

# MINUTES OF REGULAR MEETING

Reclamation District No. 341  
Sherman Island

9:00 a.m.  
Tuesday, October 12, 2021

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 by 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

President/Trustee Juan Mercado 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: Juan Mercado, Morgan Johnson, and Rob Black; District Attorney: Jesse Barton; Accountant: Perla Tzintzun-Garibay; Engineer: Martin Berber; District Superintendent: Joel McElroy; DWR: Bryan Brock; Rio Vista Windsurf Association: Don Ross; Yolo County RCD: Amy Williams; Landowner(s): Ceci Giacoma; District Secretary: Cindy Hill

## PUBLIC COMMENTS

Don Ross thanked the District for the website. He asked if we could include a quick link to recreation. He said the coastal clean-up went well and they were able to engage the fishermen to help clean up. They were able to take a container of trash off the island. Don asked when the PG&E work will be completed at Bird's Landing. Juan said this will be discussed during the agenda item.

## VIRTUAL REMOTE MEETINGS

Jesse reported the Governor's declaration of emergency due to COVID is still in effect. CAL OSHA is also still recommending social distancing. Jesse stated the governor signed a new law that will allow the District to continue to allow Board members to meet remotely, but in order to do so they will have to adopt a resolution that would have to be re-adopted every 30-day period. The Board decided to continue offering tele-conference services for our residents and non-board attendees. Juan said that we will adopt a resolution each month until the authorization ends. This will allow flexibility for our Board members. Bryan Brock asked if this resolution preclude the Board from meeting in person. Jesse said no, Juan stated we should follow the standard where the Board members meet at the office.

## POSSIBLE HIRING OF GENERAL MANAGER

Jesse stated Juan's last month as a member of the Board will be next month. He has decided not to run for another term. Jesse commented that Juan's role is extensive and there is concern that we would not have consistency in meeting all the project requirements due to his long-standing time on the board and knowledge of the Island. Jesse proposed an idea with DWR to have a general manager for Sherman Island. Rob Black asked if this is a full-time position. Juan stated he spends 15-20 hours per week on District business, so it would not be expected to be fulltime. It is recognized that a new person would spend more time as they will have to get up to speed on Island business. Morgan asked if the general manager would answer to the Trustees and said that they would need to have a job description for this role. Juan said we are in a good financial position to hire someone for this role. He also said that since he will continue to manage DWR property on Sherman Island, he could be of assistance. Jesse will put together a job description with Juan's assistance specific to Sherman Island. Preston Good will be Juan's successor on the Board.

### **ISLAND SECURITY**

Ceci Giacomina reported it has been quiet on the Island. Caltrans inquired if they could have monthly safety meetings due to the road construction on the Island. Morgan said the traffic back-up is very bad and drivers are going down public streets. It is very bad traveling westbound on 12 and turning onto 160 east. Joel said it took him one hour to get off the island last Friday. He said the ships pilots control the bridges and due to the traffic, they open the bridge earlier than normal. Ceci said the meetings will be public meetings. She said the sheriff department declined to attend. She said Supervisor Nottoli was in attendance. Juan said he is concerned with the traffic situation with flood season approaching. Ceci said it seems to be commerce and the traffic is not reducing. Morgan said we should contact Caltrans regarding the traffic and share our concern about evacuation in the case of flooding. Juan said we should put Caltrans on notice. Martin Berber to draft a letter for the Board to review. Juan said Lupe with Sacramento County and Don Nottoli should be copied. Juan stated the letter needs to be sent to them prior to the October 25<sup>th</sup> meeting.

### **APPROVAL OF MINUTES**

The Board reviewed minutes of the regular meeting of September 14, 2021. It was MSP (Juan Morgan/Juan Mercado) to approve the regular meeting minutes of September 14, 2021, as read. This passed 3-0.

### **ACCOUNTS PAYABLE AND RECEIVABLE**

The Board reviewed the accounts payable for October 12, 2021. Transfer of \$1,012,000 from the general fund is required to cover current month cash disbursements pending approval of \$998,014.60 plus 10/20/21 and 11/05/21 payroll checks and related liabilities. Financial statements reflect an ending balance of \$34,932.77 after the before mentioned transactions are approved.

#### **Notes:**

- 10/07 deposit \$25.00 Assessment Call 25 payment.
- 10/07 PERS payment of \$2,929.27 was paid via EFT due to timing of due date.
- 10/12 Payroll check to Morgan Johnson: Gross \$350, Net \$319.03.
- 10/13 PG&E payment of \$24.38 was paid with check 10312 due to timing of due date.

- Check #10203 for \$31,489.63 issued to DWR 6/08/2021 related to SH 08-2.2 Hwy 160 Phase 1 remains uncashed.

**General Fund:**

Balance in general fund account \$694,827.62

**Notes:**

- 9/21 deposit \$12,310.06 Assessment Call No. 25 payments.
- 10/08 deposit \$135,346.65 Assessment Call No. 25 payment (PG&E).
- Balance of \$59,301.13 (\$285,000 - \$225,699) remaining from Caltrans Co-op funds held for shared costs relative to SH 10-2.2.

Perla reported the large item submitted by Gornto was reviewed and approved by Bryan Brock. Juan stated that we are expecting an invoice of \$26,000 for fencing. This cost will be split between DWR and the District. Gornto will be doing the work. Juan Mercado and Morgan Johnson reviewed and signed off on the invoices prior to the District meeting. It was MSP (Juan Mercado/Morgan Johnson) to approve the October 12, 2021, accounts payable, receivables and transfers. This passed 3-0.

**FY 2020-21 FINAL CLAIM**

Martin Berber reported the final claim is \$421,786.85 with an estimated reimbursement of \$301,715.13.

**DISTRICT WEBSITE**

Cindy Hill reported ongoing updates to the website. Juan asked if there is a way that we can see how many hits the website gets. Cindy said she will look into this and report out at the next meeting. Cindy stated that she will put a banner on the site for the monthly Caltrans meetings.

**DISTRICT STAFF**

Bryan Brock reported that the District hired Tim Nix. Molly Farrell has been working with him. Joel said that he has a lot of work on the habitat areas. Perla asked who he reports to. Jesse said it should be Joel, but since he is working on the habitat area it is difficult for Joel to assign and monitor the work. When he is pulled from the habitat area he will report to Joel. Bryan said he calls him most mornings and they discuss his work for the day. He completes time sheets and identifies what he is doing. Perla asked if Bryan would like to review the time sheets. He said that if she needs additional information, she can contact Bryan. Joel said they are still determining a method to determine fuel costs. Bryan said as he gains experience there will be less time needed to direct him. Jesse said there needs to be a shared service agreement between Sherman Island and Twitchell. Perla stated the service reimbursement should be dated the date he started work. Bryan said he is trying to schedule the work, so he does not split his days between islands. Joel said that he should know where he is each day for safety concerns. Tim was issued a District credit card with a limit of \$1,000. Perla asked if he needs a phone. Bryan said he does not think that a phone will be necessary. Juan said if he is not working on Sherman Island, he should check in with Joel to let him know where he is working for safety measures and should notify him when he leaves. Joel agreed to maintain contact with Tim.

**CALIFORNIA DROUGHT**

Martin Berber reported DWR data reflects a decrease of 27% of State Water Project deliveries from last year. Precipitation was 50% below the average last year.

**BIRD'S LANDING PROJECT**

Martin Berber reported on this project.

- By email dated September 16, 2021, we received the executed DWR Encroachment Permit.
- By letter dated September 24, 2021, we requested an additional deposit in the amount of \$247,220 from PG&E. The deposit will cover District expenses related to site monitoring and contracting for a standby barge.
- By letter dated September 28, 2021, Jesse Barton informed PG&E to pay \$32,220 by December 1, 2021, and \$215,000 by May 1, 2022. PG&E had requested to split the payment since most of it is associated with the standby barge.

Perla stated we have not received the funds. Morgan asked if there should be seismic work done on the area. Rob Black said he could speak with Mike Driller to see if there is interest. This could be paid for by DWR. He said there is a possibility that we could ask UCLA if they would like to instrument the area. Juan agreed this would be a great opportunity to document the effect on the area due to a heavy drop. Martin said he is waiting on PG&E to schedule. Martin will send a project description to Rob so he can give it to Mike. Don Ross asked if we could leave the access road in. Juan said we will see how it works out later.

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

Martin Berber reported Jesse Barton informed Raghu Malladi that the dock debris must be removed from the levee section by October 15, 2021. Jesse sent the letter September 22, 2021. Bob talked to Raghu. He said he didn't think he would finish by October 15. If the levee is not cleared Joel will move the bulldozer to the site. He will move the items off the levee to Raghu's property or 45 feet from the toe. Juan said Bob can notify Raghu 72 hours prior to removal. He said he wants Bob to call him and follow up with an email to document the request. Jesse will provide a copy of the letter to Joel.

**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.

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

Martin Berber said there are no other updates. This item will be removed from the agenda.

**SHERMAN ISLAND DRAINAGE PLAN**

Martin Berber reported work in ongoing on the District wide drainage plan. Asta completed the repair of the Outrigger exploration on September 14 for a final cost of \$20,130.69. Asta's quote was \$22,613.00. Joel state Carter cleaned the #4 canal. The crossing behind Dierson Ranch should be replaced. There are currently no issues, however they are looking at preventative issues.

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

Martin Berber reported work has begun on the completion report.

## **PROJECT FUNDING AGREEMENT SH 10-2.8 – (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 began construction on September 23. Their last day of work is scheduled for Sunday, October 17 where they will be completing the new crossing of Highway 160.
- Frontier is planning to mobilize this week.
- Once the utilities are completely relocated, we will reapply for our Caltrans Encroachment Permit for the levee seepage repair and finalize the bid documents. We hope to begin construction on May 1, 2022.
- By email dated October 8, 2021, Maribel Velazquez informed us that the time extension request is being routed

Martin said there is \$59,000 in the co-op agreement. He asked what the District wants to do with those funds. He asked if we could credit them towards Frontier costs, and the answer was yes. Morgan said that the Caltrans road drains that have been paved over should be considered abandoned and the pipes connecting them should be removed.

## **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.**

Amy Williams reported they are working on the second round of the Chabata grass. They are also working on the syphons with Bryan Brock.

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

Bryan Brock reported construction has stopped on the Belly wetlands due to the GGS.

## **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:

- Awaiting a response from the County DOT re: draft Cost Share Agreement which was emailed on September 3, 2021.
- We are still waiting for PG&E’s final design before submitting the Final SOW and arranging a meeting with DWR Real Estate Branch on the necessary PG&E easement. Our PG&E representative informed us that we should expect the PG&E design any day now.

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

There is no update at this time.

**SUPERINTENDENT REPORT**

Joel McElroy reported the Uhalt's sold their home and are moving to Mexico. He said there is a water spot up at Manzo repair site. He notified Neil Favor. Neil has been out to the area. A new fuel tank was put on the pick-up as there was a hole in it. He is trying to get a warranty on the work. The backhoe water pump is leaking. They have been clearing the toe drain from the vault to the grain bins. He said he is looking for a small safe to keep at the office.

**There being no further business to come before the Board, the public meeting was adjourned at 11:37 A.M.**

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**The presiding Trustee of the October 12, 2021, meeting hereby certifies that the above minutes were approved as read.**