

MINUTES OF REGULAR MEETING

Reclamation District No. 341
Sherman Island

9:00 a.m.
Tuesday, November 14, 2023

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 Rob Black 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: Trustees: Rob Black, Mark Icanberry, and Jas Gill; District Attorney: Jesse Barton; Accountant: Perla Tzintzun-Garibay; Engineer: Bob Wagner and Martin Berber; District Superintendent: Joel McElroy; DWR: David Julian; Landowner(s): Jamie Renwick and Ceci Giacomia; District Secretary: Cindy Hill

PUBLIC COMMENTS

There are no public comments at this time.

DISTRICT MANAGER'S REPORT

Morgan not in attendance – nothing to report at this time.

APPROVAL OF MINUTES

The Board reviewed the minutes of the regular meeting of October 10, 2023. It was MSP (Mark Icanberry/Jas Gill) to approve the regular meeting minutes of October 10, 2023 as presented. This passed 3-0.

ACCOUNTS PAYABLE AND RECEIVABLE

Perla Tzintzun-Garibay reported the accounts payable for November 14, 2023. The transfer of \$250,000 from the general fund is required to cover current months cash disbursements pending approval of \$201,503.13. Financial statements reflect an ending balance of \$60,068.16 after the before mentioned transactions are approved.

Notes:

- 11/03 ACH payment to Kludt Oil for \$6,647.84
- 11/08 EFT to PERS for \$3,953.95

- 11/08 Deposit \$413.00 – assessment payment (Rosas)
- 11/14 Payroll E-check to Mark Icanberry. Gross \$350, Net \$320.07

Balance in general fund account \$980,483.33

Perla reported there were several invoices to Grow West. Joel stated that he and Morgan both ordered supplies – this should be charged to subventions. Perla sent the financials to the Board prior to the meeting for their review and Rob signed off on the invoices. It was MSP (Jas Gill/Mark Icanberry) to approve the November 14, 2023 accounts payable, transfers, submitted invoices and retention release letter. This passed 3-0.

ASSESSMENT CALL NO 27

Perla reported we received \$470 in assessment fees last month, there are still approximately \$9,000 outstanding in assessments and utilities receivable. Jesse will send notices to the delinquent utility and landowners.

FUTURE ASSESSMENTS

Jesse Barton recommended tabling this until next month.

DISTRICT OFFICE

Jesse Barton reported the landlord agreed to extend the lease with an increase of \$50 per month for 5 years.

HIGHWAY 160 LEVEE EMERGENCY WATERSIDE REPAIR

Martin Berber reported that the District Board declared an emergency in a meeting October 27. A large slip and erosion site appeared after the earthquake. Dutra began construction on Thursday, November 2nd and finished Saturday, November 4th. The final project invoice is \$207,348.00. It will be submitted for payment at the December meeting. On November 2, 2023, WBE submitted an Emergency Notification to CDFW. By email dated November 13, 2023, our application was deemed complete by CDFW. Martin said they are currently preparing as-built plans for the repair. On November 1, 2023, they submitted an advance request to DWR under FY 2023-24 Subventions in the amount of \$154,256. DWR reached out about potentially funding the repair under a new PFA for deferred maintenance at 100% State cost share. Jesse said that he sent a red-line of the new PFA.

AGING DISTRICT EQUIPMENT

Jesse reported Morgan requested this to be on the agenda. In the past, Morgan had worked with a consultant Tara Coronado who is experienced in sending rebate applications into the California Air Resources Board and Sacramento Air Quality Resource. Both of these agencies offer rebate programs that allow Districts to turn in aged equipment and get money back to purchase new CARB compliant equipment. She has been successful. The fee is \$250 per application and 1% of the rebate for each successful transaction. Jesse said he is skeptical of buying a lot of new equipment as the current governor has strict emission controls. The governor is asking the regulators to

reach 0 emissions by 2035. Jesse said this is time sensitive as the District needs to begin applying for these grants with the applications opening up next month. Jesse said the District may want to look at rentals. Rob Black said we have to consider who we will be competing with for rental equipment. Joel said we will also need new mowers as he uses those throughout the year. Jesse stated he prepared an independent consultant contract. Joel said he would like to see the District try to get a rebate. It was MSP (Mark Icanberry/Jas Gill) to approve the independent consulting agreement with Tara Coronado and apply for open grants in December. This passed 3-0. Jaime Renwick said that it can take a year to be approved.

PERMIT NO. 2023-02 (DOCK REMOVAL, STA 21+00)

Martin Berber reported Karl deSpreter and the District fully executed the EP on October 23, 2023. Mr. deSpreter has completed all work to the satisfaction of District staff.

SHERMAN LAKE ROCK SLOPE PROTECTION

Martin reported that Dutra has not started the work; they plan on completing all work by Thanksgiving.

PUMP NO. 1 DISCHARGE PIPE REPLACEMENT

Martin Berber reported the Central Valley Flood Protection Board approve our Minor Alteration Request on October 16, 2023. The work should be done between April 15, 2024 and October 31, 2024. He said they will begin preparing plans and specifications for the work.

PUMP NO 3 – REHABILITATION

A. Martin reported they received two quotes for the transfer switch. The quotes are for the installation of a 400-amp 480-volt transfer switch – this will be paid under the G&A.

- Steve Smith Electric: \$14,500.00
- Ace Electric: \$26,907.72

B. David Julian received a quote to rent a generator from Core Equipment for \$6,000/month for 5 months. David said they will pay for the generator under the SMFA. Joel or Morgan will be responsible for renting the generator.

It was MSP (Rob Black/Jas Gill) to approve the installation of the switch and rental of the generator. This passed 3-0.

C. Martin said they reached out to 3 different pump companies for quotes on repair of the pump 3B column and inspection of the pump and motor; 2 returned quotes.

- Delta Pump: \$3,868.00 for pulling and inspecting pump; no quote was provided for column repairs.
- Anderson Pump: \$4,451.38 for pulling and inspecting pump; \$13,196.46 for column repairs.

Martin asked Joel if he had a preference for Delta or Anderson. He said he has always dealt with Delta Pump; they have performed the work in a satisfactory manner. Joel said it is understandable that Delta Pump wasn't comfortable with quoting the repairs on the

column. He said they will need to break the pump down. Ceci said that she has dealt with different companies; most recently with Delta Pump and they did a good job for her. It was MSP (Jas Gill/Mark Icanberry) to approve authorizing Delta Pump to pull pump #3 and replace the column for up to \$25,000. This passed 3-0.

DWR “SUBSIDENCE MITIGATION FUNDING AGREEMENT” – AGREEMENT TO BUILD SEVERAL HUNDRED ACRES OF WETLAND IN THE WESTERN AND CENTRAL PORTION OF THE ISLAND IN AN EFFORT TO REVERSE SUSIDENCE, SEQUESTER CARBON, AND REDUCE GREENHOUSE GASES.

a. Repair of perimeter berm leakage at Whale’s Mouth through the construction of a bentonite cutoff wall.

David Julian said he would like the repairs done to Whales Belly. Bruce Gornto passed away. Out of respect, they are waiting to reach out to his wife to see what the future of the company will be. Martin said there is not any urgency for work with Gornto until after January. David will provide a copy of the maintenance agreement with the expiration to Martin and Jesse. David said he wrote up procedures for the operational plan; he submitted to Neil Favor. David said the siphons for Whales Mouth and Mayberry Farms will be shut down. He said they will run the siphons every once in a while. Tim has been mowing. Joel said the District has been cleaning up the debris that the contractors left behind. He said there are several piles of debris that need to be removed. Joel said there is junk (old pipes) at the Ag shop as well. The contractors have a history of leaving the trash. In one situation, this destroyed a tire on District equipment. All District staff time is billed to the SMFA. Martin asked if there is left over equipment that needs to be moved. David said he spoke with Bruce about removing the debris. Jas said he would like to see Gornto remove it. David said he would like to wait until after Thanksgiving to contact Gornto Ditching.

b. Moving a drainage ditch adjacent to the Sherman Island Cross Road, the repair or replacement of several risers within Whale’s Belly, the repair of several siphons and the need for a topographic survey of the Whale’s Mouth and Whale’s Belly Projects.

Martin reported this is remediation work that is being postponed.

c. An operational plan that will coordinate wetland operations with District Operations.

Martin Berber reported he is working with Vincent Wong regarding the tenant.

PROJECT FUNDING AGREEMENT SH 17-1.1 SP - PHASE 1 OF SAN JOAQUIN SETBACK LEVEE/HABITAT BENCH MULTI-BENEFIT PROJECT (STATIONS 175-199)

Martin Berber reported they are finalizing the scope of work plans. They have not heard from PG&E on the draft legal descriptions. DWR notified the District they will only allow the relocation of the poles through an encroachment permit and not an easement. Martin said that he will need to follow up with Vincent Wong on this issue.

ENGINEERS REPORT

2023 PSP – The District was notified on November 1, 2023, the San Joaquin River Multi-Benefit Project from Station 330+00 – 368+00 was selected for funding by DWR. WBE requested a PFA to fund Phase 1 (planning, permitting, and design) of the Project. The PFA will be for \$800,000 at a State cost share of 89%.

Mayberry Slough Setback Levee –Martin provided an exhibit dating back to 2007 for review. He said WBE attended a meeting on November 9, 2023, with CDFW and DWR regarding maintenance of the Mayberry Slough Setback Levee under our Routine Maintenance Agreement with CDFW. They established that the District is able to mow and trim back woody vegetation 10 feet from the waterside edge of the all-weather road without requiring mitigation. The original design included a 10-foot minimum buffer to allow the District to inspect the levee. DWR wants to be consulted before any herbicide spraying occurs along the waterside of the levee section. CDFW will be installing signs denoting “Sensitive Habitat Area” along the 10-foot buffer. Perla asked if this work can be paid through the endowment account. Martin said he will look into it but believes it can be billed to subventions.

Outrigger Marina - Martin said the Outrigger burned down in October. He said there is a lot of debris that is going into the water. Joel has a report. He will send it to Martin. The debris is made up of ash and appliances – this was a total loss of the building. Joel said there is a dumpster that people are using which is creating an issue as it is on the levee.

Caltrans Highway 160 Spill Remediation - On October 15, 2023, a gasoline tanker turned over on Highway 160 at approximate Station 973+00. Caltrans is proposing to remove all contaminated asphalt and soil from the section and repair the guardrail. The District provided Caltrans our Encroachment Permit application on October 16th but has not received anything back to date.

SUPERINTENDENT REPORT

Joel reported they have mainly been boom mowing. Brad has been on the dozer. They placed 200 ft of riprap near the houses. He has another 100 feet prepped and will haul 6-inch minus for bedding and will place the riprap over that. He has not heard anything from the goats. Joel said they cleaned the bean pod ditch and HB2or3 behind the barn to keep the flow. He said they will be off on Thursday and Friday for Thanksgiving.

CLOSED SESSION – Recess at 10:20/Reconvene Closed Session 10:29

Public Employee Discipline/Dismissal/Release

No reportable action

Anticipated Litigation Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9

No reportable action.

There being no further business to come before the Board, the public meeting was adjourned at 10:29 A.M. and the closed meeting was adjourned at 1:35 P.M.

X _____

The presiding Trustee of the November 14, 2023, meeting hereby certifies that the above minutes were approved as read.