

# MINUTES OF REGULAR MEETING

Reclamation District No. 341  
Sherman Island

9:00 a.m.  
Tuesday, June 14, 2022

306 Second Street  
Isleton, California

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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 9:02 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 and Preston Good; District Attorney: Jesse Barton; Accountant: Perla Tzintzun-Garibay; Engineer: Martin Berber; District Superintendent: Joel McElroy; DWR: Juan Mercado, Vincent Wong, and Bryan Brock; Rio Vista Windsurf Association: Chris Kraft; Yolo County RCD: Amy Williams Landowner(s): Ceci Giacoma and Jamie Renwick; District Secretary: Cindy Hill

## **PUBLIC COMMENTS**

Chris Kraft reported the annual Safety event was held on June 11. The event was well attended with 100 wind enthusiasts. The Coast Guard attended. They encouraged trash clean-up with the theme pack it in, pack it out. They also discussed suspicious situations and advised people to call in as well as make others aware if anyone sees anything that is odd.

## **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.

## **ISLAND SECURITY**

Ceci Giacoma reported there is an increase in frequency of accidents on HWY 160. She said there were 4 bad accidents over Memorial Day weekend with at least 2 fatalities. Ceci said that 1<sup>st</sup> Responders are slow. The department that should be our 1<sup>st</sup> Responder has not shown up timely. Oakley fire department has been the 1<sup>st</sup> Responder on several occasions. She said there continue to be RV residences on HWY 160 and Caltrans is not doing anything about it. Martin added they are not doing anything about the trash regular either. Ceci said there will be another meeting with Caltrans, and it will be brought up.

## **APPROVAL OF MINUTES**

The Board reviewed minutes of the regular meeting of May 10, 2022. It was MSP (Morgan Johnson/Preston Good) to approve the meeting minutes of May 10, 2022, as written. This passed 2-0, 1 absent.

### **ACCOUNTS PAYABLE AND RECEIVABLE**

The Board reviewed the accounts payable for June 14, 2022. Transfer of \$630,000 from the general fund is required to cover current month cash disbursements pending approval of \$615,542.77 plus 06/20/22 and 07/05/22 payroll checks and related liabilities. Financial statements reflect an ending balance of \$43,997.98 after the before mentioned transactions are approved.

#### **Notes:**

- 5/18 AT&T payment of \$59.18 was paid with check 10496 for cell phone charges on RD 1601 AT&T account.
- 06/30 Deposit \$131.67 – RD 536 May rent
- 06/08 EFT PERS payment of \$3,637.26
- 06/14 Payroll check to Morgan Johnson: Gross \$350, Net \$319.38.

#### **General Fund:**

Balance in general fund account \$234,517.06

Perla reported payment of a vehicle rental while truck was being fixed. Asta payment was for road improvements – asphalt and striping for the new road. Perla met with Morgan Johnson prior to the District meeting to review and approve the invoices. It was MSP (Morgan Johnson/Preston Good) to approve the June 14, 2022, accounts payable, receivables and transfers. This passed 2-0, 1 absent.

### **ASSESSMENT #25**

Perla reported Riggio paid in full. Betz remains delinquent. Morgan Johnson asked Perla to contact her. Ceci said that since her husband passed away, she has been struggling with managing the property. Jesse said if she does not respond to Perla he will get involved. Ceci said she will provide a phone number to Perla. Jesse asked about Assessment 26. He will prepare the assessment for the July meeting at 100% call.

### **BOARD TO REVIEW AND POSSIBLY APPROVE AN ENGAGEMENT LETTER FROM BUTTERFIELD + CO, CPA'S, INC. TO CONTINUE TO PROVIDE ACCOUNTING SERVICES FOR THE PERIOD ENDING JUNE 30, 2023**

Perla presented the engagement letter from Butterfield + CO, CPA's. She said the rates will not be changing. It was MSP (Morgan Johnson/Preston Good). This passed 2-0, with 1 absent.

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

Jesse Barton led the discussion citing DWR does not want high use water crops planted. Preston asked how is the coordination working? Joel stated that things are the same, very few people notify the District of their water use. Joel said that Tim Nix is watching the water quality and it appears to be ok. They are running the pumps once a week. There is habitat digging near pump

#3 forcing them to run this pump more. Due to the digging, water is coming up in their working area.

### **BOARD TO DISCUSS THE POSSIBLE HIRING OF GENERAL MANAGER**

Jesse Barton reported there are no updates at this time.

### **ENCROACHMENT PERMIT NO 2021-3 (ADGATE ADDITION)**

Martin Berber reported we have received the partially executed Encroachment Permit from Steve and Elizabeth Adgate. He said there are special conditions stating Mr. Adgate must comply with all requirements of Sacramento County. Jesse Barton stated he incorporated Board comments in the special conditions. Jesse summarized the changes and the decision giving Adgate 1 year to complete the work. Steve is concerned with purchasing the materials due to inability to supply chain issues. Steve agreed to a one-year completion date with a 1-year extension. Jesse stated it is noted that the District is not responsible for the location of the building and that the permittee expressly assumes all risk associated with, related to, or arising out of the construction and placement of the encroachment described in the permit. Morgan asked about indemnification. Jesse said it is reflected in paragraph 5. The conditions also reflected the 1-year construction period with 1 year extension in paragraph 2. It was MSP (Morgan Johnson/Preston Good) to approve the encroachment permit. This passed 2-0, 1 absent.

### **ENCROACHMENT PERMIT NO 2022-1 - MAYBERRY SLOUGH SPANS (PG&E MAYBERRY SLOUGH SPANS)**

Martin Berber reported PG&E has completed the re-coat of both spans. We still need to transmit to PG&E the encroachment permit for signature to cover the work that was done. Martin asked if the Board would like any other special conditions. He stated that there is not a current encroachment permit as the spans were built in the 60's. Morgan asked for the District to be indemnified. Martin stated we have a vague drawing and easements. Morgan asked if we know what they did inside of the levee. Martin said it is not detailed, there is no elevation. We have an As-built, but it is limited. Martin stated the documentation is marked confidential. Jesse recommended that Martin draw a draft permit and submit it to Jesse. This will be brought to the July meeting. Morgan said they go through the levee, but it is not typical of this time. Morgan said there is a consultant who recommends that we replace the crossing. Preston asked if they will abandon or remove it. He said that there should be language that if they remove the crossing, it would need meet our standards. Jesse said he will state that they will need to come back to the District for review and approval if they abandon or replace the crossing. Morgan is concerned the boring does not require a permit. Jesse will prepare the draft and present it to the Board prior to the next meeting.

### **SUBSIDENCE REPAIR, STA 416+00-418+50**

Martin Berber reported the repair was completed on May 13, 2022, with striping of the new asphalt road. Total construction costs were \$146,901.35 of which \$105,119.27 is eligible for reimbursement at 75% under the Subventions Program. Joel does not have any comments or concerns.

### **SACRAMENTO RIVER ARUNDO REMOVAL AND RIPRAP PLACEMENT**

Martin Berber reported we received a quote from 5G Land Management in the amount of \$13,500 to mow the various Arundo patches along the Sacramento River. Morgan recommends

ongoing spraying to keep the Arundo down. This is subventions eligible. Morgan said we have an upcoming inspection this fall. He would like to get this done prior to the inspection. 5G would like this done prior to 07/04. It was MSP (Morgan Johnson/Preston Good) to hire 5G Land Management to mow the Arundo patches along the Sacramento River. This passed 2-0, 1 absent.

### **FLOOD SYSTEM REPAIR PROJECT AND EMERGENCY REPAIR**

Martin asked for clarity on the retention amount. Perla said there are two different retentions. One is for \$8,500 for retention for the invoices but not for the expenses. Perla confirmed the retention is 5%. Jesse will prepare a summary of this project for the Board as mitigation may be required down the line. The agreement ends 10/31/22 and we have been unable to mitigate.

### **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 is currently installing collector and outfall piping throughout the entire Project area less a small section near Ryan Katsuki's shop; all work near the shop will occur at the end of the Project. Asta was able to repair an existing concrete culvert underneath the levee access ramp at Sta. 917+50 which will allow us to drain the levee section east of the ramp to the Scour Lake. Asta will be conducting some T&M work at the siphons located at Sta. 892+50 in order for Ryan Katsuki to be able to irrigate without backing up our drainage system. All construction work is on schedule to be completed by August 2022. Martin stated there has not been any traffic issues. Juan asked if Joel has been able to take a look at the area. Joel said he has and does not see any issues.

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

Jesse Barton asked Bryan Brock about deep ponds being dug on this project. Jesse also said the Board may also authorize a change order to continue maintenance work on this project. Bryan said there is a design, and all the ponds are cut to this level. Jesse said we were told the ponds were 20 feet deep. Bryan said the elevations may be negative 20 but are consistent with the design. He said they did not dig 20 feet deep. Bryan said the biggest change is that there may a few that are 3 feet from surface level. Morgan said the District may have concern with the added pump cost. Bryan stated they will pay any additional costs. Bryan stated he is requesting a change order. The T&M expired back in December. They are starting to do large scale maintenance that requires heavy equipment. Bryan would like to extend the timeline with Gornto for 2 additional years. without an increase in rates. There will be additional hours due to the extension. Morgan asked about the pump station. He wanted to know if it was the District's or Gornto's. Bryan said Bruce is not running the District's pump. Morgan asked how much they are pumping and said the change order is not clear. Bryan stated this relates to the specifications. Bryan clarified this is in relation to backhoe work. Bryan said the beavers get stuck in the siphons which require removal. Jesse said the effective date of this change order is 01/01/2022. We are issuing it effective today. This is 100% eligible under the SMFA. Perla said there is plenty of funding in the agreement. It was MSP (Preston Good/Morgan Johnson) to approve the change order with an amendment including a reference to the backhoe. This passed 2-0, 1 absent.

Bryan stated they will be turning off the water July 1. They may need mosquito abatement which may add to the costs. This will be covered by the SMFA. Joel said there are areas that are bad with mosquitos. Bryan stated he will get Bruce's signature.

### **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 the District received an email dated June 7, 2022, notifying of receipt of an endorsement from DWR Real Estate Branch on the revised PG&E alignment which includes the new utility maintenance road. DWR informed the District that any construction on DWR land would require an encroachment permit. Martin stated they are currently presenting two powerline alignment options to PG&E, both of which will feature a utility maintenance road. One of the options would require no PG&E easement from DWR. Morgan asked about the toe ditch, Martin said there isn't one.

### **ENGINEERS REPORT**

Martin Berber reported by letter dated June 3, 2022, the District instructed Caltrans to remove all dead trees from the Highway 160 Mitigation site; they had requested formal written notification after our email correspondence. During a recent inspection, they noticed that some of the dead trees have been topped.

### **SUPERINTENDENT REPORT**

Joel McElroy reported on Brad's injury. He said that Brad got his hard cast removed and now has a soft cast. He has started light rehab. He is not scheduled to return until 2023. Joel said he can drive safely. Joel said the goats disappeared mid-May. They are spraying the irrigation canals and cleaning the ditch to increase drainage away from the levee. Joel reported the clutch is out on the tractor. This is the second time that we lost the clutch. He said it happened 4 years ago, which is average use for the clutch. He is waiting on a quote for the clutch. Ed is working on the Kubota and boom mower. Due to the heat, they are knocking off work at 2 P.M. Joel said the tractor is a tier 2, he said he doesn't think they will require a replacement but if they do it will be tier 4. Joel would like to recommend a waiver of Tim's probationary period. He said he has stepped up to the plate while Brad is gone and had done a lot more work for the District. Joel would like to give him holiday and vacation benefits. Bryan asked how much he is working for the District. Joel said they can rely on him, and he is helping with the siphons. Joel said he stays busy and works on his own. Jesse said we could add this to the agenda for July. Bryan said he agrees with Joel as he is doing a great job.

**There being no further business to come before the Board, the public meeting was adjourned at 10:38 A.M.**

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**The presiding Trustee of the June 14, 2022, meeting hereby certifies that the above minutes were approved as read.**