

# RECLAMATION DISTRICT NO. 1601

306 Second Street  
Isleton, CA 95641

## Minutes of the Board of Trustees Regular Meeting August 17, 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 August 17, 2021, at 9:11 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. Attending by conference call, District secretary Mrs. Linda Carter and Ms. Otome Lindsey.

#### 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.

President Mercado entertained a motion to approve the July 20, 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. MINUTES SPECIAL MEETING.

President Mercado entertained a motion to approve the July 29 2021, special 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.

#### 5. 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 August 9, 2021, EFT payment to PERS for \$4,241.07, due to timing of due date.

On August 9, 2021, deposited \$42,966.10 (Mr. Dave Baker land lease, \$34,515.75, Mr. Joe Mattos land lease, \$4,306.35, Allied World Insurance \$4,144).

On August 9, 2021, deposited \$384,333, for FY 2019-2021 Subvention reimbursement payment.

Mrs. Perla Tzintzun-Garibay went over the accounts payable with the Board. The Board had a discussion about the steps and cost of changing the stick on the District's excavator. Lira's Welding invoice was for repairs on one of the District's discharge pipes due to a leak.

Mrs. Perla Tzintzun-Garibay requested approval to pay total accounts payable of \$54,703.79, General Fund Warrant No. 3363 for \$35,000, 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.

**6. BOARD TO HEAR INFORMATION ON CHANGING THE DISTRICT'S TREASURER FROM SACRAMENTO COUNTY TO BUTTERFIELD & COMPANY.**

Mr. Jesse Barton told the Board that he had contacted the Sacramento County Treasurer and spoke with Mr. Peter Yang. Mr. Barton told him of the District's plans to leave the Sacramento County Treasurer and move the District's finances to Butterfield and Company. A letter will be prepared for the President of the Board to sign requesting the change of Treasurer from the Sacramento County Treasurer to Perla. Mrs. Perla Tzintzun-Garibay told the Board that she has talked with Bank of Stockton and they will have the new signature cards and documents prepared. Mrs. Perla Tzintzun-Garibay told the Board the District will need to purchase an additional insurance certificate for either \$1 million or \$2 million. Mr. Barton explained that if the District's finance are with the county, then the Board does not need a bond or insurance. If the finances are moved then a bond or an insurance certificate will be needed. Next month Mr. Barton will have more information to start the process for the Board to review and possibly approve a change in Treasurer.

**7. BOARD TO DISCUSS ASSESSMENT CALL 29 (FOR 2020-2021 ASSESSMENT).**

Mrs. Perla Tzintzun-Garibay reported to the Board that all of the Assessment Call 29 invoices have been paid by the following land owners. Karie Silva (\$133.60), Stockton Marina Properties (\$8,429.13), Ricky and Linda Carter (\$738.97), Marjorie Sgarrella (207.92), State of California DWR (\$480,102.95) and California Resources Production (\$98,826.62). Therefore everyone has paid their portion of the Assessment Call 29.

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

Mrs. Linda Carter asked the Board if they wish to have the monthly financial reports (which are prepared and presented to the Board monthly by Mrs. Perla Tzintzun-Garibay), posted on the District's website once they have been approved by the Board. After some discussion the Board said they would like the financial reports posted after they have been approved. Trustee Sgarrella told the Board he sent an email requesting the site to go live. Once the site goes live, Mrs. Carter will notify everyone on the email

list. She still will need to post at the office in Isleton, copies will be sent by email on the agenda email list.

**9. BOARD TO HEAR AN UPDATE AND DISCUSS EXPLORING A SOLAR POWER ALTERNATIVE TO POWER THE RD 1601 PUMP STATION.**

Trustee Sgarrella reported to the Board a lot of water was pumped off the island this past month. The PG&E. bill for this month is \$16,115.81 for the period of June 30, 2021-July 29, 2021. PG&E summer rates are in effect. They are approximately double what they were four years ago. The Demand charges were \$4,500.00. If the solar array was up and running, the bill for power used would be less. Demand charges would remain the same unless energy storage is added as part of a solar array project to store solar power for later use when a second pump automatically turns on to handle high water flow conditions. Energy storage may help reduce the PG&E Demand charges. Trustee Sgarrella has retained an energy storage consultant with advanced knowledge of battery type energy storage when accompanied by solar power to study the effectiveness of energy storage for the District pump station. Mr. Vincent Wong with DWR, emailed the District to add a new paragraph to the easement deed as follows: "the District must provide 14 day notice to CFW when the District needs to perform any work in the mitigation area". The Board agreed to that language change. Trustee Sgarrella will convey that agreement to DWR for final processing of the Solar Easement. By the next meeting Trustee Sgarrella will have more information for the Board regarding cost savings using energy storage with the solar array. Need to compare usage from this year and last year at this time. During the summer the farmers are using a lot of water. President Mercado told the Board that each of the siphons have flow meters that collect information, and that information can be used to see how much water is being used. Trustee Sgarrella told the Board that the ENGEO pushed 4 CPT's (one at each corner of the proposed solar generation site), they hit refusal at 45' to 55' feet. It was recommended to push at least one CPT to 100 feet to provide detailed seismic information required by the new Code to minimize the design and cost of the solar array structure. ENGEO will need to bring a larger (30 ton) CPT rig to push to a depth of 100 feet. Mr. Chris Neudeck will talk to ENGEO about pushing CPT to 100 feet at no additional charge to the District.

**10. 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 there is nothing to report except for Ms. Lindsey has sent the July 2021 invoices to Mrs. Perla Tzintzun-Garibay.

**11. BOARD TO HEAR AN UPDATE ON THE TWITCHELL ISLAND MITIGATION ENHANCEMENT (TIME) PROJECT. BOARD ALSO TO DISCUSS THE POSSIBILITY ENTERING INTO A PFA (TW-21-1.0) AND APPROVING RESOLUTION, FOR THE PLANNING, ENGINEERING, AND CONSTRUCTION OF THE PROJECT (Expires 12/31/2027).**

Mr. Jesse Baton told the Board that Ms. Otome Lindsey sent him a copy of the Work Agreement TW-21-1.0 for the Planning, Engineering, and Construction of the Twitchell Island Mitigation and Enhancement Site Project. The following was discussed:

- DWR authorized to implement a Mitigation and Enhancement Restoration Project in the West Delta to the approved FY 2010/2011 Proposition 84 Capital Outlay funds to develop this project.
- The District's staff, account, legal counsel and engineer will be covered in this work agreement.
- The Board finds this work agreement will benefit the District.

Ms. Lindsey told the Board the work agreement will benefit any reclamation district that is in the subventions program as they will be able to take credits from the habitat bank that this project will produce. Eighty acres will be in scrub brush and 40 acres will be a fresh water marsh. Later there will be 70 acres turned into enhancement habitat. DWR has the water rights for this property (riparian and pre-1914). The acres that will be changed into long term mitigation habitat restoration by this PFA will need to be reassessed for next year's assessment call. The Board and Ms. Lindsey had a discussion about hiring a second employee and the fact that the PFA labor needs to be under the labor compliance law. At this time the District does not have a labor compliance account. Mr. Jesse Barton spoke with Ms. Carolyn Lay, since Mr. Barton is not a labor attorney, Ms. Lay suggested that Mr. Baton speak with Ms. Debra Wilder (special council labor law) both with North Valley Labor Compliance Services. Ms. Wilder will charge a separate fee for her services. After some discussion President Mercado entertained a motion to approve the following: Resolution No. 2021-04, approving Work Agreement TW-21-1.0, for the Planning, Engineering, and Construction of the Twitchell Island Mitigation and Enhancement Site Project, and Resolution No. 2021-05, a resolution Authorizing Submission of Labor Compliance Plan, and motion was seconded by Trustee Sgarrella VOTE: AYES: President Mercado, Trustee Sgarrella and Trustee Huston NOES: None ABSTAIN: None ABSENT: None, motion carried.

**12. 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.**

President Mercado reported that Mr. Bryan Brock with DWR, told him they are drying the rice field and getting ready for harvest.

**13. 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.

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

I. Plan Review-USGS Seismograph Installation

A. Mr. Neudeck reviewed with the Board the draft sites for the installation of seismic monitoring equipment. USGS have two potential sites in mind. One site is by the District's Setback Site along the San Joaquin River and the other site is located at Oulton Point. Mr. Neudeck told the Board no matter which site they choose, they must keep away 30 feet from the toe of the levee.

Exhibit A: Google Earth Site Map showing potential sites for Seismograph.

Exhibit B: Email Correspondence from Jemile Erdem regarding Draft Sites and request for Soil Boring Logs from RD 1601 Dated 8/03/21.

Exhibit C: Email Correspondence from KSN Inc. to Jemile at USGS transmitting Ultimate Levee Setback footprint along the San Joaquin River dated 8/12/2021.

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

- Routine levee patrols daily.
- Checked pumps and oil in the pumps at station daily.
- Check water in the canal.
- Drove to Lodi and purchased a fan for the pump house.
- Worked on 2020-2021 subvention claim.
- Mr. Ricky Carter called Moorman Water Systems to set up pump number two for repair.
- Switched short stick on the District's excavator to the long stick.
- Attended a meeting on Sherman Island for future water usage.
- Cleaning District's canal C-1 of vegetation.
- On July 29, 2021, attended special meeting with the Board on personnel issues.
- Turning on pump number three by hand, problem with the auto.
- Sent accident report to Mrs. Perla Tzintzun-Garibay about the electric line broken from the District excavator in 2020.
- Contacted Mr. Steve Lucas (CRC), for pressure relief valve releasing gas at the well by the corrals by Threemile Slough.
- Found gate open from pasture to the District's canal C-2, cattle could walk down to the water edge, called President Mercado.
- Drove to Stockton to deliver paper work for the District's audit to the auditors
  - Delivered 2020-2021 Subvention Claim paper work to Wendy (KSN)
  - Delivered to Mrs. Perla Tzintzun-Garibay with Butterfield and Company copies of Assessment Call 29 invoices.
- On August 4, 2021, Moorman Water Systems came and prepped number 2 pump for pulling.
- Went to Dolk Tractor and picked up two drive lines off of the District's bush hog chopper and took them to West Sacramento for repair.
- Ordered a new gear box for the chopper.
- Cleaned grate at the District's pump station with the District's excavator.
- Mr. Ricky Carter purchased T-32 oil for the District's pumps.

- On August 9, 2021, Mr. Marvis McBride stuck the District's excavator along the District's canal C-2. Mr. Ricky Carter called Mr. Bruce Gornto used the District's dozer, the excavator kept slipping into the canal C-2.
- On August 10, 2021, Mr. Ricky Carter called Mr. Chris Conig (ASTA), Mr. Conig came so did Mr. Vince Chavier with his D-5 dozer, pulled out with all involved.
- Mr. Marvis McBride started cleaning District's canal C-2 from the west to the east.
- On August 11, 2021, Mr. Marvis McBride cleaned 3,500-4,000 LF and finished the District's canal C-2 on August 13, 2021.
- On August 13, 2021, Mr. Ricky Carter fueled Mr. Marvis McBride 2016 Ford pickup truck and gas can for the air compressor.
- Drove to Lodi and purchased (2) attic fans with thermostats for the District's pump house per Mr. Chris Neudeck (KSN).

Mr. Carter reported to the Board in the next 30 days, all of the levees will be chopped. Focusing on keeping the District's canal cleaned and use the District's Kubota mule. Trustee Sgarrella brought to the Board attention of using agriculture drone to spray the water hyacinth and other vegetation. Mr. Carter will gather information for the Board about using an agriculture drone and the cost to purchase one. The subject of the District's spray permit was discussed. Ms. Otome Lindsey told the Board that the District's permit was never closed out. Trustee Sgarrella told the Board the District may still have an endorsable spray permit.

President Mercado reminded the Board that it's time to plan the annual prewinter waterside boat inspection. Mr. Chris Neudeck will be scheduling the waterside boat inspection for Twitchell Island, he will notify the Board and staff when the inspection will take place.

The Board had a discussion on the drought conditions in California and how this is affecting the Delta. This matter will be placed on next month's agenda for further discussion.

#### 16. ADJOURN:

The next regular meeting of the Board of Trustees will be called to order September 21, 2021, at 9:00 am, the regular meeting was adjourned at 11:00 am.



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Presiding Trustee of the Regular Meeting August 17, 2021, certified the above minutes.



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Secretary