

MINUTES OF REGULAR MEETING

Reclamation District No. 341
Sherman Island

9:00 a.m.
Tuesday, May 10, 2022

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 9:04 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, and Preston Good; District Attorney: Jesse Barton; Accountant: Perla Tzintzun-Garibay; Engineer: Bob Wagner and Martin Berber; District Superintendent: Joel McElroy; DWR: Juan Mercado; Rio Vista Windsurf Association: Don Ross; Yolo County RCD: Amy Williams Landowner(s): Ceci Giacomina; District Secretary: Cindy Hill

PUBLIC COMMENTS

Don Ross reported the Semi-Annual Spring Clean-up was held on April 23rd. They will have a safety meeting on June 11 at the Park. He said it went well with over 30 people helping at the clean-up. Amy Williams, Yolo County RCD asked which agenda item the District would like her to present on since the Scour Pond has been closed out. Jesse Barton said she could report on agenda item #11 Mayberry Slough Spans.

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 3-0.

ISLAND SECURITY

Ceci Giacomina reported they had meeting with Caltrans and the CHP. She said they are making progress. Caltrans is reorganizing 4 districts into 1 district. They appointed Ed Yarborough to oversee this region. It is called a Safety Region. The next safety meeting will be July 25. She said there was a recent accident and the drivers drove off Hwy 160 onto the dirt roads. She said even big trailers hauling equipment were stuck out there. Jesse said that there is nothing we can

do about it. Joel said he has caught some of these drivers and directs them back to the road. Joel said they have been replacing the camera brackets with the new brackets when the old ones fail.

APPROVAL OF MINUTES

The Board reviewed minutes of the regular meeting of April 12, 2022 and special meeting of April 20, 2022. It was MSP (Preston Good/Morgan Johnson) to approve the regular meeting minutes of April 12, 2022 and special meeting of April 20, 2022, as written. This passed 3-0

ACCOUNTS PAYABLE AND RECEIVABLE

The Board reviewed the accounts payable for May 10, 2022. Transfer of \$120,000 from the general fund is required to cover current month cash disbursements pending approval of \$90,177.94 plus 05/20/22 and 06/05/22 payroll checks and related liabilities. Financial statements reflect an ending balance of \$46,605.33 after the before mentioned transactions are approved.

Notes:

- 4/26 Deposit \$1,498.14 – RD 1601 shared SMFA reimbursement
- 3/30 Deposit \$131.67 – RD 536 May rent
- 5/05 EFT PERS payment of \$3,637.26
- 5/10 Payroll check to Morgan Johnson: Gross \$350, Net \$319.37.

General Fund:

Balance in general fund account \$472,238.75

Perla reported PG&E has caught up on the pumps. Rob Black asked if they run the pumps in January. Joel said they do, but they are off peak. Morgan asked if they are working on 10-2. Martin said they are working today. Perla met with Morgan Johnson prior to the District meeting to review and approve the invoices. It was MSP (Morgan Johnson/Rob Black) to approve the May 10, 2022, accounts payable, receivables and transfers. This passed 3-0.

ASSESSMENT #25

Perla reported Jaime contacted her regarding who to send the assessment check to and how much he owed. She responded to him via email with the total amount plus penalties and interest. She advised him to pay the full amount or contact the Board with a request for an abatement for interest and penalties. She said she has not received the check yet or heard back from him. She also said that she has not received the assessment check on Betz – her husband passed away and she is having trouble keeping up with her payment plan. Morgan said he spoke with Jaime, he did not talk to him about assessments, but indicated he is selling other properties but intends on living on Sherman Island. Rob Black asked if he is accruing interest. Perla stated he is accruing interest. Jesse said he sent him a notification and also spoke with him on the phone. Perla asked if we should discuss abatement. Jesse said we can discuss it next month. He said we could record a lien but prefers not to file one – typically, the landowners pay the assessment.

CALIFORNIA DROUGHT – BOARD TO DISCUSS THE CURRENT DROUGHT SITUATION AND EFFECT ON SHERMAN ISLAND

Bob Wagner reported that it will be much dryer in the future. Bob said the bigger concern is that California does not build up our reservoirs as they only fill them to a certain capacity. Juan

asked if the dry weather affects cracking on the levee. Bob said that it is typically surface cracking and does not affect the levees. He said that we need longer wet periods to get us back to where we were.

BOARD TO DISCUSS THE POSSIBLE HIRING OF GENERAL MANAGER

Jesse Barton reported he spoke with Kacy Kimball at DWR. DWR would like the District to hire a general manager. DWR is the largest landowner. He said that this many take a change in the assessments or DWR may consider funding this position. Juan Mercado said that DWR would like the island to have an agriculture industry – but with the drought they will have to plant drought resistant crops. He said a general manager may help with this.

ENCROACHMENT PERMIT NO 2021-3 (ADGATE ADDITION)

Martin Berber reported Mr. Adgate's original plan was to construct 2 bedrooms and 1 bathroom on the landside/northside of his existing house. Sacramento County is requiring that all improvements be at least 20 feet away from the edge of road, even though Mr. Adgate's property features a guardrail. Mr. Adgate's latest submittal only includes 1 additional bedroom and bathroom, however it also includes an expanded kitchen. The entire length of his house will be expanded towards the edge of the County's 20-foot setback. The addition will feature a stem wall foundation with 1-foot-wide footings a minimum 1.5' below pad grade. Morgan asked if there is an issue with the stem wall going in 18". He said that there is not a concern with levee integrity. Morgan asked about the District's responsibility if something happens with the house. Bob said that we will make this clear in the encroachment permit regarding the safety with building so close to the road – the plan is that the District will be indemnified. Martin is working with Jesse on including the entire project under one encroachment permit. The permit will be recorded.

MAYBERRY SLOUGH SPANS (PG&E MAYBERRY SLOUGH SPANS)

Martin Berber reported PG&E crews are still working to re-coat both spans. We received all documents requested from PG&E, through the non-disclosure agreement, on April 20th.

- Gas pipelines were constructed in 1961.
- PG&E's easement is approximately 100 feet in width.
- As-built plans are not detailed and show no previous information re: levee elevation, slope, or condition.

Martin said he is working with A. Birch with PGE to set up a meeting to review/understand all documentation. Martin said that we have an NDA, so some of the information on the as-builts are under the NDA.

SUBSIDENCE REPAIR, STA 416+00-418+50

Martin Berber reported Asta Construction began construction on May 3rd. Surface cracking was approximately 4.5 feet from the top of road. Asta proceeded to excavate the crack in its entirety and proceeded to key in the new 3:1 slope. All AB excavated was used on local levee maintenance roads. The levee repair is complete, today the paving crew will be placing 4" of asphalt for the new county road. Pavement striping is expected to proceed on Wednesday or Thursday. Perla asked if a portion of this project is subvention eligible. He said that he would make sure the invoices were clear. Ceci asked if the crack would continue to grow. He said that we would continue working on this. Bob said the job looks good. He was out there this morning. Joel agreed, but he is concerned about the deep dig and the possibility of blue sand –

as Neil Favor said they hit blue sand. He said that blue sand is not stable. Martin said that is why the area keeps cracking. Asta should be done this week.

SACRAMENTO RIVER ARUNDO REMOVAL AND RIPRAP PLACEMENT

Martin Berber provided a handout and reported they have located 24 Arundo patches along the waterside levee on W. Sherman Island Road along the Sacramento River. Sixteen priority sites have been identified for Arundo removal as their size can impair levee maintenance. Each location has been identified on a map along with accompanying site photographs. He said that this was noted on the annual inspection. Next steps – they will work with Joel to determine which sites can be done in house. They will also begin searching for a contractor for the other sites. Joel said if we can get under the Arundo, it can be lifted out including the root system. Ceci asked how detrimental the Arundo is to the levee? Martin said this needs to be done to inspect the levee. Morgan asked if there is a preliminary notice when the inspection is done. Joel said we normally know a month in advance. Morgan asked if spraying will help. Joel said spraying doesn't work, they cannot get rid of the Arundo that way. Morgan said it would be good to have a commercial mower with a long reach take care of it. He said if we start mowing in August and then spray it annually it should help. Joel said that would not require traffic control. Joel said they will not spray now due to the heavy winds. Morgan said he knows someone with a commercial mower that we can contact. Juan Mercado asked if we have the right safety equipment for spraying. Joel said that we do have the proper suits. He said he does 90% of the spraying.

FLOOD SYSTEM REPAIR PROJECT AND EMERGENCY REPAIR

Bob Wagner provided a background on the District receiving feedback from Fish & Game on the mitigation requirements for the emergency repair. Bob said there was severe erosion, we tried to get help from Caltrans, but they did not respond. We eventually had to declare an emergency. The work came out good. He said there were mitigation requirements on the habitat bench. He said they looked into buying mitigation credits but there were not any available. They are not getting a response from the Corp on how to mitigate. The funds will expire soon. Bob recommends that we do a completion report and give them the funds back. He said we will send all of the documentation of what we have done and explain the situation. Morgan asked how much funding is available. He said about a million. They were going to use half of it for the mitigation and the other half for rocking. Since there is not a plan and there is no mitigation credits to buy, he is recommending we return the money with documentation. Morgan asked if this riparian. Bob said he believes this is shaded river mitigation. Rob asked what other Districts are doing since there are so many erosion sites along the Sacramento River. Bob said that he is unsure, there are not a lot of options. Jesse asked if the District committed to the mitigation in the environmental document and asked if there was a CEQA document. Martin said there was a CEQA document, and we did commit if feasible. Jesse said that he would like to review all the documents. Bob asked what do we do if we cannot buy mitigation credits and am unable to get anyone to sign off? Morgan brought up that he thought that mitigation was done under the first phase. Jesse said he wants to know what we committed to do. There is a possibility this was done and is no longer an obligation. This project has been going on for years. We ended up having to do this because the guard rails were not secure. Jesse sent all the documentation showing this was an emergency and the Corp discontinued the correspondence. Bob said it would be good to fix more of the area. Jesse said he would like to review and report back to the Board at the June meeting. This project cannot be extended past October.

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 Asta Construction was awarded the contract at the Special Board meeting on April 20th. We had our preconstruction meeting with Caltrans on May 4th. Since all material will be coming from Rio Vista, trucks will turn around at West Sherman Island Road to be able to make right turns into the Project site. Asta will be installing signs on both directions of the highway stating, “LEVEE WORK AHEAD” and “TRUCKS ENTERING EXITING”. Asta will begin construction on Tuesday, May 10th with installing BMPs. Construction is estimated to last 10 weeks. There is 16,000 tons of material. Ceci said a lot of accidents happen in this area. Martin said that they are not allowed to work at night. There will be weekly inspections by Caltrans.

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

Amy Williams presented updates regarding work performed over the last few months. She said there are several RCD’s working on the project sites. She said they planted 7000 plants throughout these areas. The tule hedge sites have been taken over by Himalayan Blackberry on Parcel 11. She said they mowed the pepper weed as part of the weed eradication work and have also treated hemlock and chabata pampas grass. She said the wind shut them down last year, but they are trying to make up that time. Upcoming work is for spray and treatment work. Jesse asked the Board if there are any questions. There were none. She also said they have been working with Tim Nix and appreciate his help.

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

Martin Berber reported our environmental consultant has been working to finalize the aquatic delineation report, BRE and CEQA documents in the upcoming weeks. Once finalized, we will be able to address all comments on the SOW received by DWR and CDFW. By email dated April 29, we sent a letter to the DWR Real Estate Branch requesting an endorsement for the PG&E Utility Maintenance Easement along the Northeast portion of their parcel. We are expecting a response by May 31. If we receive an endorsement on the proposed PG&E powerline alignment, we will work with PG&E to finalize the design and begin conducting appraisals and preparing easement documents for the entire project area, including Permanent Levee Landside Easements, Permanent Levee Maintenance Easements, and a PG&E Utility Easements.

ENGINEERS REPORT

Martin Berber reported for Neil Favor regarding the guard rail at the “Manzo” Fish Release site, DWR maintenance division is in the process of preparing a contract to complete the work.

Caltrans also informed them that they are trying to staff to clean up the mitigation site along Hwy 160 – this is the area that burned.

SUPERINTENDENT REPORT

Joel McElroy reported Brad was injured working on the island. He broke his left ankle on April 21, and is presently in a cast. He has had surgery which includes screws and plates. The doctor said he will be off until the first of the year. He fell over backwards while working on the tractor. Joel said workman comp has been taken care of. He has another appt next month and should get a walking boot. He will eventually begin rehab. Ed is working the weekends – Wednesday through Sunday. Joel said he has not received any results from the pump test. We got the truck back – they ended up replacing the transmission. The goats have been working on Mayberry Farm. They picked up a few loads of garbage that was dumped near the Baja area. They are dumping construction materials – including a crate pallet with stone tile. He said they do not care about the cameras. He said there is a fuse problem on pump 5. Today they will put a voltage monitor on it. It will be monitored it for 7-10 days. He said it seems like this happens after there is a power outage and they restart. Joel said there is an overload saver on it. Rob Black asked if the District has any requirements for reporting accidents like Brad's. Jesse said yes, this is state mandated, and Joel handled the workman compensation. He asked about Cal Osha. Juan asked if they would fold Tim in if he is needed. Joel said he has a lot on his plate. Juan said that part of the hiring agreement was if the District needs Tim we should be able to use him. Joel said he has been coming in on Saturday's and priming the syphons.

There being no further business to come before the Board, the public meeting was adjourned at 10.43 A.M.

The presiding Trustee of the May 10, 2022, meeting hereby certifies that the above minutes were approved as read.