

MINUTES OF REGULAR MEETING

Reclamation District No. 341
Sherman Island

9:00 a.m.
Tuesday, December 14, 2021

306 Second Street
Isleton, California

The Board proceedings are also available via tele-conference, and you may participate in Public Comment in this manner. If you wish to comment, please speak and your comments will be considered. Members of the public are encouraged to observe and participate in the teleconference. District directors and members of the public may participate in the meeting using the telephone conference line listed below. Conference Line Number: 1-877-336-1829 Access Code: 3653607

CALL MEETING TO ORDER

Trustee Morgan Johnson called the meeting to order at 9:05 a.m. Jesse Barton conducted the meeting. In an effort to control the discussion, the Board will speak, followed by District staff and employees, and the public will have the final opportunity. He called roll call. Present: Trustee: Morgan Johnson, Rob Black (arrived at 9:30 AM), Preston Good; District Attorney: Jesse Barton; Accountant: Perla Tzintzun-Garibay; Engineer: Neil Favor and Martin Berber; District Superintendent: Joel McElroy; DWR: Juan Mercado; Rio Vista Windsurf Association: Don Ross; Landowner(s): Ceci Giacomina and Mark Icanberry; District Secretary: Cindy Hill

INSTALLATION OF NEW BOARD MEMBER

Preston Good was installed as a new Board Member of RD 341 and signed the oath to the District.

PUBLIC COMMENTS

Don Ross congratulated Preston Good.

BOARD TO REVIEW AND POSSIBLY ADOPT A RESOLUTION TO RESUME IN PERSON MEETINGS OR ALLOW BOARD MEMBERS TO ATTEND VIRTUALLY

Jesse Barton reported that Board members may call into Board meetings under a new law that allows Districts to continue to allow Board members to meet remotely. This new law addresses the various safety requirements to prevent the spread of COVID. In order to do this, the District will have to adopt a resolution and then re-adopt that resolution every 30-day period. It was MSP (Morgan Johnson/Preston Good) to adopt a resolution to allow the Board members to meet remotely. This passed 2-0, 1 absent

Don Ross asked if the District would continue to have teleconference call availability for landowners and others that he would like to attend the District meeting via teleconference. Jesse Barton said yes, the District intends to continue offering a teleconference call option for the public.

BOARD TO CONSIDER AND POSSIBLY APPROVE A RESOLUTION UPDATING ITS AUTHORIZED SIGNERS ON ALL ACCOUNTS AT F&M BANK

Perla presented a resolution to remove Juan as a signer from all District accounts at F&M Bank and add Preston Good. It was MSP (Morgan Johnson/Preston Good). This pass 2-0, 1 absent.

ACCOUNTS PAYABLE AND RECEIVABLE

The Board reviewed the accounts payable for December 14, 2021. Transfer of \$165,000 from the general fund is required to cover current month cash disbursements pending approval of \$128,603.04 plus 12/20/21 and 01/05/22 payroll checks and related liabilities. Financial statements reflect an ending balance of \$44,706.98 after the before mentioned transactions are approved.

Notes:

- 11/10 AT&T payment of \$229.34 was paid with check 10338, due to timing of due date.
- 11/10 Holt of California payment of \$379.67 was paid with check 10339, due to timing of due date.
- 11/16 Visa payment of \$2,775.15 was paid with check 10340, due to timing of the due date.
- 12/08 PERS payment of \$2,929.27 was paid via EFT due to timing of due date.
- 12/14 Payroll check to Morgan Johnson: Gross \$350, Net \$319.03.

General Fund:

Balance in general fund account \$581,377.59

Notes:

- 11/12 deposit \$1,797.64 Assessment Call No. 25 payments, including penalties and interest.
- 11/16 deposit \$32,220 PG&E – BLP payment
- 11/30 deposit \$807.80 Assessment Call No. 25 payments, including penalties and interest.

Perla reported PG&E has not billed for pump #5, the District will receive a large bill in the future. Rent increased by \$50 per month in May 2021, however we have not paid the increased amount. Since we share rent with Twitchell, it will be \$25 per month for RD 341 back to May 2021. All back rents will be paid. Morgan inquired about the \$8,300 invoice for Wagner Bonsignore. Martin stated this is associated with working with the County to complete the Crossroad. Preston asked if the AT&T bill includes the transition to 1st Net; Perla said no, she is still working with AT&T on the transition. He will contact them and see why they have not billed for that pump. Morgan Johnson reviewed and signed off on the invoices prior to the District meeting. It was MSP (Morgan Johnson/Preston Good) to approve the December 14, 2021, accounts payable, receivables and transfers. This passed 2-0, 1 absent.

ASSESSMENT #25

Jesse Barton reported that the delinquent assessment notices have been sent. Noack's are in payment plan and paying as agreed.

POSSIBLE HIRING OF GENERAL MANAGER

Jesse Barton provided an overview of the discussion of hiring a general manager due to Juan Mercado's retirement from RD 341. Neil Favor from Wagner Bonsignore will provide more services to the District by doing more project inspections. Morgan Johnson has expressed an

interest in the position; however, he will need to resign from his role as a Board member prior to determining the hiring specifics for this position. Jesse stated he has begun working on the list of job duties that the General Manager would handle. Juan Mercado asked if the group of people working on hiring the general manager all need to be on the Board, as he would like to be part of the process. Jesse stated that we could create a committee that could include non-Board members. Ceci said she thinks that it would be in the best interest to hire someone that is knowledgeable about the Sherman Island like Morgan. Jesse stated that the District is currently focused on the current flood season. He said that once the season is done and the projects begin, we can begin to look into hiring for this position if the Board agrees. He said that Neil's added work should make a difference and give them the time to develop the position. Juan added that Neil's work should continue in the future and parallel the work done by a General Manager. Joel said it would be good to have a General Manager during construction periods to manage the projects as well as serve as a liaison with the residents. Ceci mentioned that the District employees would be an asset to a hiring committee. Jesse stated the committee should be made up of various people associated with the District. Juan stated he is concerned that Morgan would have to resign as a Board member prior to deciding whether the position would be a good fit for him. Jesse stated from a legal perspective there are no options, Morgan cannot be a part of the hiring or be on the Board when the District begins the process. Preston asked if the committee could meet as a Special meeting and Jesse said "yes." Jesse said that as soon as Morgan resigns, they will need to replace him on the Board.

ISLAND SECURITY

Ceci Giacomina stated there will not be a meeting until January 2022. She reported there are campers on the top of the levee. Joel McElroy stated there are no longer campers. Ceci said there has been isolated incidences of people sleeping in their cars. Neil is working with Perla on the SIM cards for the cameras. Juan stated the contractors finished putting in the cable fence by the Antioch Bridge. Ceci stated she is working with Pulse Point for immediate notification for AED devices for emergencies incidences. Ceci stated that we are currently reliant on Isleton for our fire department services. She said that several of the fire departments are fighting for the tax dollars. Rio Vista Fire Department should service Sherman Island; She said that River Delta is a better option for the District; they have been reporting to most of the traffic incidences. Morgan stated that Rio Vista Fire has difficulty getting across the bridge due to the traffic. He said they have geographic response areas. Juan said DWR has a contract with Delta Fire; they are responsible for managing fire suppression on the island. Joel said that Delta Fire no longer has the equipment, they are working with Rio Vista Fire who has the equipment. Martin Berber reported the District is waiting on Caltrans for the Highway 160 Emergency Response Plan.

APPROVAL OF MINUTES

The Board reviewed minutes of the regular meeting of November 9, 2021. It was MSP (Morgan/Rob Black) to approve the regular meeting minutes of November 9, 2021, as written. This passed 3-0.

DISTRICT WEBSITE

Cindy Hill reported ongoing updates to the website. She will update the District Board members. Martin as if the District would like the encroachment permit application on the website. The Board said no, they would just like the rules and regulations.

DISTRICT STAFF

Joel McElroy said the new employee is doing good. He is an independent worker; he has been working on Twitchell due to tree trimming. Joel said he is using his own vehicle for hauling debris and seems to be putting a lot of miles on his vehicle. Jesse said that he should report his miles and be reimbursed for wear and tear on his personal vehicle. He should be in contact with Rick Carter when he is working on Twitchell. He calls Joel each day at noon to check in. Jesse said he will ask Rick if he checks in with them when he is working on Twitchell.

CHANGES TO THE DISTRICT INSURANCE POLICY

Jesse Barton stated the District is currently insured through Dohrmann as the broker, but the insurance is through Allied World Specialty. He said the company provided levee failure and inverse condemnation inclusion coverage. If the levees were to fail, the residences would sue the District as the District is responsible for the levees. He said the idea of the coverage is good – we have had this insurance for several years. Jesse said that each year the insurance reviews the levee inspection report, and they want a report that the issues are resolved. This last year, the engineers provided a letter regarding the repair status. This year, the insurance company wanted more proof that the work would be resolved. They stated that the work needs to be done or they would take away the levee failure and inverse condemnation inclusion rider. Since we were unable to satisfy their request, they pulled the coverage. Jesse contacted the broker Dohrmann to see if there would be a reduction in premiums with the change. They did not respond. Jesse said that we should look into other companies for other quotes. Martin stated that although we are working on remedying the issues, the work will not happen within the time frame that Allied World Specialty has requested. They also considered the Wind Shop an encroachment which was unacceptable.

BIRD'S LANDING PROJECT

Martin Berber reported on this project. PG&E installed 2 of the 16 piles; piles are approximately 100 feet long.

ENCROACHMENT PERMIT NO 2021-1 (OUTRIGGER MARINA DOCK DEMOLITION)

Neil Favor reported debris removal is progressing. Joel said the area looks bad. The levee is a mess, it is all chewed up. He said he thinks the outrigger crew were the ones that tore up the area. The dock work has not been done. Ceci said they were burning this morning. Morgan asked if there is a timeline as to when the work needs to be completed. Jesse said that we can notify him that the work needs to be completed including regrading the levee. Martin said he will go out to the site and will speak with him about the issues.

ENCROACHMENT PERMIT NO 2021-2 (PG&E TOWER 35/266 REMOVAL)

Martin Berber stated there are no updates at this time. We are waiting on the \$25,000 deposit and signed encroachment permit. Morgan inquired if we should notify PG&E will be taking this off the agenda, and if they do not move forward, it may take us longer as we will have to add the agenda item back in. Martin said he will contact PG&E.

ENCROACHMENT PERMIT NO 2021-3 (ADGATE ADDITION)

Martin Berber reported receipt of an email dated November 5, 2021, where Steve Adgate informed us that he is currently putting together the \$5,000 deposit for his Encroachment Permit. Steve advised Martin that he is moving forth with the project.

SACRAMENTO COUNTY ROADS

Neil Favor reported:

- On November 12, we submitted a letter to L. Rodriguez with the Sacramento County Department of Transportation re: the condition of the Sherman Island Cross Road which included cross sectional surveys showing the differential settlement.
- After reviewing the letter, the County sent a maintenance crew to “repair” the road by additional asphalt. In addition, the County has contacted a third-party consultant to analyze the road section and present long-term repair options.
- On November 22, we contacted the County DOT re: the differential settlement on East Sherman Island Road (Sta. 416+00 – 418+50). The County responded by sending a maintenance crew to “repair” the road surface on 11/29 with pictures of the repair.
- Prior to the Counties repair, we surveyed the levee section and are continuing to monitor the rate of settlement.
- Currently, we are preparing plans and construction documents for the repair next Spring.
- At this time the County can not commit funds to pay for the asphalt, it may be an option to have the County paving crew complete the repair.

Ceci Giacomina said there is a new crack opening up on the east levee road. Neil said he would go out to the site and inspect. Rob Black asked if we would cut the asphalt or repair the crack. Neil said that it is an open conversation with the county to get them to pay for as much as the road as we can. Juan Mercado said if we go from a 2-1 slope to a 3-1 slope will this be subvention eligible. Ceci said that the area caught Supervisor Nottoli’s attention.

SHERMAN ISLAND DRAINAGE PLAN

Neil reported – no update

FLOOD SYSTEM REPAIR PROJECT AND EMERGENCY REPAIR

Martin Berber reported work on the completion report is ongoing.

PROJECT FUNDING AGREEMENT SH 10-2.9 – (HWY 160 CONSTRUCTION) AGREEMENT TO ADD A DRAINAGE SYSTEM TO THE PORTION OF THE LEVEE EXPERIENCING SEEPAGE PROBLEMS ALONG THE SACRAMENTO RIVER AT STATIONS 870+00 THROUGH 940+00

Martin Berber reported:

- PG&E and Frontier completed the new Highway 160 crossing on November 21, 2021.
- PG&E was planning on completing their portion of the relocation on December 14, 2021; however, the rain has delayed them.
- PG&E needs to replace a damaged gate at the grain bins. They will fix the damage.
- Frontier is waiting for dry weather before commencing demolition of the old poles.

Martin stated the project should go to bid in the spring. Joel stated they hand sprayed and performed maintenance. He said they will continue to spray when the area dries out.

PROJECT FUNDING AGREEMENT SH 12-1.2 – SCOUR POND HABITAT ENHANCEMENT PROJECT – AN AGREEMENT THAT WOULD FILL THE EXISTING SCOUR POND AND CREATE NEW WETLAND HABITAT.

Martin Berber stated they are wrapping up the completion report. They should submit the final invoice to Perla soon.

DWR “SUBSIDENCE MITIGATION FUNDING AGREEMENT” – FIVE YEAR SUBSIDENCE REVERSAL AND CARBON SEQUESTRATION PROGRAM AND CDFW WETLAND RESTORATION FOR GREENHOUSE GAS REDUCTION CONTRACT

Nothing to report.

PROJECT FUNDING AGREEMENT SH 17-1.0 SP - PHASE 1 OF SAN JOAQUIN SETBACK LEVEE/HABITAT BENCH MULTI-BENEFIT PROJECT (STATIONS 175-199)

Neil Favor reported:

- The County Board of Supervisors meeting was re-scheduled to January 25, 2022. At this time the Cost Share Agreement will be presented to the Board.
- The Agreement states the County will reimburse \$200,000 to cover costs related to repave Sherman Island East Levee Road.
- We are planning to submit the Final Scope of Work to DWR this week.

PROJECT FUNDING AGREEMENT SH-18-1.0-SP – AGREEMENT WITH THE DEPARTMENT OF WATER RESOURCES TO FUND THE PREPARATION OF THE FIVE-YEAR PLAN.

Martin Berber reported DWR extended all Five-year Plan PFA’s to the end of 2022. Martin said this will be included on the website. Preston Good asked if the drainage plan will be posted on the website. Martin said that it would not be as it is primarily an internal document.

SUPERINTENDENT REPORT

Joel McElroy reported District staff was mowing weather permitting. He said they have also been working the spoils with the dozer. The new truck had its first service. He has been working on the warranty for the diesel mechanism. Joel’s truck has new tires. #5 pump motor failed prior to Joel going on vacation. They broke it down and took it to the shop. There was a moisture problem, they were able to drag the motor and replace the bearing. It is working fine. The cost was \$13,000. We received a check for scrap iron for \$900 which can help to pay for the repairs. Gornto replaced the pipe on pump #3; next summer he will replace the rest as well as complete the repairs on pump #5. Replaced the water pipe on the back hoe.

There being no further business to come before the Board, the public meeting was adjourned at 11:02 A.M.

The presiding Trustee of the December 14, 2021, meeting hereby certifies that the above minutes were approved as read.