

MINUTES OF REGULAR MEETING

Reclamation District No. 341
Sherman Island

9:00 a.m.
Tuesday, April 12, 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 Preston Good called the meeting to order at 9:06 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: Rob Black and Preston Good; District Attorney: Jesse Barton; Accountant: Perla Tzintzun-Garibay; Engineer: Neil Favor and Martin Berber; District Superintendent: Joel McElroy; DWR: Juan Mercado; Rio Vista Windsurf Association: Chris Kraft; Landowner(s): Ceci Giacomia; District Secretary: Cindy Hill

PUBLIC COMMENTS

Chris Kraft reported the Semi-Annual Spring Clean-up will be held on April 23rd. He said they are hoping to get help from Ducks Unlimited and the local fishermen. They will have a safety meeting during the summer months. On May 7th they are having a safety and emergency access maintenance day. He thanked the District for including them in the discussion on Birds Landing. Juan Mercado inquired about their dead tree removal along the levee slope. Chris said they had an arborist come to the site to remove the tree. Martin asked if it was completely removed or removed to the stump. Chris said to the stump.

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/Preston Good) to adopt a resolution to allow the Board members to meet remotely. This passed 2-0, 1 absent.

ISLAND SECURITY

Ceci Giacomia reported they had a safety meeting in March and will be changing the meeting structure as it is difficult to meet monthly. They are also going to try to have it as a WebEx meeting. Neil reported the Caltrans Deputy District 3 Director, Patrick Bishop, informed the District on April 7, 2022, that the Highway 160 Emergency Response Plan will be finalized soon.

The current cameras mounts fall out of position during high wind events and require District staff to correct the camera frame. Joel has designed and are currently testing a custom camera mount for the Arlo cameras at one of the S. County Park sites. They are hoping the cameras will be more wind resistant and require less maintenance. Martin stated the draft review the ELP last month. The Board was asked to provide comments. Once this is circulated for approval at DWR, they will send the final document.

APPROVAL OF MINUTES

The Board reviewed minutes of the regular meeting of March 8, 2022. It was MSP (Preston Good/Rob Black) to approve the regular meeting minutes of March 8, 2022, as written. This passed 2-0, 1 absent.

ACCOUNTS PAYABLE AND RECEIVABLE

The Board reviewed the accounts payable for April 12, 2022. Transfer of \$104,000 from the general fund is required to cover current month cash disbursements pending approval of \$75,893.31.46 plus 04/20/22 and 05/05/22 payroll checks and related liabilities. Financial statements reflect an ending balance of \$42,147.56 after the before mentioned transactions are approved.

Notes:

- 3/09 check 10443 AT&T payment of \$232.65
- 3/15 check 10445 AT&T Mobility payment of \$663.89
- 3/18 Deposit \$456.46 – RD 341 shared SMFA reimbursement
- 3/30 Deposit \$401.67 – Cal Mutuals 2019/2020 dividends (\$270), RD 536 April rent (\$131.67).
- 4/07 EFT PERS payment of \$5,355.67
- 4/12 Payroll check to Morgan Johnson: Gross \$350, Net \$319.38.
- 4/12 check 10472 Asta Construction payment of \$646.76
- 4/12 check 10473 Visa payment of \$179.66.

General Fund:

Balance in general fund account \$563,580.27

Perla reported PG&E is checking the pumps, however they missed pump #1 this month. There is still a charge from Arlo to Joel's credit card. Martin will look into it. Perla stated she prepared a retention request letter for \$3,446. Preston signed the letter. Preston asked about the SWPPP for \$5,696. Perla stated Bryan Brock asked her to pay this. Martin added this is for storm water prevention planning. Perla stated there is excess funds for the Outrigger project, she will send them a refund check. Perla met with Preston Good prior to the District meeting to review and approve the invoices. It was MSP (Preston Good/Rob Black) to approve the April 12, 2022, accounts payable, receivables and transfers. This passed 2-0, 1 absent.

ASSESSMENT #25

Jesse Barton reported that Jaime is 30 days into his 60-day extension request. Perla stated we received an email from Lisa Betz. Her husband passed away and she is struggling to keep up with her payment plan.

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

Neil Favor reported on March 18 that DWR distributed a letter to all Lessee's re: a collaborative effort between the Delta Conservancy, the Delta Watermaster, and DWR on modifying practices on agricultural lands that reduce consumptive water use. Although the state program is first of its kind, 35 projects across 8,800 delta acres are reducing consumptive use by approximately 22,000 ac-ft. DWR plans to engage each of its agricultural land lease holders to discuss immediate-term strategies that reduce consumptive water use. Juan Mercado stated Thursday, April 14th they will have a meeting at the winery at 10:00 a.m. to review plan with tenants. Michael George, Bryan Brock, and Juan will meet with the leasees. They plan to discuss the departments position as to what the leasees can do on the land. It is the intent that DWR will not allow planting of crops that will require much water. He also said they will be asking the ranches to change their water use on land that is used to feed animals. Juan stated the District may be requested to reduce pumping. Joel said it is typical to reduce pumping during the summer months, however DWR is flushing the wetlands which has required more pumping. Joel said we can begin reducing pumping and keep the grounds hydrated as much as possible. Juan said we may also need Joel to watch how the water is coming in along Horseshoe. Juan said these are extra ordinary situations and we have to be more calculating on how we use our water. Preston Good asked why pump #4 is so much less to run. Joel stated it is due to the location, it does not need to run as much. Juan Mercado said the circulation of water on the wetlands will be held back per his discussion with Bryan Brock. Juan also said that they will need to work with mosquito abatement. Jesse Barton asked if Joel has concerns. Joel said he does not want to see us getting more involved with DWR's water system. Martin Berber said the landowners that use water are assessed at a higher rate (\$50.) He asked if this would change. Juan said as of now, this will not change and believes this will result in less work for the District. Jesse stated that operational issues take more time; we may have to review the costs accordingly and bill to the trust. Joel said they have to be sure they keep the water in the field and not in the ditches. Joel said the District has one tenant that calls and notifies the District of their water usage. The majority of the tenants do not advise the District. Juan said he will mention this at the meeting. Ceci asked if Joel could report on water use during the Superintendent Report. Jesse said this is a good recommendation. Juan stated he is not advocating that Joel reports this, and wanted it noted that this at Ceci's request.

BOARD TO DISCUSS THE POSSIBLE HIRING OF GENERAL MANAGER

No update at this time.

BOARD TO DISCUSS IMPLEMENTING A SCHEDULED WAGE INCREASE FOR THE HABITAT EMPLOYEE

Jesse Barton stated typically this is a closed-door agenda item, however this is an open session item as the scheduled wage increase is a part of the hiring agreement for the habitat employee, Tim Nix. The agreement stipulated that the employee would receive an increase from \$21 per hour to \$23 per hour if there have not been any issues. Bryan Brock said that he has done a good job. Joel said he has also been staying at the shop late and his presence may help discourage crime. It was MSP (Preston Good/Rob Black) to approve an increase in wages per the hiring agreement effective 04/01/2022 from \$21.00 to \$23.00 per hour. This passed 2-0, with 1 absent.

BIRD'S LANDING PROJECT

Martin Berber reported PG&E informed the District by email dated April 8, 2022, that due to steel delivery delays for the new tower, demolition of the existing tower has been pushed back to April/May of 2023. Martin said they inquired with PG&E about them taking some of the AB for a new all-weather road. He also said that they are thinking of talking to Everett Upham as he is interested in rocking behind the grain bins. Perla asked if we should void the invoice due to costs. Martin said we can revisit this later. Juan asked if there is an encroachment permit. Martin said there is not an encroachment permit. He asked if the agreement has an expiration date. Martin said he will check on the expiration date. Martin said there are people working. Joel said the footings were poured, but there has not been a lot of other activity on site.

ENCROACHMENT PERMIT NO 2021-3 (ADGATE ADDITION)

Martin Berber reported the District received an email from Steve Adgate informing us that his engineer is currently working on the submittal for the County and the District. He expects it to be completed in 20-40 days.

MAYBERRY SLOUGH SPANS (PG&E MAYBERRY SLOUGH SPANS)

Neil Favor reported on March 14, the District received a check for \$5,500 from PG&E. This included a \$5,000 deposit and \$500 application fee. The crews are on the final stages of re-coating the pipe. After completion, the remainder of the work will include the removal of scaffolding around the gas pipelines. Before issuing an Encroachment Permit, we are waiting to receive the as-built plans and easement documents. We are expecting to receive this information in the next two weeks. Once the information is received, we will prepare an EP for the project. Neil asked if there are any special conditions the Board would like to consider for this Project. Preston Good said he would like to review it and clarify the easement language. PG&E is providing the documentation. Preston asked since we signed the NDA are we allowed to talk about this in an open session. Jesse Barton said if its Public Record then we do not have to be concerned. He said it will depend on the content of the documents. He said based on the information he will determine whether this project will need to be reviewed as an open or closed session.

SUBSIDENCE REPAIR, STA 416+00-418+50

Neil Favor reported Asta Construction has indicated that equipment will be mobilized, and work will begin toward the end of April. We are expecting 3-4 days to complete the work. Juan asked what the work consists of. Neil said it is a subsidence repair near the Adgate house. It is a 4-1 slope tied to a 2-1 slope, they are repairing the road subgrade and adding in a 3-1 slope within 250 feet of the project area. He said they will be using virgin AB as road base and striping the road. There are no syphons affected. They will not be grinding the asphalt, the material will be sawcut and taken off the island.

SACRAMENTO RIVER ARUNDO REMOVAL AND RIPRAP PLACEMENT

Martin Berber reported they are currently working on a plan to remove all Arundo.

FLOOD SYSTEM REPAIR PROJECT AND EMERGENCY REPAIR

Martin Berber said there is no update, they are waiting on the US Army Corp for guidance. They expect to close out this PFA by October 31, 2022.

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 the Caltrans Encroachment Permit application was re-submitted on March 9, 2022. The Invitation to Bid was posted on March 29, 2022. Asta, Ford and Dutra attended the mandatory pre-bid job walk on April 5, 2022. Bids were originally scheduled to open on April 8, 2022; however, the bid opening has been delayed to April 15 due to issues with the Caltrans Encroachment Permit. Caltrans' reviewing geotechnical engineer had requested additional stability analyses for the 4 levee sections. We had provided the additional information on April 1, but he had a 2nd round of comments which we didn't receive until April 6, 2022. The Caltrans Encroachment Permit was finally received at the end of the day on April 8th. A special board meeting will be required next week to review bids and possibly award the contract. Preston Good and Rob Black are both available next Tuesday at 8:30 am. Jesse said there would be a few agenda items. Juan asked if the Caltrans encroachment permit change the scope of work, or the engineers estimate. Martin said it required additional geo-tech work. It also required the contractor to have traffic control in place with signage. Martin stated the remaining co-op funds will be credited to the BFA.

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

No update at this time. Perla stated the CDFW portion has been fully expended.

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 they are finalizing proposal to the DWR Real Estate Branch for an updated powerline alignment. County Cost Share agreement for \$200,000 was approved at the County Board of Supervisors meeting on March 22 and executed on March 29. By email dated March 7, 2022, CDFW provided additional comments on the Scope of Work. DWR provided additional comments on the scope of work. Comments are generally related to design changes from the original project proposal and the forthcoming expiration date of the PFA.

- The proposed design changed from the original proposal due to existing encroachments on the landside and recommendations from our geotechnical engineer. Because of these changes of the design, there was a reduction in overall habitat created through the project area. We are working to address these issues with CDFW and DWR.
- We are also coordinating with DWR to get a time extension to complete waterside construction and habitat development. Unfortunately, approximately \$230,000 (\$233,352.00) are Prop 1E funds and will expire on June 30, 2023. Even though it is a possibility we are losing a portion of funding, we are confident that we can complete the project with the funds available and the \$200,000 from County Cost Share Agreement.

Preston Good inquired if there are any additional requests from DWR. Neil said no, but they are asking for another proposal with the District taking more responsibility for portions of the project which will require us to build a maintenance road for PG&E. DWR may have to do a slight

environmental study. Juan Mercado asked if all the private landowners that are affected are aware. He said that he has not recently communicated with them, but they have all been informed. He said the project mainly affects Steve Case and Douglas Chance/Saundra Martinez.

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

Martin Berber stated the Final Five-year Plan has been approved. Martin will send a copy of the Plan to Cindy Hill to be added to the agenda.

ENGINEERS REPORT

Neil Favor reported:

- They reached out to Caltrans on their plans for the mitigation site along Highway 160. The site burned last year, and it appears several trees are dead. Joel said that the goats typically do a good job in this area.
- On Saturday March 12, a car crashed into and destroyed the guard rail protecting the “Manzo” fish release site PG&E service drop. The entire guard rail was damaged and needs to be replaced. Neil provided pictures of the guard rail to the Board for review.
 - The guard rail was installed at the direction of DWR for the Fish Release Project. At this time, we are in coordination with DWR maintenance division to complete the replacement.
- On March 23, they attended the bi-annual levee inspection with DWR. We are expected to receive a Final report of the inspection sometime in June. We will work with District staff to prioritize levee maintenance.
 - As part of the program, the District is being penalized for windsurf shop at Threemile Slough because it is an un-permitted structure and fence. They are reaching out to CVFPB to permit the windsurf shop and fence.
 - As part of our levee deficiencies, the District is being dinged for 5 erosion sites on the Sacramento River. They prepared an exhibit showing the USACE erosion sites on the Sacramento River. They have repaired 550 LF on the levee as part of the FSRP project in 2018.
- On April 1, Power Services Inc. completed a test on 5/6 pumps on Sherman Island. Once we receive the diagnostic reports, they will work with District staff to improve plant efficiencies along with a maintenance/testing schedule.
- Contacted PG&E on April 7 re: Frac tanks and other liquid retention equipment that is currently being stored near Sta. 65+00 (@ Threemile Slough near Outrigger Marina). Michaels Construction and PG&E are expected to remove the storage tanks on Wednesday, April 13.

Juan Mercado inquired what determines whether something is critical. Martin said its based on the US Army Corp of Engineers assessment. Neil said it is also a subjective analysis. Juan said we need to be clear on what is critical and advised Neil to put this in an email for documentation purposes. Rob Black asked does the critical rating have anything to do with the prism. Martin said no, it's mainly the flattening of the slope.

SUPERINTENDENT REPORT

Joel McElroy reported the pump test is complete. He said it does not sound good, they have not gotten the cost yest for pump #1, #4, or #5. He said they are not performing as well as they should.

Pump #4 has rock in the containment area – Joel thinks that only thing that can help this is a concrete vault. He said Pump #3A is the best pump on the island. It was installed in July of 2006 and as not had any issues. Joel said the pumps have not been tested since 2017. The goats are working on Mayberry. They will head to the northside before they are pulled out. The transmission went out on the truck. He took it to Abels, which was the closest repair facility. The General Motors representative took a look at it. The General Manager said they are going to rebuild it as it did not blow up and split the case. They only install a new one when it is considered a catastrophic situation, and this would not be considered as it did not blow up. Joel said this should all be covered by the warranty. Juan said if this were his personal truck, he would fight to get a new replacement since there are only 11,000 miles on the vehicle and would also require them to provide a rental. Jesse could take a look at it but said that the choice of how they make the repair is typically up to the company. Joel said they are mowing. He said #1 pipe was delivered at a little lower price. Perla said it came in at \$29,990.

There being no further business to come before the Board, the public meeting was adjourned at 10.58 A.M.

The presiding Trustee of the April 12, 2022, meeting hereby certifies that the above minutes were approved as read.