

MINUTES OF REGULAR MEETING

Reclamation District No. 341
Sherman Island

9:00 a.m.
Tuesday, April 9, 2024

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 9:03 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: Jas Gill, Mark Icanberry, and Rob Black; District Attorney: Jesse Barton; Accountant: Perla Tzintzun-Garibay; Engineer: Neil Favor and Martin Berber; District Manager: Morgan Johnson; District Superintendent: Joel McElroy; DWR: David Julian and David Barron; Ducks Unlimited: Aaron Will; RCD: Amy Williams; RVWA: Chris Kraft; Landowner(s): Jamie Renwick and Ceci Giacoma; District Secretary: Cindy Hill

PUBLIC COMMENTS

Chris Kraft reported the annual spring clean-up will be April 27; it will coincide with Earth Day on April 21. He said the annual safety meeting and potluck will be held on June 1st. Chris said safety officers will be in attendance; they will review safety protocols.

DISTRICT MANAGER'S REPORT

Morgan reported he has been working with Wagner & Bonsignore to create a priority list of capital improvements for the District. Morgan asked about the removal of Tim Nix's trailer – as it is parked on District property. Tim no longer works for the District. Joel said he spoke with Tim; Tim is trying to get it moved. Jesse asked Joel to ask Tim to remove the trailer.

APPROVAL OF MINUTES

The Board reviewed the minutes of the regular meeting March 12, 2024. Ceci Giacoma said the first paragraph should be corrected. She stated she said during discussion under agenda item New Assessment Prop 218 that “it is unfair that the Board does not have a public representative (someone that lives on the island).” It was MSP (Mark Icanberry/Rob

Black) to approve the regular meeting minutes of March 12, 2024, as amended. This passed 3-0.

ACCOUNTS PAYABLE AND RECEIVABLE

Perla Tzintzun-Garibay reported the accounts payable for April 9, 2024. The transfer of \$72,000 from the general fund is required to cover the current months' cash disbursements pending approval of \$87,708.85. Financial statements reflect an ending balance of \$50,955.64 after the before-mentioned transactions are approved.

Notes:

- 3/19 Payment to AT&T Mobility for \$223.57
- 4/08 EFT to PERS for \$4,392.51
- 4/09 Payroll E-check to Mark Icanberry: Gross \$350, Net \$319.37

Balance in general fund account \$2,927.82

Perla stated PG&E pump 5 is higher than normal – Morgan responded that the rainfall is higher which has resulted in higher usage. Martin inquired what is the time frame and expectation on receiving the reimbursements from DWR. Jas said there were changes in the process, which meant that an exemption letter is required for each request – since this was not done, there is added time for the payment to be sent. Perla recommended issuing warrants 4332 and 4333 for \$25,000 each, total \$50,000, to fund the current payables and operating expenses through the next meeting. Perla sent the financials to the Board prior to the meeting for their review and Jas Gill signed off on the invoices. It was MSP (Rob Black/Jas Gill) to approve the April 9, 2024, accounts payable, transfers, submitted invoices and warrants. This passed 3-0.

ASSESSMENT CALL NO 27

There are no changes - this will be removed from future agendas and tracked by Perla.

NEW ASSESSMENT PROP 218

Jesse Barton said this is tabled pending the development of a priority list for capital improvements. Morgan is working on this list.

SACRAMENTO COUNTY MULTI-JURISDICTIONAL LOCAL HAZARD MITIGATION PLAN UPDATE

Jesse provided an overview of the multi-jurisdictional local hazard mitigation plan. This is a requirement for eligibility for FEMA funds. It was MSP (Jas Gill/Rob Black) to participate in the plan. This passed 3-0.

VIOLATION OF DISTRICT RULES AND REGULATIONS

DWR Violation:

Jas Gill reported there is a plan submitted to DWR management. There are no other updates.

Campos:

Neil Favor reported Mr. Campos has continued to deposit miscellaneous material on his property from both the levee crest and his driveway off HWY 160. He said Sacramento County has sent Mr. Campos a letter dated May 1, 2024, requesting a response for the grading activities taking place at his property on Threemile Slough. Mr. Campos has not given the County a response. Neil said they received correspondence from Sacramento County informing the District that they are prepared to begin levying fines if they do not receive a response from Mr. Campos this week. Neil presented a recommendation that the Board utilize the Districts Fee Penalty Schedule and fine Mr. Campos \$2,000 under the 'First Violation' for Major Infractions. Mr. Campos is placing the material near the levee. Mark asked if the County has been onsite. Neil did not know, he said they have sent communication to Wagner & Bonsignore. Jesse asked if we had notified Mr. Campos of our intent to fine him. Neil said we have not; Jesse will send Mr. Campos a letter.

OUTRIGGER MARINA DAMAGE AND REMEDIATION

Martin Berber reported they are working on a letter to the State Lands Commission and Sacramento County. Jesse asked Martin to provide the letter to him to review prior to Martin sending it.

ENCROACHMENT PERMIT NO 2023-3 (ROSAS FENCE)

Martin Berber reported there is no update at this time – they are still working with Mr. Rosas.

ENCROACHMENT PERMIT NO 2023-4 (HWY 160 SPILL CLEAN-UP)

Martin Berber reported he and Neil are meeting with Caltrans and Ancon today to review the work that needs to be re-done.

ENCROACHMENT PERMIT NO 2023-5 (PG&E IDLE LINE REMOVAL)

Martin Berber reported PG&E provided a survey of the tower located on the Threemile Slough Levee. He said based on the survey, they determined 2 of the 4 concrete footings are within the design levee prism. Martin said they decided that the concrete footings on the levee will have the concrete removed down to grade, while the other 2 will be removed 2-3 ft below grade and backfilled. Morgan asked if they could get this below grade. Martin said he will speak with PG&E as this may affect our ability to perform maintenance in the area. Morgan said we need to ensure that if this happens in the future – PG&E will be responsible for maintaining the area. Jas Gill agreed this needs to be below grade due to continued maintenance.

ENCROACHMENT PERMIT NO 2024-1 (USGS BENCHMARKS)

Martin Berber reported USGS stated they do not have a budget for fees or a security deposit. The Board rejected the approval of the encroachment permit application.

PUMP NO 1 DISCHARGE PIPE REPLACEMENT

Martin reported Asta is planning on beginning this work once Pump No. 4 work is complete. He said the preconstruction meeting with Central Valley Flood Protection Board was held on April 8, 2024; they are requiring a pressure test on the discharge pipeline once construction is complete.

PUMP NO 3 REHABILITATION

Neil Favor reported Hydro Component Systems received the 75% payment on March 19, 2024. He said that once a delivery date is determined, Hydro Component Systems will request the final 25% payment (\$15,870.00) + shipping costs. Joel asked for the delivery to be made to the Ag shop.

PUMP NO 4 REPAIR

Martin Berber reported Asta is planning on beginning this work on April 22. Morgan said he is concerned about the pressure valve on the pump.

MAYBERRY SLOUGH SETBACK LEVEE HABITAT

Martin Berber reported that DWR informed the District that they prefer to have the RCD trim back the woody vegetation to reestablish the 10-foot minimum buffer. He said, in addition, DWR informed the District that the RD can mow and spray the grasses along the levee access road. However, DWR wants the RD to inform the RCD before any spraying occurs as a courtesy. Amy Williams said the RCD is willing to come in and help as needed. She will continue to coordinate with Joel. Joel said the District will mow the grassy area. Amy will go on site with Joel to take a look at the area. Amy said the RCD will maintain the habitat area.

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 said the warranty work needs to be completed. Jesse had a meeting with Gornto, David Julian, Ducks Unlimited, and Wagner & Bonsignore regarding the warranty and remediation work. Ducks Unlimited provided a scope and budget for environmental support for the warranty and remediation work. Aaron Will said the compliance coordination will be at a cost of \$13,900. It will require additional environmental work. Jesse said if we move forward, an amendment will be required if there are changes. Aaron said permits have expired. He said they sent an email to the Army Corps asking for guidance. Aaron said they have asked if they can reopen the permits or if they have to get new permits. Rob Black asked if this would take a long time to get the permit. Aaron said there are crossings that were not included, and this may take additional permitting. It will take 6-12 months for permits. This is SMFA funded. It was MSP (Jas Gill/Mark Icanberry) to enter into a site-specific agreement with Ducks Unlimited. This passed 3-0.

David Julian asked about the position that the District is possibly hiring for. Jesse said this is not to replace the position of Tim Nix. This is work that has previously been done by Carter. Martin said the District does not have a work agreement for Whales Belly

maintenance. Morgan said the plugged riser also needs to be cleaned out. He said it is plugged solid. District staff will help with the mowing.

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

Neil Favor reported PG&E is still reviewing the legal descriptions and plats for the proposed pole line relocation. He said they are working to address CDFW's comments dated March 6, 2024, on the Scope of Work submitted in January. They are updating the waterside habitat bench design based on CDFW's recommendations. Once they receive approval, they will be able to finalize the Initial Study/Mitigated Negative Declaration.

PROJECT FUNDING AGREEMENT SH 23-1.0 (HIGHWAY 160 EMERGENCY WATERSIDE REPAIR)

Martin reported the required contract forms were provided to DWR to process the agreement for funding. David Julian said they are moving forward.

PROJECT FUNDING AGREEMENT SH 24-1.0 SP (MULTI-BENEFIT PROJECT ON SHERMAN ISLAND).

Martin Berber summarized the project funding agreement. The agreement covers Department reimbursement to the District for engineering, planning and design of levee rehabilitation activities and habitat improvement from station 330+00 – 368+00. The project is landside work. It was MSP (Jas Gill/Rob Black) to approve entering into a project funding agreement with DWR for a Multi-Benefit Project. This passed 3-0.

ENGINEERS REPORT

Neil Favor reported:

- Encroachment Permit No. 2024-4 (PG&E Gas Transmission Dig) - Neil said the District received an email dated April 8, 2024, from PG&E. They informed the District that they have received all permits for this work; their DWR EP was obtained in early February. PG&E has tentatively scheduled a preconstruction meeting on April 26, 2024 at 10:00 a.m.
- Highway 160 Turnout Barriers – Neil said that Caltrans reached out about contacting the private landowner (Upham) at the Highway 160 turnout due to illegal camping. They informed Caltrans that the k-rails separated private property from the State's right-of-way and that since the illegal camping was only occurring on State right-of-way, Caltrans was solely responsible for removing the encampment.
- Port of Stockton – Neil said that Port of Stockton wants to know if there is additional capacity at the Scour Pond pit, Station 530+00 – 542+00, to deposit dredged material from the San Joaquin River. NorthStar Engineering Group provided a proposal for \$8,510.00 to the Port of Stockton to complete a topographic survey of the area. Once the survey is complete W&B will determine the remaining capacity to deposit dredged material. Morgan asked if there is an opportunity for a new dredge site. Jesse said we will have to look at it and a new permit will have to be requested if they want to use a new site. Martin said the District has lidar in that area.

SUPERINTENDENT REPORT

Joel reported the goats are feeding and heading to Mayberry next week. He said Mayberry intake siphons need to be replaced. Morgan said that is on the capital improvement list. David Julian said there could be discussion for this to possibly be paid for by the SMFA.

CLOSED SESSION –

Closed Session - Conference with Legal Counsel – Anticipated Litigation

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

No reportable action

Closed Session – Public Employment

Reportable action: The District hired Carter Fisher as a part-time regular employee at a rate of \$30 per hour.

There being no further business to come before the Board, the public meeting was adjourned at 11:49 A.M.

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The presiding Trustee of the April 9, 2024, meeting hereby certifies that the above minutes were approved as read.