

# RECLAMATION DISTRICT NO. 1601

306 Second Street  
Isleton, CA 95641

## Minutes of the Board of Trustees Regular Meeting June 15, 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 June 15, 2021, at 8:35 a.m. ROLL CALL: In attendance: President Juan Mercado, Trustee Dave Huston, District Superintendent Mr. Ricky Carter and District's engineer Mr. Chris Neudeck. Attending by conference call, Trustee Barry Sgarrella, District secretary Mrs. Linda Carter, District's attorney Mr. Jesse Barton, bookkeepers Mrs. Perla Tzintzun-Garibay with Butterfield and Company, Ms. Otome Lindsey, Mr. Jon Fletcher, Mr. Jemile Erdem and Mr. Don Hoirup .

#### 2. CLOSED SESSION: PUBLIC EMPLOYEE PERFORMANCE EVALUATION TITLES: SUPERINTENDENT, LABORER, AND SECRETARY.

Board went into closed session at 8:37 am, and opened the meeting at 9:15 am. President Mercado reported that no action was taken, the Board will revisit the matter at the District's July 20, 2021 meeting. The Board would like the July meeting to start at 8:00 am. Mrs. Perla Tzintzun-Garibay will provide the Board with the information the Board requested.

#### 3. 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.

#### 4. MINUTES REGULAR MEETING.

President Mercado entertained a motion to approve the May 18, 2021, regular meeting minutes as written, motion was seconded by Trustee Barry Sgarrella VOTE: AYES: President Mercado, Trustee Sgarrella and Trustee Huston NOES: None ABSTAIN: None ABSENT: None, motion carried.

#### 5. BOARD TO REVIEW AND POSSIBLY APPROVE ENGAGEMENT WITH CROCE, SANGUINETTI AND VANDER VEEN CPA'S, INC. TO PERFORM THE INDEPENDENT AUDIT AND SPECIAL DISTRICT FINANCIAL TRANSACTION REPORTS FOR THE YEAR ENDING JUNE 30, 2021.

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, 2021. 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, 2021. The audit fees range is \$5,285-\$5,484. The special district financial transaction report fee is \$450. Last year the District paid \$5,625 for both reports. 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 Barry Sgarrella 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, 2021. President Mercado seconded the motion VOTE: AYES: Mercado, Sgarrella and Huston NOES: None ABSENT: None, motion carried

#### **6. ACCOUNTS PAYABLE:**

Mrs. Perla Tzintzun-Garibay went over the balance sheet, financial statement, and accounts payable and accounts receivable with the Board.

On May 19, 2021, AT&T mobility payment of \$107.14 with check 11779, due to timing of due date.

On May 19, 2021, Cobalt Fleet Maintenance payment of \$364.88 with check 11780, due to timing of due date.

On May 19, 2021, MECOM Equipment payment of \$1,455.54, with check 11781, due to timing of due date.

On June 1, 2021, deposited \$52,911.67 Port of Stockton reimbursement payment.

On June 10, 2021, EFT payment to PERS for \$4,241.07, due to timing of due date.

Mrs. Perla Tzintzun-Garibay reported to the Board that AT&T credited the District \$1,095.00. The Board went over the invoices. Mrs. Perla Tzintzun-Garibay told the Board that she submitted the warrant on May 19, 2021, she did not receive confirmation until June 10, 2021. Sacramento County is taking a month to process the warrant. She had to hold last month's invoices. Mrs. Perla Tzintzun-Garibay told the Board that the County says they have 10 days to process the warrant. This happens to Sherman Island, they have moved their financials to the bank. The District spends around \$5,600 for handling the District's funds. After some discussion it was decided that Mrs. Perla Tzintzun-Garibay will provide the Board information on this matter. After some discussion President Mercado entertained a motion to approve a warrant in the amount of \$110,000 (warrant 3361 general fund), to pay the invoices presented and motion was seconded by Trustee Huston VOTE: AYES: President Mercado, Trustee Sgarrella and Trustee Huston NOES: None ABSTAIN: None ABSENT: None, motion carried.

President Mercado entertained a motion to approve transfer \$61,423.68, from Wetland Development SMFA (446-C) into General Fund account (446-8A), motion seconded by Trustee Huston VOTE: AYES: President Mercado, Trustee Sgarrella and Trustee Huston NOES: None ABSTAIN: None ABSENT: None, motion carried.

Account Receivable –DWR Trust: \$10,212.65

Account Receivable Land Lease: None

Account Receivable- SWP Right of Way Management: \$189.67

Advances Pending: None

Retention Pending: None

Special Project Invoices Pending Approval: \$100,127.14



Subventions 2019-2020: \$588,818.37 EST. REIMB. \$441,613.78  
Accounts Payable: (\$314.31) AT&T credit

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

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 Sgarrella entertained a motion to approve Resolution 2021-02 and Order Levying Assessment No.29 at 90%, of the maximum approved assessment, based upon Operation and Maintenance Valuation Assessment Roll Dated July 21, 1992, President Mercado seconded the motion VOTE: AYES: Mercado, Sgarrella and Huston NOES: None ABSENT: None, motion carried.

**8. BOARD TO DISCUSS DISTRICT'S BUDGET FOR 2021-2022.**

Mrs. Perla Tzintzun-Garibay discussed with the Board the Budget vs. Actual from July 1, 2020 through June 15, 2021. The Budget is based on the amount of the assessment, now that the Board has approved assessment call 29 at 90% Mrs. Perla Tzintzun-Garibay will present to the Board at next month's meeting a proposed budget.

**9. BOARD TO DISCUSS AND POSSIBLY APPROVE DELTA PROTECTION FIRE DISTRICT'S PROPOSED ASSESSMENT INCREASE.**

Mr. Jesse Barton read to the Board the information about the Delta Protection Fire District's proposed assessment increase. After some discussion Trustee Huston entertained a motion to approve the Protection Fire District's proposed assessment increase for both ballots received, President Mercado seconded the motion VOTE: AYES: Mercado, Sgarrella and Huston NOES: None ABSENT: None, motion carried.

**10. BOARD TO DISCUSS OPENING IN PERSON DISTRICT MEETINGS.**

Mr. Jesse Barton said that the governor has lifted most of the state's restrictions. Wearing masks is on the honor system, if you are vaccinated you do not have to wear a mask. Mr. Barton will rewrite the black and red notifications on the agenda to correspond with state's guide line. The Board decided to continue with the teleconference, a quorum of trustees is always needed.

**11. BOARD TO HEAR AN UPDATE AND DISCUSSION ONGOING DREDGE MATERIAL OPERATION AND MAINTENANCE ISSUES RELATED TO THE DREDGED MATERIAL PLACEMENT SITE.**

Mr. Jesse Barton reported to the Board that the Port of Stockton's (Port) invoice has paid (\$52,911.67). Mr. Ricky Carter told the Board that Mr. Jaime Rodriguez has not planted the seeds, but he is working on the ground.

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

Trustee Sgarrella reported to the Board that MAYACO has set up the website for the District. Now the District needs to furnish MAYACO with information and input about the District, such as agenda, bio's of the Board and contact information. The website should start on July 1, 2021. Mr. Chris Neudeck will provide maps, pictures and back

ground information about the District. The Trustees and Mr. Jesse Barton will provide bio information on themselves. The point of contact will be Mrs. Linda Carter, she will be submitting items to MAYACO on behalf of the District.

**13. BOARD TO HEAR AN UPDATE ON THE SELLING OF THE DISTRICT'S TIGER SIDE MOWER.**

Mr. Ricky Carter reported that Mr. Richard Silva has not given the District a check for the amount of \$5,000, for the District's Tiger Side Mower, which Mr. Silva has in his possession.

**14. DISTRICT STAFF: BOARD TO DISCUSS THE HIRING OF ADDITIONAL FULL TIME DISTRICT STAFF.**

Mr. Jesse Barton told the Board that the SMFA (Habitat Project) is looking for someone to do habitat maintenance on Twitchell Island and Sherman Island. President Mercado told the Board that Sherman Island will be hiring someone due to it having more habitat acres that needs maintenance done. Sherman Island could loan out to Twitchell Island if Twitchell Island should need someone. It is difficult finding qualified candidates, yet alone to find two qualified candidates to do the work. Mr. Bryan Brock has asked for the Board to consider amending the SMFA Project for extension of time, as the present project funding agreement expires on December 31, 2024. Bryan suggests to extend the PFA for an additional six year, expiring December 31, 2030. After some discussion President Mercado entertained a motion to approve Resolution No. 2021-03, "A Resolution Amending the Subsidence Mitigation Funding Agreement", amending the agreement to extend the term of the agreement by six additional years, or to December 31, 2030, motion was seconded by Trustee Barry Sgarrella VOTE: AYES: President Mercado, Trustee Sgarrella and Trustee Huston NOES: None ABSTAIN: None ABSENT: None, motion carried.

**15. 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 he heard from Mr. Vincent Wong with DWR (Right of Way Agent for state of California Department of Water Resources). Mr. Wong told Trustee Sgarrella that the easement has been approved, but it has been sent back for some language to be revised. Trustee Sgarrella will let Mr. Wong know that the District has spent money on this for soil testing.

Trustee Sgarrella reported to the Board that the P.G. &E. bill for this month was \$8,091.98 last month it was \$6,940.07. The peak charges have increased: 19.4 cents, off peak 13.5 cents.

ENGEO is set to install 4CPT's on June 18, 2021, (one at each corner of the generation site), the land owner needs to sign off on the county permits before they can start boring. Mr. Chris Neudeck said that he would take care of this matter.

**16. 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 on the TW-14-1.1 Project Funding Agreement for a Habitat Enhancement Project. Ms. Otome Lindsey reported that they will be mowing and spraying.

**17. BOARD TO HEAR AN UPDATE ON THE TWITCHELL ISLAND MITIGATION ENHANCEMENT (TIME) PROJECT. BOARD TO DISCUSS THE POSSIBILITY ENTERING INTO A PFA (TW-21-1.0) AND RESOLUTION, FOR THE PLANNING, ENGINEERING, INITIAL LAND DIFICATION AND CONSTRUCTION OF THE PROJECT, AND 2) AGREEING TO BE THE CONSERVATION EASEMENT HOLDER FOR THE MITIGATION PORTION OF THE TIME PROJECT.**

Ms. Otome Lindsey at last month's meeting went over with the Board a draft copy of the Project Funding Agreement for planning, engineering, and, construction of the Twitchell Island Mitigation and Enhancement Site Project Agreement No. TW-21-1.0. Ms. Lindsey reported to the Board that the request to add staff and legal time that has been done prior of the approval of the PFA has to go back to the DWR legal team. No action taken at this time.

**18. 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. THE BOARD WILL ALSO DISCUSS AMENDING THIS AGREEMENT FOR TIME.**

Look under item 14.

**19. 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.

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

**I. 2020-2021 ASSESSMENT BY LANDOWNER SUMMARIES**

A. Look under item 7.

**II. PLAN REVIEW-USGS SEISMOGRAPH INSTALLATION**

A, Mr. Neudeck reviewed with the Board the application for an Encroachment Permit from USGS for the installation of seismic monitoring equipment.

Exhibit D: Application for an Encroachment Permit by USGS and required Exhibits.

Exhibit E: Technical requirements of pore pressure transducer that will be installed along side of the Borehole Accelerometer.

Mr. Neudeck told the Board that they have found a spot near the San Joaquin River (at Oulton Point), by the Setback Levee Project (by a shed by the 4 acre

mitigation site), and Chevron Point (North of the Chevron Point Shop). Mr. Jon Fletcher with USGS, spoke to the Board about the study of earth quakes. . Mr. Fletcher said they are looking for an area with the least amount of sand. Mr. Chris Neudeck brought it to everyone's attention that UC Berkley already has a Seismograph Installed at the Chevron Point. Mr. Ricky Carter told everyone they will need to put up a fence around it. Mr. Don Hoirup told the Board that they plan on putting up a low fence. After some discussion President Mercado entertained a motion to approve the Encroachment Permit for USGS, as long as the seismograph is not installed in the way of any future project, maintenance or flood control issues, Trustee Sgarrella seconded the motion VOTE: AYES: Mercado, Sgarrella and Huston NOES: None ABSENT: None, motion carried. President Mercado will sign off the encroachment permit tomorrow.

### III. PUMP STATION

A. Mr. Neudeck reviewed with the Board the status of check in with Matt Boring from Control Point to verify additional electrical service users running through RD 1601's PG&E meter.

Exhibit F: Sketch of pump station site showing additional users hooked into the District's meter which may be the source causing usage during peak PG&E periods.

The following is where the electricity is being used:

1. Pump Station for the pumps.
2. Met Barn.
3. Sheep Herders trailers west of the pump station.
4. NOAA-Weather Station.
5. Water Pump
6. Gornto's Trailer and facility at two separate drops.

This is where the power is going and running at peak time. The NOAA trailer, has an air conditioner and computers running 24 hours per day. Trustee Sgarrella asked if a meter should be put on the Met Barn to meter the electrical usage at the Met Barn. It was decided to watch the electric invoices for another few months.

B. Mr. Neudeck reviewed with the Board the training on pump O & M periodically over the summer period and his suggestion of follow up work required to tighten operating ranges.

Exhibit G: Sketch of Draft Operating Levels for pump station, Showing pump operating levels.

Mr. Ricky Carter is running the pumps to keep water levels down. This Thursday Mormon Pumps will be coming to check on the District pumps. Still having problems with pump number 2.

### IV. DWR's DEFERRED MAINTENANCE PROGRAM (DMP)

A. Mr. Neudeck reviewed with the Board the potential of DWR allowing the District to use remaining funds of \$26,982.16 in the DMP PFA to video the siphon pipes and add inspection ports on each siphon.



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

- Routine levee patrols daily.
- Checked pump at station daily.
- Delivered paper work to Mrs. Perla Tzintzun-Garibay in Stockton.
- Ordered new alarm agent program on line for the District's pump station.
- Removed (1) tree at Levee Station 605+00.
- Another delivery of dirt to C-1 bank.
- Meeting with Mr. Matt Boring and Mr. Jack Wilbur at the District's pump station.
- Mr. Jack Wilbur (with KSN) worked on the District's pump station electrical settings.
- Mr. Marvis McBride found (2) siphon leaks: one leak is at Oulton Point siphon and the siphon closest to the setback levee.
- Found gates open at the end of pastures, allowing cattle to graze between fence and C-2, they are walking down the C-2 canal to get water.
- Filed the burn permit on line, not thru AG Commission, now have to go thru the Sacramento Metro Air Quality for burn permits.
- Boat ran aground on top of Threemile Slough levee. We assisted in the removal of the boat.
- Spotted for Mr. Marvis McBride under the power lines along San Joaquin River (1) spot along the San Joaquin River side near Power Line Road.
- Mr. Jaime Rodriguez's fence is too close and unable to clean 120 feet of toe ditch.
- Met with Mr. Jack Wilbur and set up pumps 1 and 3, for alternating cycles.
- Drove to Stockton and picked up paper work from Mrs. Perla Tzintzun-Garibay.
- Met with Schauer Construction on Chevron Point barn door repairs.

Canal levels keep rising too fast as one pump cannot keep up. Mr. Jack Wilbur will be coming out once a week to check on the pumps. Mr. Carter reported that the siphon at Oulton Point (primed for the wet lands use) is leaking about 40 gallon per minute. Mr. Jaime Rodriguez was notified that his cattle was on the C-2. Mr. Carter checked the alfalfa field and it had a lot of water running on it. He called Mr. Rodriguez to have him switch to another check. Mr. Carter told him the excess water is affecting Mr. Vince Chavier's corn field. At his time the pasture area is being irrigated, and running into C-2. Mr. Carter called Mr. Bruce Gornto to check his ditches at rice project. Contacted Schauer Construction about the replacement doors for the Chevron Point, Mr. Bill Schauer told Mr. Carter, the delay is due to the doors coming from China. The Board had a discussion about what time the District's pumps should be running. Trustee Sgarrella told the Board that they should run 12pm-6pm, Monday-Friday. President Mercado said that he will talk with Mr. Vince Chavier and that he does not want the pumps to run during peak.

**22. ADJOURN:**

The next regular meeting of the Board of Trustees will be called to order July 20, 2021, at 9:00 am, the regular meeting was adjourned at 12:18 pm.



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Presiding Trustee of the Regular Meeting June 15, 2021, certified the above minutes.



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Secretary