

# MINUTES OF REGULAR MEETING

Reclamation District No. 341  
Sherman Island

9:00 a.m.  
Thursday, January 10, 2023

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 Rob Black called the meeting to order at 9:01 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: Preston Good, Rob Black, and Mark Icanberry; District Attorney: Jesse Barton; Accountant: Perla Tzintzun-Garibay; Engineer: Martin Berber and Neil Favor; DWR: Jas Gill; District Manager: Morgan Johnson; District Superintendent: Joel McElroy; Rio Vista Windsurf Association: Don Ross; Landowner(s): Ceci Giacomina and Jamie Renwick; Farmers & Merchants Bank: Joe Miner and Barbara Smith; District Secretary: Cindy Hill

## PUBLIC COMMENTS

Joe Miner, Farmers & Merchants Bank, introduced Barbara Smith to the Board. Barbara will be the Board's primary contact for our banking needs. Don Ross spoke on behalf of the Windsurf Association and thanked the District. He said that they will be having a clean-up in April. Ceci Giacomina asked for a list of job duties of everyone on the Board, she said things seem to be chaotic and she is concerned with the hours the District staff is putting in. With minimal staff and the bad weather, the employees are working a lot of hours. She said there used to be a team patrolling the levee for 24 hours and does not think that we are staffed to handle the work that needs to be done on the island.

## 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 (Rob Black/Mark Icanberry) to adopt a resolution to allow the Board members to meet remotely. This passed 3-0.

**ISLAND SECURITY**

Neil Favor said there is nothing to report at this time.

**APPROVAL OF MINUTES**

The Board reviewed minutes of the regular meeting of December 13, 2022. It was MSP (Preston Good/Mark Icanberry) to approve the regular meeting minutes of December 13, 2022 as written. This passed 3-0.

**ACCOUNTS PAYABLE AND RECEIVABLE**

Perla Tzintzun-Garibay reported the accounts payable for January 10, 2023. Transfer of \$110,000 from the general fund is required to cover current month cash disbursements pending approval of \$80,189.26 plus 1/20/23 and 2/05/23 payroll checks and related liabilities. Financial statements reflect an ending balance of \$45,134.42 after the before mentioned transactions are approved.

**Notes:**

- 12/20/22 \$651.78 check to AT&T Mobility (Security cameras, District cell phones)
- 1/03/23 \$36,478.16 check to Rio Vista Ford (2019 RAM 1500 Truck)
- 1/06/23 EFT PERS payment of \$3,954.35
- 1/10/23 Payroll E-check to Mark Icanberry: Gross \$350, Net \$320.07

**General Fund:**

Balance in general fund account \$114,861.55

- 12/27/22 \$35,000 transfer to Operations account to cover check payable to Rio Vista Ford
- 12/29 Deposit \$1,292.87 – Assessment payment (\$714.14), RD 1601 Shared Habitat payment (\$578.73)

Perla stated the annual retirement contributions for Brad, Ed, and Joel were made. Perla sent the financials to the Board prior to the meeting for their review. It was MSP (Rob Black/Preston Good) to approve the January 10, 2023 accounts payable, receivables, and transfers. This passed 3-0.

**LINE OF CREDIT – BOARD TO REVIEW AND CONSIDER ENTERING INTO A LINE OF CREDIT WITH F&M BANK**

Morgan Johnson asked what the interest rate is on the credit line and the status of outstanding advances. Rob Black asked if the District currently needs funding. Perla stated that we no longer use Sacramento County to register warrants. Without access to these warrants, the District may have to depend on a line of credit if we are short of funds to operate. Rob said that he is concerned with flooding due to high rivers and has heard that they may be opening up the Sacramento weir. He is concerned with emergency needs. Perla stated the credit line would be backed by assessments. We would not pay interest until we used the funds, but if we opened it and didn't need it, we would be wasting the fees to set the credit line up. Perla is in a position with all documentation if the District was in a situation where we needed the funds – she can quickly work with F&M Bank. Preston Good asked who at DWR is managing the special projects. Martin stated that Maribel is managing

those projects. Preston said it should only take a few weeks since the request is now in Accounting. Martin will relay the concerns to Maribel.

### **EMERGENCY CONTACT LIST**

Rob Black stated he reviewed the emergency list and recommended that it be updated. Jesse will review the list and make appropriate updates. Rob stated he reviewed the Emergency binder; his binder has not been updated. Jesse will provide an update to Rob's binder and provide a binder to Mark. Morgan said an emergency has not been called in 3 years. Jesse provided an overview of the processes if the District had an emergency: If the District calls an emergency, then it does not have to comply with competitive bidding requirements, which are currently fixed at \$25,000. Jesse said that an emergency meeting could be set up with one hour notice. If it were a dire emergency – it could be sent out immediately. Joel would notify everyone in the email list in the case of an emergency. If the Board declares an emergency, it would also be exempt for various permit requirements, including 404/401 and CEQA. Jesse stated that the statutes have not changed much over the years.

### **DRAFT OF DRAINAGE PLAN**

Neil stated they have plans to meet with the new District Manager, Morgan Johnson, to review the plan once we are out of emergency flood monitoring. Neil said he sent the draft to the Board for review and wants to confirm all the ditches are marked. Once he has met with Morgan and Joel, he will bring this to the Board for approval. Morgan Johnson said the Whales Belly wetland was built on top of the original pump #3 drain. This affects the overflow by reducing the capacity. He said they did fill up some of the wetlands and used it as an overflow. He is concerned if it is full, we may have issues with pump capacity. Morgan said we need operational awareness about the wetlands. He said no one has been out at Whales Mouth or Whales Belly during these heavy rains. Jesse suggested we bring this to the attention of David Julian and place it on the SMFA agenda item. Preston asked the engineers if they had any input on the #3 drain. Martin said they were not involved in the pre-bid to review the plans. Preston recommended that Bryan Brock is included in the discussion. Martin will set up a meeting with Bryan and David Julian. Morgan said he directed Tim Nix to pull the 2x6 out of a riser. Tim had to climb down in the risers with a chainsaw and cut the 2x6's out. Rob Black said David has been assigned to a different assignment and the DWR needs to have resources for the District. Morgan said there are other issues regarding the drainage as the ditches are not cleaned and the spoils should be spread out. Morgan said there is a lot of work to be done because the wetlands are causing issues with the drainage. He said that we have private landowners being flooded out. Ceci said there is no organization and structure on the island for the wetlands and she said she feels abandoned. Preston said the only employee change was the addition of the general manager. He said that we have had discussions, and no one has said we had a shortage of staff until these rains. Morgan said that we have a lot of work to be done. Mark said all the water is going to a ditch that is not on the map. Morgan stated they we may have been lulled into complacency because of the drought. Jesse recommended that Neil have a conversation with Joel and Morgan regarding the wetlands. Neil will bring the updated drainage plan with the operational plan to the Board in February or March (dependent on the weather). Morgan would like to review the as-builts. Martin said he would double check if there are as-builts.

**CAMPOS RESIDENCE -17124 SHERMAN ISLAND E LEVEE ROAD**

Neil Favor has been working with Mr. Campos. He is no longer importing fill material onto the levee and has been complying with us in this process. They will perform a cross section levee survey to determine the effects to the District's levee system and will provide an update in February. Joel said the cows were up on the levee because of the flooding. Rob asked if there is a concern. Joel said that they are on the fill. Neil and Martin will go out to the site with Morgan and Joel.

**ASSESSMENT # 26**

Perla reported there is \$1,244.24 in outstanding assessments. Jesse asked Martin to advise Mr. Malladi of the outstanding assessment. Ceci said there is a car on the levee. Neil Favor said the car belongs to the guy that works for Mr. Malladi. Jesse said if the car is by the levee but on the public road the District does not have control as it is a county obligation. This would not be a District facility. Ceci will provide a phone number to Perla for the Martucci's.

**BOARD TO HEAR A STATUS UPDATE AND SEEK APPROVAL TO ENGAGE IN A RELATIONSHIP WITH A NEW INSURANCE CARRIER**

Perla thanked Joel for his assistance in gathering information to complete the application. Rob has signed the application. Jesse will hand deliver the application.

**FEE SCHEDULE**

Martin reported they have not had time to work on the fee schedule as the storms have occupied their work. They will present a fee schedule at the February meeting for consideration. Jaime Renwick shared his concern about the residents that may not understand the regulations and could be hit with a big fine. Preston said we are just trying to recover our costs and have the ability to do a sliding fee. Jesse said that we will do a public awareness campaign and also place it on the website.

**PERMIT NO. 2022-4 (PG&E GAS TRANSMISSION DIG)**

Neil Favor reported they are working on the draft encroachment permit. Once the document has been drafted it will be circulated to the Board before presenting it to PG&E. Joel said that there are a few sink holes on the north side of Mayberry. One is on the waterside and one on the land side. Tim Nix found them. Joel said the geotextile fabric is showing. Neil said they will go out and look at the site.

**ENCROACHMENT PERMIT NO. 2022-6 (CALTRANS 160 MITIGATION SITE)**

Martin Berber reported we are still waiting for Caltrans' response on the Draft Encroachment Permit. The recent windstorms knocked down several trees within the site; some trees even fell onto the Highway. They notified Caltrans via email dated January 9, 2023, of the downed trees and requested that they cut down the trees as soon as possible. Caltrans immediately responded that our request has been forwarded to Caltrans' leadership team to look for a solution.

**HIGHWAY 160 TURNOUT BARRIERS**

Martin reported NorthStar Engineering has completed the Record of Survey Map and will be submitting it to Sacramento County for checking.

**BOARD TO DISCUSS AND POSSIBLY APPROVE MOVING THE DRAINAGE DITCH ADJACENT TO SHERMAN ISLAND CROSS ROAD AND THE HABITAT PROJECT**

Jesse recommended discussing this under the SMFA and this will be a part of that resolution. Joel stated we need to determine who is responsible for this in the future. Neil Favor said the District is responsible up to the canal.

**OUTRIGGER MARINA DRAINAGE**

Neil Favor there is no update at this time. Jesse stated to remove this agenda item until the assessment is paid.

**DWR DEFERRED MAINTENANCE PROGRAM**

Neil Favor reported he met with David Julian and Molly Ferrell on December 15, 2022 regarding the Deferred Maintenance Program. DWR has funding in place to keep facilities where the State has maintenance obligations in acceptable and operable conditions. This is intended to maintain or extend their useful life. After discussing the possible projects with David Julian, they believe that funds can be used to increase the freeboard of the irrigation canal and rehabilitate the Mayberry Slough Interior Levee. Neil stated they are requesting the Board to authorize Wagner & Bonsignore to complete cost estimates for the proposed projects for possible funding under the Deferred Maintenance Program. Funds need to be encumbered by June 30, 2024. Neil stated there is approximately \$9 M left in the pot. Preston asked what the cost estimate is to perform the cost estimate for these projects. Martin stated \$10,000 per project for a total of \$20,000. They will use existing data. Perla said based on the other District's DMP's there are advanced funds available. Morgan asked if the costs are reimbursable. Perla stated that the District may have to do the work at our cost and wait for reimbursement. It depends on if this project has access to advanced funds. Neil asked if the costs are paid under the SMFA if the Board would consider moving forward on these projects. Rob Black said that if the cost estimate is covered under the SMFA we can go forth. If it is not, they will need to bring this back to the Board in February.

**PROJECT FUNDING AGREEMENT SH 10-2.11 – (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 the extension of the PFA is extended until June 30, 2023. Wagner & Bonsignore is preparing the completion report and will submit prior to June 30, 2023. They are working with Caltrans to address pavement cracking and the damaged guardrail at Station 930+00. Separate work tickets have been submitted for these issues.

**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.**

Jesse provided an overview of the Board's earlier discussion. There are drainage issues due to heavy rains. Problems have arisen that need to be fixed. Jesse recommended that District staff and engineers meet with David Julian and Brian Brock to address the issues with the riser and safety of District personnel, cleaning the ditches, and digging out the canal. Preston asked

about formalizing the issues with an email from the District with pictures. Ceci asked about a redesign to maintain the facilities as during storm events there may not be power to run the pump. Neil said that this will be included in the operational plan. Morgan provided a technical review by using the map to show the drainage. DWR dug drainage canals, however they built the wetlands over the drainage canals which has created problems during the rains. Morgan said we do not have an area for overflow. Preston asked for a suggested resolution to Bryan. Morgan said that we need to increase the capacity of the pumps. Rob said it sounds like we were able to use the wetlands because they were dry. Joel noticed the big canal was filling up, so they had to pull the riser. Joel does not know if David Julian or Bryan Brock are aware of the issue. They tried to pump the water, but the electricity was down causing additional issues. Jesse confirmed that if the District did not take action, the water will affect the neighbors' property. Morgan said that all properties in that area are affected; the area has basically become a reservoir. Jesse said the SMFA allows for payment of increased costs for pumping. Jesse recommended that the issues should be documented in a letter and a meeting should be followed up with DWR. The District would like to review the as-builts. Rob Black asked if Bryan and his group will be reviewing the issues and recommending a fix. He asked if DWR will design a fix for the risers. Jesse said since it affects the whole District, he thinks we should be the lead to ensure our drainage objectives are met. Morgan would like the elevations of the levees. Rob asked if there is a hydraulic study. Martin said he will ask Ducks Unlimited if there is one. Jesse said he will send David an email detailing the issues and ask him to contact the District (Tim, Morgan, and Joel). Morgan said we need a dozer for at least one month. Preston asked Jesse to include this in the email to David and Bryan. Jesse recommends that we address this under the Superintendent report and bill the SMFA. Preston asked if we can do work on the SMFA without their approval. Jesse said no, this has to be coordinated. Ceci asked about the wetlands and a plan to maintain the wetlands. Preston said this will be a part of the operational plan.

#### **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 that he is working to re-submit the scope of work to DWR and CDFW. They will coordinate with the PG&E cost estimator to update the power pole alignment. PG&E offices have been slow to respond to the extent of the power outages throughout northern California.

#### **ENGINEERS REPORT**

Martin Berber reported:

- Sherman Island East Levee Road.
  - They have submitted 311 tickets to Sacramento County for the roadway cracking and settlement at Stations 388+00 and 400+50.
- Flood Season Update
  - The highest tide so far this season occurred on Thursday, January 5 where the Rio Vista gage reached a stage of 8.8 feet; monitor stage is 7.4 feet.
  - As of January 9, 2023, Shasta and Oroville are at 41% and 46% of capacity, respectively.
  - Wagner & Bonsignore is conducting regular inspection during high tides and after high winds.

Morgan said the splash caps shoot over the road and can erode our roads. Neil said they have been reviewing the area and communicating with Joel and Morgan. Rob Black said that is a wind event and does not require 24-hour monitoring. Neil said that they have been out to Sherman Island regularly.

### **SUPERINTENDENT REPORT**

Joel McElroy stated the dozer rental is necessary. The cost is \$6,500. plus tax. The District employees will operate the dozer. Morgan said there are potential issues if we do not rent a dozer for work that needs to be done. He said this work will not take a week; it will take time to complete the work. It was MSP (Preston Good/Rob Black) to approve the rental of a dozer for the next 30 days. This passed 3-0. Preston asked Joel if they need a second month. Joel said we would typically rent it month to month. There is not a cost savings to rent it over multiple months.

Joel reported they have been patrolling hightides. He said they have not needed staff around the clock. PG&E electricity has been on and off since Christmas. Joel said that there are 3 sink holes near Adgates. They filled 2 of them and the 3<sup>rd</sup> one has some water in it. He said they are monitoring it. Joel stated the B pump at pumpstation #3 isn't typically used, however it has a hole in the column and has been blowing fuses. Pump #4 has had issues in the past that need to be addressed (vault in the sump) and pump #2 has issues with the motor saver and the delay switch. The goats are coming in today to feed from Mayberry. Joel said that the emergency generator is 13 years old. He said the starter is broke and is not starting and uses lots of oil. Joel said this should be addressed if we need the power. Morgan said that we should pump the water to make sure the residents are dry. Joel will get a price for a generator. Preston asked about Brad. Joel said that he has a doctor's appointment on the 19<sup>th</sup>. Morgan said he spent \$500 for a sprayer and asked if he can submit this for reimbursement. Perla stated we would charge that to the SMFA. Mark Icanberry said he paid for the cleaning of a ditch and asked if the District could reimburse him. Jesse said that he cannot be paid by the District when he is also a Board member.

**There being no further business to come before the Board, the public meeting was adjourned at 11:35 A.M.**

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**The presiding Trustee of the January 10, 2023, meeting hereby certifies that the above minutes were approved as read.**