

# RECLAMATION DISTRICT NO. 1601

306 Second Street  
Isleton, CA 95641

## Minutes of the Board of Trustees Regular Meeting November 16, 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 November 16, 2021, at 9:02 a.m. ROLL CALL: In attendance: President Juan Mercado, Trustee Barry Sgarrella, 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 Mr. Preston Good, Mr. Salvador Nolasco, Mr. Dave Brown, Mr. Juan Escobar, Mr. Vince Chavier, Mr. Bryan Brock, Mr. Ryan Carrothers, Mr. Randy Weinrich, Mr. Dave Contreras, Ms. Otome Lindsey, Mr. Rob Thomas, Mr. Richard Silva and Ms. Erin Elsey. Attending by conference call, District secretary Mrs. Linda Carter, Gabriel, Ms. Deb Hill, Ms. Jemile Erdem, Mr. Jon B. Fletcher and Trustee Dave Huston.

#### 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.

At the close of the meeting, President Juan Mercado thanked everyone for being there for him during the years of his begin on the District Board. He said he had learned a lot from each one. He will continue to be the land manager for Department of Water Resources on Twitchell and Sherman Island. He said he would have not changed a thing.

#### 3. MINUTES REGULAR MEETING.

President Mercado entertained a motion to approve the October 16, 2021, regular meeting minutes as written, motion was seconded by Trustee Sgarrella, 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 November 5, 2021, deposited \$54.00 from Dohrmann Insurance (refund for Tiger Chopper).

On November 8, 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 \$57,758.61, General Fund Warrant No. 3366 for \$80,000, 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. BOARD WILL DISCUSS AND CONSIDER POSSIBLY APPROVE A RESOLUTION TO OPEN UP NEW ACCOUNTS AND SIGNATURE CARDS WITH THE BANK OF STOCKTON.**

Mr. Jesse Barton told the Board he had heard from the Sacramento County account manager Mr. Peter Aw-Yang. Mr. Aw-Yan told Mr. Barton that he will be preparing the documents for the District this week.

**6. BOARD TO REVIEW AND POSSIBLY APPROVE MOVING THE DISTRICT'S CELL PHONE SERVICE FROM AT&T TO FIRSTNET/AT&T.**

Mrs. Perla Tzintzun-Garibay told the Board the District has several accounts with AT&T, which the District has been paying monthly through a government program with AT&T. She told the Board about a program that may benefit the District, it is called FirstNet/AT&T. FirstNet/AT&T is a nationwide high-speed wireless broadband network dedicated to public safety. FirstNet/AT&T is exclusively for first responders, law enforcement, fire protection services and government public safety emergency planning and management and other essential personnel. The District qualifies to be in this program. The District would be saving money each month with the new program, will be able to keep the same phone numbers, a new Sims card will be issued. Mrs. Tzintzun-Garibay asked the Board for approval. After some discussion President Mercado entertained a motion to approve changing the AT&T program to the FirstNet/AT&T program with AT&T, motion was seconded by Trustee Sgarrella, VOTE: AYES: President Mercado, Trustee Sgarrella and Trustee Huston NOES: None ABSTAIN: None ABSENT: None, motion carried

**7. MR. RYAN CARROTHERS WITH DEPARTMENT OF FISH AND WILDLIFE WILL SPEAK TO THE BOARD ABOUT THE 2021-2022 WATER FOWL HUNTING ON TWITCHELL ISLAND.**

Mr. Ryan Carrothers and Mr. Randy Weinrich, with Department of Fish and Wildlife (DFW) came today to talk with the Board about the 2021-2022 water fowl hunting on Twitchell Island. Mr. Carrothers told the Board that maybe a small group will be able to hunt sometime in January. They may be some hunting in the alfalfa fields. DFW will put up the boundary lines and the hunters will need to bring their own equipment. Mr. Bryan Brock told the Board they will not flood the rice fields this year, they may plant wheat in the rice fields this year.

**8. BOARD TO CONSIDER AND POSSIBLY APPROVE A THREE YEAR EXTENSION TO THE DEPARTMENT OF WATER RESOURCES AND RECLAMATION DISTRICT 1601 REIMBURSEMENT CONTRACT.**

Mr. Jesse Barton went over with the Board to consider approving a three-year extension to the Department of Water Resources and Reclamation District 1601 reimbursement contract. The contract has been working well through the years, the new contract will be for three years and \$75,000 (\$25,000 for each of the three years), and the contract will run from January 2022 through December 2024. President Mercado explained that the agreement pays for work done by the District's staff or someone else to do work for DWR such as clean toe ditches on DWR land, remove blackberries, trash bin and tire bins. The District will be held whole. President Mercado will be working with Mr. Preston Good, so he can learn the limits of the contract. After some discussion Trustee Sgarrella

entertained a motion to approve the three-year extension to the Department of Water Resources and Reclamation District 1601 Reimbursement contract, motion was seconded by President Mercado, VOTE: AYES: President Mercado, Trustee Sgarrella and Trustee Huston NOES: None ABSTAIN: None ABSENT: None, motion carried.

**9. BOARD TO REVIEW AND POSSIBLY APPROVE ONE OF THREE OPTIONS FOR THE DISTRICT'S NUMBER TWO PUMP, REPAIR OR REPLACEMENT.**

Mr. Chris Neudeck told the Board that the District's pump number two (Pump #2), has not ran at its full capacity for years. On August 20, 2021, Pump #2 was pulled by Moorman Water Systems for repairs. Mr. Neudeck went over with the Board email correspondences from KSN Inc. and Moorman Water System's proposal dated Thursday October 28, 2021. Option 1: Heating up the rotor to see if it is creating an issue with the rotation of the pump and determine whether that is associated with the reduction in the flow rate and then test and advise. The cost would be around \$9,780. Option 2: Buy a new GE motor to replace the old less efficient motor. The cost would be \$20,880. Option 3: Replace the whole pump system motor, column and pump. The cost would be around \$73,930. Mr. Jesse Barton asked if a new motor would be available, Mr. Neudeck told the Board that other clients of KSN have put new motors in and it takes 6 to 8 weeks. After some discussion President Mercado entertained a motion to approve the purchase of a new 125 HP GE motor for pump #2, motion was seconded by Trustee Sgarrella, VOTE: AYES: President Mercado, Trustee Sgarrella and Trustee Huston NOES: None ABSTAIN: None ABSENT: None, motion carried.

**10. HEAR AN UPDATE ON THE DISTRICT'S WEBSITE.**

Mrs. Linda Carter reported that next month changes will made to the website such as information about the District's staff and aerial maps section. Trustee Sgarrella told the Board that he will obtain the password so the District will be able to access the District's website. When he sends the request he will cc Mrs. Carter, so she can enter items to the website, this would eliminate the extra monthly fee charge and items would be posted at a timely matter.

**11. BOARD TO HEAR PRESENTATION ON CARBON CAPTURE AND STORAGE PROJECT FROM CALIFORNIA RESOURCES CORPORATION (CRC).**

Ms. Deb (Cospers) Hill and Gabriel agents with California Resources Corporation (CRC) gave a presentation to the Board on carbon capture and storage project from CRC. Ms. Hill told the Board that CRC is asking the Board and the landowners to consider the proposal of storing carbon that has been captured in depleted gas wells on Twitchell. Ms. Hill went over with the Board the attached Carbon Capture and Storage brochure. Gabriel went over with the Board procedure of capturing the carbon, shipping it through pipe lines and injecting it down old gas wells. In order to do so, CRC will need all of the landowners on Twitchell to agree to the storage project. Jesse asked if CRC had contacted DWR yet and they said they had not. After some questions, it was decided that President Mercado would give Ms. Hill and Gabriel contact information for DWR, so they can send them a Carbon Capture and Storage Project package, and set up a meeting with them. The Board will wait to find out what DWR has to say about the project.

**12. BOARD TO DISCUSS AND POSSIBLY ISSUE AN ENCROACHMENT PERMIT TO USGS TO INSTALL SEISMIC MONITORING EQUIPMENT.**

Mr. Jesse Barton reminded the Board that at the September meeting, the Board approved Encroachment Permit No. 2021-9-21, to be issued to USGS, which authorized the installation of a seismic monitoring station. Then the USGS wanted to amend the permit (Permit No. 2021-9-21) after it had been approved by the Board. Jesse explained they cannot amend the permit after the Board approved the form and conditions. USGS still wants the permit, so Jesse explained the permit fee should be increased from \$1,000 to \$5,000 to cover all the time that he and Chris have spent on this permit. Mr. Barton will give Mrs. Perla Tzintzun-Garibay a check from USGS for the amount of \$1,000 after today's meeting. An invoice will need to be sent for the additional \$4,000. After going over the changes to the Encroachment Permit No. 2021-11-16. President Mercado entertained a motion to approve the Encroachment Permit No. 2021-11-16 to be issued to USGS for a Monitoring Station on Twitchell Island as written with the following changes: the permit fee amount will be changed from \$1,000 to \$5,000, the permit would be good until it is revoked, motion was seconded by Trustee Sgarrella VOTE: AYES: President Mercado, Trustee Sgarrella and Trustee Huston NOES: None ABSTAIN: None ABSENT: None, motion carried.

Mr. Chris Neudeck asked when will the driller come and put the wells in. Ms. Jemile Erdem told the Board maybe they will be ready to drill the first week in December. If it rains my not be able to get to the site.

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

Mr. Chris Neudeck reported to the Board after October's meeting Mr. Ricky Carter, Mr. Joseph Frackrell with USGS and himself met at the District's pump station. After looking at the site, Mr. Frackrell said that they need to go back and figure out what they want to do. President Mercado told the Board that Mr. Frackrell had called him and they may come to the Board with a package at the December meeting. In the meantime

Mr. Neudeck will let the Board know if expenses will exceed \$1,000 the amount of the permit fee.

**14. BOARD TO DISCUSS AND POSSIBLY ENTER INTO A SHARED SERVICES AGREEMENT WITH RECLAMATION DISTRICT 341.**

Mr. Jesse Barton reported to the Board that RD 341 has hired a new person to do operation and maintenance work on the habitat projects on Sherman Island and he will be a RD 341 employee. When he is on Twitchell Island doing habitat work, he will let Mr. Ricky Carter know he is on island. The new hire will keep track of the hours he works on Twitchell Island, then he will turn the hours into RD 341. RD 1601 will receive an invoice from RD 341 for work done on the habitat projects on Twitchell Island. After some discussion Trustee Sgarrella entertained a motion to approve entering into a shared services agreement with Reclamation District 341, motion seconded by President Mercado, VOTE: AYES: Mercado, Sgarrella and Huston NOES: None ABSENT: None motion carried.

**15. BOARD TO DISCUSS AND POSSIBLY PURCHASE A DRONE FOR THE USE OF SPRAYING HERBICIDES ALONG THE DISTRICT'S CANAL, TOE DITCHES AND SEVENMILE SLOUGH.**

Tabled until next regular meeting.

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

President Mercado told the Board that he asked for the matter to be put on the agenda due to the drought. Mr. Chris Neudeck told the Board that the California Water Master has an attentive program for dry farming. They do not want corn or alfalfa to be planted. This week they will be deciding what the program will entail.

**17. 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. BOARD TO POSSIBLY APPROVE ENGO'S PROPOSAL FOR \$24,000.**

18. Trustee Sgarrella reported to the Board that instead of Mr. Vincent Wong with DWR Real Estate, a new person with DWR asked for the District to sign the documents for approximately 1.13 acres for Solar Facility Easement, approve a resolution, and send a check for \$9,000. After some discussion Trustee Sgarrella entertained a motion to approve Resolution NO. 2021-09, a Resolution of Acceptance of Approximately 1.13 Acres For Solar Facility Easement, motion was seconded by Trustee Huston, VOTE: AYES: President Mercado, Trustee Sgarrella and Trustee Huston NOES: None ABSTAIN: None ABSENT: None, motion carried.

Trustee Sgarrella went over with the Board ENGO's 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. ENGE0's fee would be \$24,000. After some discussion Trustee Sgarrella entertained a motion to approve

ENGO's proposal to provide Design Level Geotechnical Exploration and Analysis for the Twitchell Island Solar Array and ENGO's addition fee of \$24,000, motion was seconded by Trustee Huston, VOTE: AYES: President Mercado, Trustee Sgarrella and Trustee Huston NOES: None ABSTAIN: None ABSENT: None, motion carried. Trustee Sgarrella reported to the Board the PG&E bill for this month is \$8,203.19 (9/30/2021-10/28/2021). The District used 30,000 kilowatts.

**18. 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 desire to hold remote meetings. After some discussion President Mercado entertained a motion to approve Resolution No. 2021-10 Ratifying the COVID-19 State of Emergency and Authorizing Remote Teleconference Meetings Pursuant to the Ralph M. Brown Act, motion was seconded by Trustee Sgarrella, VOTE: AYES: President Mercado, Trustee Sgarrella and Trustee Huston NOES: None ABSTAIN: None ABSENT: None, motion carried.

**19. 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.**

Mr. Rob Thomas and Ms. Erin Elsey from Stillwater gave the Board a presentation on the work they performed for Project Funding Agreement TW-14-1.1 over the years. Then there was a discussion about blackberries on island. Department of Water Resources wants the blackberries gone. It has been said that Department of Fish and Wildlife wants the blackberries to stay for habitat. M. Thomas went over with the Board what they plan to do at each of the sites and their goals, and why some of their goals were not met and they listed in the report their recommendations. Ms. Otome Lindsey will be gathering documents about the 2-acre site, the 4-acre site, and the 8-acre site on Twitchell Island, she will find out who is responsible for maintaining it. Once she finds the information she will present it to the Board.

**20. 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 AND CONSIDER APPROVING AN AMENDMENT TO THIS AGREEMENT.**

Mr. Jesse Barton told the Board that he has been working with Ms. Otome Lindsey on an amendment to PFA TW-21-1.0. Amendment No.1 requests to increase the amount the project funds by \$3,000,548 to a total amount payable of \$4,938,091. Of this amount, \$760,548 will be used for the creation of an endowment to fund the long-term operation and maintenance of the habitat. The term of the agreement shall remain the same and be effective to December 31, 2027. The Board looked over the draft PFA TW-21-1.1, the final copy may be ready for approval at the December regular District meeting. The District will have to go out to bid for the maintenance work and then the

District will be compensated from the endowment. Mrs. Perla Tzintzun-Garibay asked if the endowment will be put into separate agreement and what will be interest on the account be used for. Mr. Jesse Barton and Mrs. Otome Lindsey will work on this and come back to the Board.

**21. 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 HE RICE PROJECT (SMFA EXPIRES 12/31/2024). THE BOARD WILL HEAR A STATUS UPDATE AND DISCUSS.**

Nothing to report.

**22. 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.

**23. 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 13.

II. Districts Drainage Pump Stations

A. Look under item number 9.

B. Mr. Neudeck reviewed with the Board the rehabilitation of the District’s trash rack located at the District’s pump station, the project has been completed. Mr. Neudeck told the Board that there is some difficulty in cleaning the canal sump which will need to be addressed in the future.

Exhibit B: Mr. Neudeck reviewed with the Board Photos form KSN Daily Field Reports of the new District’s trash rack.

III. California Resources Corporation (CRC) Carbon Capture and Storage Project.

A. Look under item number 11.

**24. 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.
- Reo Link cameras were cleaned and adjusted.
- Had ASTA grade levee road crown after the rain.
- Arranged for the trash rack to be built.
- Mr. Ricky Carter cleaned the trash rack with the District’s excavator.
- Mr. Ricky Carter called Cobalt to have the batteries replaced in the District’s excavator.
- On October 26, 2021, High water level, levee check at 7:00 pm.
- Fixed Gas Well Road gate with welder.
- Ordered and received compliance posters for shop.

- Mr. Marvis McBride walked the District's excavator to Threemile Slough gate.
- Fixed Threemile Slough gate by adding two more "k" rails for counter balance.
- Removed the old trash rack in prep, prior to new rack installation.
- On November 5, 2021, a large crane arrived and installed the new trash rack along with Lira's Welding welders. Mr. Rick Toy with KSN inspected the new trash rack installation.

Mr. Ricky Carter reported to the Board that there are no sheep on the levees. The gate on Threemile Slough has been repaired with adding two "K" rails, the gate has a total of three "K" rails. When Dutra comes by they will place riprap (rock at two location at the Setback Levee's back water side.

**25. ADJOURN:**

The next regular meeting of the Board of Trustees will be called to order December 21, 2021, at 9:00 am, the regular meeting was adjourned at 12:07 pm.

  
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Presiding Trustee of the Regular Meeting November 16, 2021, certified the above minutes.

  
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Secretary