

# RECLAMATION DISTRICT NO. 1601

306 Second Street  
Isleton, CA 95641

## Minutes of the Board of Trustees Regular Meeting March 15, 2022

### Meeting held by teleconference consistent with AB361.

#### 1. CALL MEETING TO ORDER.

President Barry Sgarrella called the regular meeting of the Board of Trustees (Board) to order on March 15, 2022, at 9:08 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 attorney Mr. Jesse Barton, District's accountant/treasurer Mrs. Perla Tzintzun-Garibay with Butterfield and Company. Mr. Dave Carr with KSN, Mr. Juan Mercado and Mr. Richard Silva. Attending by conference call, District secretary Mrs. Linda Carter and Ms. Otome Lindsey. Absent District's engineer Mr. Chris Neudeck.

#### 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. Richard Silva talked to the Board about Fire Department issues. Mr. Silva would like the Board to consider helping having the fire coverage for Twitchell Island changed to a different fire department. He would like it changed from Delta Fire District (located in Rio Vista) to River Delta Fire District (located on Jackson Slough Road on Brannan Island). Delta Fire District is contracted with the Rio Vista Fire Department. His concerns are: Twitchell Island is under the Rio Vista Fire Department and the fire trucks and ambulances sometime can't get across the Rio Vista Bridge in a timely matter. It was discussed who pays for their services. The Delta Fire District bills each land owner, and it shows up on the land owner's tax bill. Mr. Juan Mercado told the Board that the Department of Water Resources is charged for services by the Delta Fire District each year. During the time Mr. John Hornbuger was on the board, DWR entered into a contract with Delta Fire District, and DWR pays \$20,000 each year for services. Mr. Richard Silva will get a copy of the contract with Delta Fire District and send it to Mr. Jesse Barton.

Mr. Richard Silva told the Board that the county is coming down on him for code enforcement violations. The Board took no action on the above matters.

#### 3. MINUTES REGULAR MEETING.

Trustee Good entertained a motion to approve the February 15, 2022, regular meeting minutes as written, motion was seconded by Trustee Huston VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Good 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. She also noted the following payments made between meetings: On March 8, 2022, EFT payment to PERS for \$1,718.41 due to the timing of the due date.

After some discussion President Sgarrella entertained a motion to approve accounts payable of \$64,439.53, and the transfer of \$70,000, 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.

**5. BOARD TO REVIEW AND POSSIBLY APPROVE DRAFT AUDITED FINANCIAL STATEMENT FOR THE YEAR ENDED JUNE 30, 2021.**

Mrs. Perla Tzintzun-Garibay reported to the Board there was no adjustment made to the audit which was prepared by Croce, Sanguinetti and Vander Veen for the period ended June 30, 2021. Mrs. Perla Tzintzun-Garibay had sent draft copies to the Board members last week. Mrs. Tzintzun-Garibay told the Board the audit went smoothly. She recommends the Boards approval. President Sgarrella told the Board that Mrs. Perla Tzintzun-Garibay did a great job. After some discussion Trustee Sgarrella entertained a motion to approve the draft copy of the financial statement and independent auditors report for the year ending June 30, 2021, prepared by Croce, Sanguinetti & Vander Venn, Inc., motion seconded by Trustee Huston, VOTE: AYES: Sgarrella, Huston and Good NOES: None ABSTAIN: None ABSENT: None, motion carried.

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

President Sgarrella told the Board that Steve with MAYACO had not responded timely to emails requesting a website data entry class for Mrs. Linda Carter. When he did respond he said he needed to have Mrs. Carter's phone number. Mrs. Carter told the Board at this time he has not called to set a date and time for the class.

Mr. Jesse Barton told the Board MAYACO was the least expensive of the two website companies. MAYACO are not hands on. Mr. Barton will be writing a letter to Steve about setting up a class for Mrs. Linda Carter.

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

USGS has not been out to install the water quality monitoring equipment at the District's pump station.

**8. BOARD TO DISCUSS AND POSSIBLY TAKE ACTION ON THE LEASE WITH RECLAMATION DISTRICT 1601 DUE TO COWS ON THE LEVEE.**

Mr. Ricky Carter Sr., told the Board that cows on the District's levees are not acceptable due to their potential to damage the waterside slopes, sheep and goats are ok. On Threemile Slough cows should never be on the levee due to the levee material at

Threemile Slough is mostly sand. This last Saturday cows had been taken off island. President Sgarrella asked Mr. Richard Silva when the cows will return to the island and added they should not return until the fence is up and the ditch is cleaned. President Sgarrella asked Mr. Silva about taking his chopper and chopping along the fence line and putting the fence up. Mr. Silva told the Board he will not put another cow in the area of where the fence needs to be installed until the fence is up. The fence will be placed far enough away from the ditch so there is room to clean the ditch. Mr. Ricky Carter Sr. told the Board that Mr. Ricky Carter Jr. is cleaning canal (C-1) of weeds. After the canal (C-1) and (C-4) has been cleaned of weeds they will change the stick on the District's excavator to the short stick and change the bucket, then go to the problematic field along Threemile Slough levee. This will be done in the next week or two. This will make it easier for Mr. Silva to install his fence.

**9. BOARD TO DISCUSS AND POSSIBLY CONSIDER APPROVING GIVING PERMISSION TO LOAD AND OFF LOAD CATTLE ON THE DISTRICT'S LEVEE (WATERSIDE).**

Mr. Jesse Barton told the Board that Mr. Richard Silva wants to load and off load cattle off of the District's levee. Mr. Silva said that he would like to off load and load cattle across from the Outrigger on Threemile Slough levee. He would be doing this process once or twice a year. He may do this process on Hollands Track. He plans on moving 30 to 40 cows at a time in this manner. He will come to the Board if he needs permission in the future. He has no plans to do this right now. Board took no action on this matter.

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

Mr. Ricky Carter Sr told the Board Mr. Marty Scholl with Yolo/Sacramento County Mosquito Vector is scheduled to be here at the next month's meeting. There are two different companies who do spraying with drones. Mr. Jesse Barton will check on the District's NPDES spray permit. Mr. Dave Carr will check into the application requirements for the District from Sacramento County and what programs Sacramento County may have. Mr. Ricky Carter Sr. told the Board the Department of Boating and Waterways sprayed the Sevenmile Slough until their permit expired. Mr. Dave Carr said they are understaffed since they down sized. Trustee Huston told the Board they set up their schedule from November –February, then in March they go out and spray.

**11. 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 that the PGE invoice for electric charges from January 28- February 28 2022, in the amount of \$7,996.57. 1,272 kWh used per day, 21% (\$1,700) of the bill, was for demand charges. President Sgarrella told the Board starting March 1, 2022, PGE changed its rates and time of use. Due to this change, the District pumps should not run between 5pm-8pm, 7 days a week. The pump timers need to be adjusted to not start or run during this time period.

President Sgarrella told the Board he had received the soil boring report from ENGEO. Mr. Jesse Barton asked if the Solar Array should be moved so the sun can be used more efficiently during the hours of 5 pm - 8pm. President Sgarrella told the Board that there is a way to set that up. but it will be more efficient to keep the solar panels facing due south and making sure the pumps never run between 5pm and 8pm.

**12. BOARD TO DISCUSS AND POSSIBLY APPROVE THE LOCAL HAZARD MIGRATION PLAN UPDATE FOR RD 1601.**

The Sacramento County Local Hazard Mitigation plan update is very similar to the plan that the Board has approved in the past. After looking over the agreement President Sgarrella entertained a motion to approve Resolution No. 2022-03, a resolution of the Board of Directors of Reclamation District No. 1601 Adopting the Sacramento County Local Hazard Mitigation Plan Update, 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 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 President Sgarrella entertained a motion to approve Resolution No. 2022-03 Ratifying the COVID-19 State of Emergency and Authorizing Remote Teleconference Meetings Pursuant to the Ralph M. Brown Act, motion was seconded by Trustee Huston VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Good NOES: None ABSTAIN: None ABSENT: None, motion carried.

**14. 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 AN UPDATE ON THE FINALIZATION OF THIS ITEM.**

Ms. Otome Lindsey reported to the Board that they are still in the final stages of closing out this project funding agreement. The agreement has expired, an extension has been sent to Andrea for her to look at. Mrs. Perla Tzintzun-Garibay reported that there is \$63,488.69 still available in the PFA account. Final reconciliation and retention request being processed. Mr. Juan Mercado told the Board that the DWR staff person is out sick. She and Mrs. Perla Tzintzun- Garibay are in the final stage of calculating the interest earned and finishing the final invoice. All of this information has been sent to DWR attorney Robin, waiting for her recommendation on what to do with the remaining PFA balance.

**15. PROJECT FUNDING AGREEMENT TW-21-1.0, 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) PROJECT. BOARD TO DISCUSS APPROVING AMENDMENT NO. 1 TO THIS AGREEMENT. BOARD TO ALSO DISCUSS A RIGHT-OF-WAY NEEDED FOR THIS PROJECT.**

Mr. Jesse Barton reviewed with the Board the history of project funding agreement TW-21-1.0 with the Board. Mr. Barton went over with the Board the proposed amendment No. 1 to this agreement. After some discussion President Sgarrella entertained a motion to approve Amendment No. 1 to Project Funding Agreement for Planning, Engineering, and Construction of the Twitchell Island Mitigation and Enhancement Site Project Agreement No. TW-21-1.1, seconded by Trustee Good, VOTE: AYES: Sgarrella, Huston and Good NOES: None ABSTAIN: None ABSENT: None, motion carried.

Mr. Dave Carr with KSN Inc. reviewed with the Board correspondence with the Department of Water Resources between KSN Inc. related to the need for a right of way to be maintained in the project area. See KSN Inc. Engineering Report: Exhibit A  
Mr. Dave Carr also reviewed with the Board correspondence with the Department of Water Resources and between KSN Inc. related to appropriate levee setback to take into account future levees improvements along the District's Sevenmile Slough Levee. KSN Inc. Engineering Report: Exhibit B.

Ms. Otome Lindsey told the Board that Sevenmile Slough is not in the easement. Department of Water Resources are not going to spend the money to fix the levee along Sevenmile Slough. President Sgarrella said that Sevenmile Slough is a lower priority due to the capability of controlling the water level in the slough. There was a discussion on how close to the levee the project can do their planning. After some discussion on the matter President Sgarrella told the Board that he thinks this matter should wait to hear from Mr. Chris Neudeck's (KSN Inc.) on the matter. Ms. Lindsey told the Board that she can wait until April for the Boards approval on this matter.

Ms. Lindsey reported to the Board the wet lands will be on the southern half of the project. Ducks Unlimited are in the process of doing their surveys. President Sgarrella would like to see the drawings on what they are proposing to plant and the locations of their plants and the wetlands. Mr. Dave Carr told the Board he may need to put a toe ditch in this area. Ms. Lindsey told the Board after the meeting she will provide a copy of the drawings.

**16. 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.

**17. PROJECT FUNDING AGREEMENT TW-18-1.0-SP-DELTA LEVEES SPECIAL FLOOD CONTROL PROGRAM FIVE YEAR AGREEMENT (EXPIRES 12/31/2022). THE BOARD WILL HEAR A STATUS UPDATE AND DISCUSS.**

Nothing to report.

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

- I. Project Funding Agreements TW-21-1.0 TIMES Project
  - A. Look under item number 15.
  - B. Look under item number 15.
- II. Districts Drainage Pump Stations
  - A. Mr. Dave Carr reviewed with the Board the status to replace the motor on Pump No.2. He went over with the Board Exhibit C, D and E.  
Exhibit C: Mr. Matt Boring of Control Point Engineering Wiring diagram.  
Exhibit D: Moorman Pump Systems updated Pump No. 2, replacement proposals. Exhibit E: Copy of previous Moorman proposals.  
The Board had a discussion on what to do with the District's pump number 2, President Sgarrella entertained a motion to approve spending up to \$65,000, to Moorman Pump Systems for a new GE 125HP soft start motor, repairs to the pump column for pump number 2, and the list of items in the Moorman Pump Systems proposal date 9-10-2022. Motion was seconded by Trustee Huston, VOTE: AYES: Sgarrella, Huston and Good NOES: None ABSTAIN: None ABSENT: None, motion carried.
- III. Commercial Abandoned and Derelict Vessel Removal Implementation Program – Legislation by Senator Eggman (SB 1065).
  - A. Mr. Carr reviewed with the Board the copy of the Senate Bill 1065 and related articles.  
Exhibit F: Copy of Senate Bill 1065 and related articles.

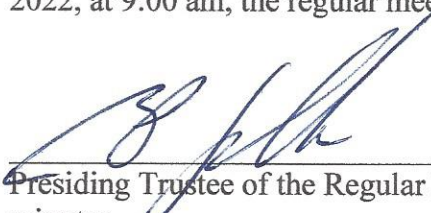
**19. SUPERINTENDENT REPORT:** Mr. Ricky Carter.

- Routine levee patrols daily.
- Checked pumps and oil in the pumps at pump station daily.
- Check water elevation in the canal daily.
- Had Safelight come and change the windshield on the District's 2016 Ford truck.
- Drove to Stockton and picked up an idler for the District's excavator.
- Worked on the District's bean sprayer.
- Cleaned the Chevron Point barn.
- Mr. Ricky Carter Jr scraped the levee crown with the District's Kubota tractor and scraper.
- DWR picked up the forklift from the Chevron Point barn.
- Called Mr. Tim Nix, he found too much water being released from the wet lands area.
- On February 27, turned on both pumps to lower canal (C-1).
- Called Russ, mechanic to replace the idler on the District's excavator.
- Removed trash from the levee on Twitchell Island Road.
- Set up the District's Kubota tractor with the chopper on it.
- On March 1, Mr. Ricky Carter Jr., removed 3 beavers from canal (C-1).
- Burned pile of trash at Oulton Point.
- Mr. Ricky Carter Jr. pushed the burn pile to continue burning the burn pile.
- On March 5, ran 2 pumps to lower the canal (C-1).
- Cleaning canal (C-1), of weeds and slope canal.

- Met with Lira's Welding to work on bucket for the District's excavator.
- Mrs. Perla Tzintzun-Garibay gave me the router hot spot for the District's pump station, one for the Isleton office and one for the office at Twitchell Island, also a new phone for Mr. Ricky Carter Jr.
- Working on a counterbalance for the District's excavator.
- Tried to install a new router in the District's pump station, unable to make it work, need to have Mr. Matt Boring help.
- Purchased new phone accessories from AT&T.
- Mr. Ricky Carter Sr. reported to the Board that Mr. Ricky Carter Jr, is doing a good job, learning to run the District's equipment.

**20. ADJOURN:**

The next regular meeting of the Board of Trustees will be called to order April 19, 2022, at 9:00 am, the regular meeting was adjourned at 12:20 pm.



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Presiding Trustee of the Regular Meeting March 15, 2022, certified the above minutes.



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Secretary