD & COMPANY.

Mr. Jesse Barton told the Board that after last month's District meeting, the documents (referring to the District's plans to leave Sacramento County and move the District's finances to Butterfield and Company), had been signed by the District and the documents were then sent to the Sacramento County account manager Mr. Peter Aw-Yang. Mr. Yang told Mr. Barton that he has since received the documents. Mrs. Perla Tzintzun-Garibay sent a check 11873 for \$1,287, to the insurance company for the additional crime insurance policy.

6. BOARD TO HEAR AN UPDATE ON THE DISTRICT'S WEBSITE.

Mrs. Linda Carter reported that there are still some hiccups that need to be worked out. Trustee Sgarrella told the Board that he will be seeking the password so we can do our own posting. There are some changes that need to be made to the website; Trustee's Huston's profile needs a change and changes to the aerial maps section.

7. USGS TO PRESENT TO THE BOARD A PROPOSAL TO INSTALL MONITORING EQUIPMENT ON RD DRAINAGE PUMPING LOCATIONS.

Mr. Joseph Frackrell with USGS gave the Board a presentation on a proposal to install monitoring equipment at the District's drainage pumping location. Project Title: High – Frequency Monitoring of Delta Island Drainage Waters to Quantity impacts on water quality, carbon budgets, and subsidence reversal under changing land use and climate. Narrative attached. Once the study is finished it will be posted on the USGS's website. The project will need to have electricity to operate, either solar or hook up. USGS would like to put the equipment by the District's pump station. The monitoring equipment would be installed on the District's terminal drainage Pump Station. There was discussion on whether the information would be used against the District. President Mercado asked Mr. Frackrell what are the benefits for the District. Mr. Frackrell stated that the District Board would have a better idea of the water quality and the usage on Twitchell. President Mercado told everyone under the Water Code the District's responsibilities are to keep the water off of the island. He then asked what will it cost the District. Mr. Frackrell said there should be no charge to the District. Mr. Frackrell said they will need permission to come on island, the project will end in 2 years. Mr. Chris Neudeck asked after the study is completed, will they remove their equipment, and the answer was yes. Mr. Jesse Barton told everyone if the equipment is placed in the District's pump station, by the pumps or in the District's canal, USGS will need to obtain an encroachment permit from the District. Mr. Joe Frackrell would like to have the equipment installed by January 1, 2022. After today's meeting Mr. Chris Neudeck, Mr. Ricky Carter and Mr. Joseph Frackrell will go out and figure out where the equipment should be installed at. Mr. Barton will put together an encroachment permit and map, and then this matter will be placed on the November agenda for possible approval by the Board. The permit fee will be \$1,000.

8. BOARD TO HAVE A DISCUSSION ON THE DROUGHT CONDITIONS IN CALIFORNIA AND HOW THIS IS EFFECTING THE DELTA.

Mr. Jesse Barton told the Board that rain is scheduled for the next few days. President Mercado said that it has been 212 days (Sacramento), since the last rain.

9. BOARD TO DISCUSS AND POSSIBLY APPROVE DELTA LEVEE MAINTENANCE SUBVENTIONS PROGRAM WORK AGREEMENTS FOR FISCAL YEAR 2021-2022 (RESOLUTION NO. 2021-07).

Mr. Jesse Barton told the Board that he had reviewed the agreement and it was the same as last year's agreement. Mr. Barton recommended to the Board for the Board's approval. After some discussion President Mercado entertained a motion to approve the Delta Levee Maintenance Subventions Program Work Agreement for fiscal year 2021-2022 and Resolution 2021-07, motion seconded by Trustee Sgarrella, VOTE: AYES: Mercado, Sgarrella and Huston NOES: None ABSENT: None motion carried.

10. BOARD TO HEAR AN UPDATE AND DISCUSS EXPLORING A SOLAR POWER ALTERNATIVE TO POWER THE RD 1601 PUMP STATION. BOARD WILL DISCUSS ACCEPTING AN EASEMENT FROM DWR FOR THE POWER STATION.

Trustee Sgarrella reported to the Board the PG&E bill for this month is \$4,976.16 (8/31/2021-9/29/2021). Used 25,000 kilowatts.

Trustee Sgarrella told the Board that Mr. Vincent Wong with DWR Real Estate is on leave. Mr. Preston Good with DWR told the Board that the District should be receiving the easement deed in a few weeks. In the meantime a means to pay DWR \$9,000 for the easement needs to be set up. The District needs some type of invoice to be able to pay DWR.

The Board went over the ENGeo performed CPT's, site research, and draft date report (July 18, 2021 invoice 263778), for \$1,777.04, and (July 30, 2021 invoice 264296) for \$5,049.75.

Mr. Chris Neudeck went over with the Board the ENGeo's (dated September 2, 2021), proposal to provide Design Level Geotechnical Exploration and Analysis for the Twitchell Island Solar Array. The proposal does include the request to perform an additional boring. ENGeo's fee would be \$24,000. If approved by the Board the expense so far would be approximately \$43,000.

Trustee Sgarrella told the Board maybe the District should look for a third party owner, and that the third party owner would get the tax credits. The Board had a discussion on the cost for the structure and the offset of the PG&E bills. It was decided to put ENGeo's proposal for \$24,000, on the November agenda.

11. BOARD TO DISCUSS AND POSSIBLY ENTER INTO A SHARED SERVICES AGREEMENT WITH RECLAMATION DISTRICT 341. BOARD WILL ALSO DISCUSS AND POSSIBLY EXECUTE A CONFLICT WAIVER WITH GALLERY & BARTON.

Mr. Jesse Barton handed out a draft Agreement for Services Between Reclamation District 341 and Reclamation District 1601 for review and possibly approval. Mr. Barton told the Board that RD 341 has hired a new person to do work on the habitat on

Sherman Island. The new person can also do similar work on the Twitchell Island habitat. In order to do so, Mr. Barton stated there needs to be a shared services agreement between RD341 and RD1601. After discussion there were a lot of questions that needed to be answered and items that needed to be worked out. RD 341 will bill RD 1601 and in return RD 1601 will invoice the PFA's for reimbursement.

President Mercado said that the new hire would need to fill out his time sheet and put the hours he work at the end of each day. Also which District he worked at, on which project, what pieces of equipment was used. Mrs. Perla Tzintzun-Garibay told the Board that the two District's use the same time sheets. The new hire would not receive any benefits (such as health insurance) for 90 days. He will keep a mileage log for the usage of his own truck. After the 90 days RD 341 will give RD 1601 notice of his raise due to mileage and health insurance. The new hire will need to check in with Mr. Joel McElroy on Sherman Island and Mr. Ricky Carter on Twitchell Island. Mr. Barton is still working on the details of the agreement.

Mr. Jesse Barton told the Board, he had got to thinking he represents both RD 341 and RD 1601, and it may be seen as a conflict of interest. After some discussion Trustee Sgarrella entertained a motion to approve the conflict waiver with Gallery and Barton, motion seconded by Trustee Huston, VOTE: AYES: Mercado, Sgarrella and Huston NOES: None ABSENT: None motion carried.

12. BOARD TO DISCUSS AND DECIDE WHETHER TO RESUME IN-PERSON MEETINGS OR ALLOW BOARD MEMBERS TO ATTEND VIRTUALLY.

Mr. Jesse Barton told the Board that Governor Gavin Newson issued Executive Order N-29-20 which waived certain provisions of the Brown Act; however that order has expired. At this time Assembly Bill 361 authorizes local legislative bodies to hold public meetings entirely via teleconference and to make public meetings accessible telephonically or otherwise electronically to all members of the public under certain conditions. Two of the conditions are that there needs to be a declared state of emergency and a state or local agency must mandate or recommend social distancing. Mr. Barton said both conditions are met in the District's case. If the Board wishes to hold remote meetings, then the District will need to approve every 30 days (before each District meeting) an extension of the Board desire to hold remote meetings. This matter will be put on the November agenda.

13. PROJECT FUNDING AGREEMENT TW-14-1.1-PROJECT FUNDING AGREEMENT FOR A HABITAT ENHANCEMENT PROJECT ON TWITCHELL ISLAND (EXPIRES 12/31/2021). THE BOARD WILL HEAR A STATUS UPDATE AND DISCUSS.

Ms. Otome Lindsey reported to the Board that Stillwater is still working on their project completion report for the PFA TW-14-1.1 project. They may come to the November meeting and give a 15 minute report and have a 15 minute discussion. The following work is scheduled to be done: Elderberry Site spot spraying, Meadow Site spot spraying and at the Pocket Site spray and paint black berries stocks (they cut the blackberry stems then paint them with the herbicide). This PFA will end December 31, 2021. A completion report will be done by Ms. Otome Lindsey, by the end of December 31, 2021. Accounting for the PFA will also be completed.

14. PROJECT FUNDING AGREEMENT FOR THE TWITCHELL ISLAND MITIGATION ENHANCEMENT (TIME) PROJECT (TW- 21-1.0 EXPIRES 12/31/2027). THE BOARD WILL HEAR A STATUS UPDATE AND DISCUSS.

Mr. Jesse Baton told the Board at last month's meeting the Board approved a Resolution authorizing submission of a labor compliance plan and the hiring of Ms. Carolyn Lay and Ms. Debra Wilder (special council labor law). They have since been hired for the labor compliance plan.

Ms. Otome Lindsey told the Board that Solano RCD will be planting plants in the wetlands for this project. Ducks Unlimited will be doing the design, construction will go out to bid. Acquisition of the plants will need to go out to bid. Ms. Lindsey told the Board she is working on the easement, once she has completed the easement on Sherman Island RD 341, she will use their documents as a template for Twitchell Island RD 1601. This may be ready by the end of 2022. Mr. Chris Carlson with Solano RCD, told the Board the fence is completely up. The fence is a cross fence, top half from the bottom bench. Once this site is developed no cattle will be allowed on it, just sheep or goats. In November Solano RCD will spray the area with a boom sprayer behind quad runners, for Bermuda grass. In the spring they will repeat the spaying. Ms. Lindsey told the Board she plans on amending TW21-1.0 to add an additional \$2 million to the PFA.

15. DWR AGREEMENT "SUBSIDENCE MITIGATION FUNDING AGREEMENT" UNDER THIS AGREEMENT, DWR WILL FUND HABITAT CONSTRUCTION AT THE EAST END OF TWITCHELL ISLAND AND RE-ALIGN THE LEVEE AT CHEVRON POINT AND THE RICE PROJECT (SMFA EXPIRES 12/31/2024). THE BOARD WILL HEAR A STATUS UPDATE AND DISCUSS.

Nothing to report.

16. PROJECT FUNDING AGREEMENT TW-18-1.0-SP-DELTA LEVEES SPECIAL FLOOD CONTROL PROGRAM FIVE YEAR AGREEMENT (EXPIRES 12/31/2021). THE BOARD WILL HEAR A STATUS UPDATE AND DISCUSS.

Nothing to report.

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

I. Plan Review-United States Geological Survey (USGS).

A. Look under item number 7.

II. Districts Drainage Pump Stations

A. Mr. Chris Neudeck went over with the Board the status of the District's canal bank filling operations. Mr. Neudeck told the Board that they are continually bringing in more material, they give no notice, they just call when they have additional fill ready to truck to the District. No charge to the District from Asta for leaving their dozer on island.

Exhibit B: KSN photo summary.

Mr. Neudeck handed out a hand out and reviewed with the Board the Delta Levee

Subvention final claim for Fiscal Year 2020-2021:

Total Final Claim	\$223,485.95
Less District Share (1,000/Mile @11.9 miles)	\$ 11,900.00
Total Eligible	\$211,585.95

Max Reimbursement – 75% of Eligible **\$158,689.46**

18. SUPERINTENDENT REPORT: Mr. Ricky Carter.

- Routine levee patrols daily.
- Checked pumps and oil in the pumps at station daily.
- Check water elevation in the canal daily.
- On September 23, 2021, boat inspection of the riprap on the waterside.
- Fourteen loads of dirt arrived to the District's C-1 canal.
- Mr. Marvis McBride finished chopping the District's levees.
- Took the District's Ford 21, pickup truck to Stockton for lights to be hooked up.
- Met with DWR for quarterly project levee inspection.
- Placed boom log in the District's C-1 canal.
- Placed calls for cattle out along the District's C-2 canal, took pictures.
- Worked on the District's pump stations fans.
- Tightened burn pile, prep to burn after first good rain.
- Removing alligator weed and Primrose from the District's C-1 canal.
- Placed two calls to Moorman Water Systems, still trying to figure out the problem with the District's pump #2.
- Contacted Mr. Louie Lira (Lira Welding), for a price to build a new grating for the District's pump station.
- Attended MARAC meeting.
- On October 15, 2021, posted the meeting agenda for October 19, 2021 meeting.

Mr. Ricky Carter reported to the Board that riprap (rock) needs to be placed at two locations at the Setback Levee's back water side. Only one site (30 feet) on the waterside of the levee. Moorman Water Systems is still working on pump number two. They found no problems with the pump bowls. The motor is begin checked out. Mr. Carter told the Board that he still cannot contact anyone with Department of Parks and Waterways to have them come out to spray the slough. After some discussion it was decided that Mr. Carter would gather information on the price of a drone and what are the restrictions on spraying herbicides with one. This matter will be placed on the November agenda.

Mr. Carter told the Board that he received a quote from Lira's Welding Service and Machine Shop, to build a new trash rack for the District's pump station for the amount of \$24,620.90. It will be built with 2" galvanize pipe. They will build it at the Rio Vista shop, and they will come and cut the old one out and put the new trash rack in. This includes materials and labor, but does not include the cost of the crane or bringing the trash rack to the District's pump station. After some discussion it was decided by the

Board to accept Lira's Welding Services and Machine Shop quote for the new trash rack, and have Mr. Lira start soon as possible.

19. ADJOURN:

The next regular meeting of the Board of Trustees will be called to order November 16, 2021, at 9:00 am, the regular meeting was adjourned at 12:00 pm.



Presiding Trustee of the Regular Meeting October 19, 2021, certified the above minutes.


Secretary