

# MINUTES OF REGULAR MEETING

Reclamation District No. 341  
Sherman Island

9:00 a.m.  
Tuesday, April 13, 2021

306 Second Street  
Isleton, California

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In an effort to control the spread of the COVID-19 virus, California Governor Gavin Newsom issued Executive Order N-33-20 on March 19, 2020. Order N-33-20 obligates all residents in the State of California to stay home and heed the public health directives issued by the Department of Public Health. As a result, the District was unable to offer its meeting room to hold this regular meeting. Instead, the meeting was held mostly by telephone, consistent with Executive Order N-29-20, which waived certain provisions of the Brown Act. District directors and members of the public may participate in the meeting using the same telephone conference line listed below, as authorized by Executive Order N-29-20. Conference Line Number: 1-877-336-1829 Access Code: 3653607

## CALL MEETING TO ORDER

President/Trustee Juan Mercado called the meeting to order at 9:12 a.m. Jesse conducted the meeting. He stated 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's Attorney: Jesse Barton; Accountant: Perla Tzintzun-Garibay; Engineer: Neil Favor and Martin Berber; District Superintendent: Joel McElroy; Landowner(s): Ceci Giacoma and Ron McCaslin; District Secretary: Cindy Hill.

## PUBLIC COMMENTS

Juan Mercado reported the Rio Vista Windsurf Association is having a clean up on April 24<sup>th</sup> at 9:00 A.M. They are planning a safety meeting on Memorial weekend. They will provide more detail.

## ISLAND SECURITY

Neil Favor stated there are no security updates at this time.

## APPROVAL OF MINUTES

The Board reviewed minutes of the regular meeting of March 9, 2021. It was MSP (Morgan Johnson/Mercado) to approve the regular meeting minutes of March 9, 2021 as written. This passed 3-0.

## ACCOUNTS PAYABLE AND RECEIVABLE

The Board reviewed the accounts payable for April 13, 2021. Warrant number 4321 for \$215,000 is required to cover current month cash disbursements pending approval of \$194,215.89 plus 04/20/210 and 05/05/21 payroll checks and related liabilities. Financial statements reflect an ending balance of \$35,548.46 after current month cash disbursements. Perla reported:

- 03/10/21 AT&T Mobility payment of \$359.60 was paid with check 10146 due to timing of due date.
- 03/17/21 Visa-Brad payment of \$76.67 (office supplies) was paid with check 10147 due to timing of due date.

- 03/17/21 Visa-Joel payment of \$18.93 (Island security) was paid with check 10148 due to timing of due date.
- 04/08/21 PERS payment of \$2,928.98 was paid via EFT due to timing of due date.
- 04/13/21 Payroll check to Morgan Johnson: Gross \$350.00, Net \$319.02.
- 04/14/21 SWRCB payment of \$7,021 for permit fee related to Belly Wetland Project

Additional Notes:

- 04/06/21 – Deposit \$10,270 (\$10,000 retained for sale of property due to cancellation, \$270 worker's comp dividend).
- 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 Annual Audit invoice is included this month. The annual workers compensation premium to Zenith was paid. There is outstanding retention on DMP - Martin will follow up with DWR on the status. Perla stated of the \$150,000. fee paid by DWR, there is \$30, 221.68 available to set off future costs. Juan Mercado reviewed and signed off on the invoices prior to the District meeting. Juan will go to the Perla's office tomorrow to sign the checks. It was MSP (Juan Mercado/Morgan Johnson) to approve the April 13, 2021 accounts payable, receivables and transfers. This passed 3-0.

### **DISTRICT TREASURER – SELECTION OF A NEW DISTRICT TREASURER**

Jesse Barton stated upon receipt of the resolution, he will send it to the County of Sacramento. This should be completed within 30-60 days.

### **DOCUSIGN**

Juan Mercado reported he received a letter from the Special Projects Division of DWR regarding the use of DocuSign. He said this will streamline the process. DWR will require a letter on District letterhead that the District agrees with the DocuSign process. Rob Black stated that DWR increased use of this process during the COVID-19 shut down. Jesse Barton stated that DocuSign is a fairly common procedure- it has proven to be effective and expedient. Perla asked for clarification as to whether any documents would still also require a wet signature. Martin stated there are several documents that typically require one wet signature such as PFA's and other legal documents, but this should expediate the process for invoices. Martin stated if a wet signature is required, they would require the wet signature upfront. Jesse stated the letter does not indicate the need for a wet signature. Juan stated he would not mind having a wet signature on major documents; but believes this will be beneficial for the invoice process. It was MSP (Juan Mercado/Morgan Johnson) to provide District's consent to utilize DocuSign for transactions with DWR. This pass 3-0

### **DISTRICT WEBSITE**

Cindy Hill reported she received data from Wagoner and Bonsignore and is working on the website.

### **BIRD'S LANDING PROJECT**

Martin Berber provided back-ground details to raise the power lines in order to approve public safety. The USACE and Coast Guard have requested that PG&E raise the power lines crossing the Sacramento River between Sherman Island and Bird's Landing to improve marine safety. This will require the demolition of the existing transmission tower and construction of a new tower to the southwest of the existing tower. PG&E will provide a site plan and schedule to the District and WBE for review. PG&E has provided \$25,000 to the District for possible engineering expenses related to this project, however an Encroachment Permit Application has not been submitted yet because the scope of the project is still being determined. Jesse stated he wrote a reimbursement agreement asking PG&E to reimburse the

District for all costs. They have signed the reimbursement agreement and submitted \$25,000 deposit. Juan stated we should consider this process in the future – each time that a private company asks to engage in major work on the Island, an encroachment permit may not be needed, however the work could potentially impact our levees. In this situation, it is unknown whether removing the tower could impact the levee. Perla state she will add a note for tracking these funds. She instructed Wagner Bonsignore to identify the details when submitting an invoice. It was MSP (Juan Mercado/Morgan Johnson) to approve the Bird's Landing Project Reimbursement Agreement as presented. This passed 3-0.

### **OUTRIGGER MARINA DRAINAGE**

Neil Favor reported demolition of the dock is still in progress, currently going slowly due to the dangerous site conditions. Ronnie Galindo is not working full time. Patrick was on site last Saturday. Neil stated there does not seem to be any issues, they are just moving slowly. He will go out today to check on the project.

### **SHERMAN ISLAND DRAINAGE PLAN**

Neil reported on both the Sherman Island Drainage Plan and Beaver Dam at Sta. 86+00.

- California Department of Fish and Wildlife was contacted on March 26 re: possible Nutria sighting at the finger on Threemile Slough.
- CDFW proceeded to start a field investigation in the general area of the sighting on March 29 and expanded the investigation throughout the island the following week (April 3-7). After further investigation at approximate levee station 86+00, they believe a beaver was living in the local canals due to claw markings.

Juan Mercado asked if they worked with Joel to determine which ditches. Neil stated there has not been any work done by the District in the last month. He will coordinate any work with Joel for work going forward.

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

Martin Berber reported they will begin on the contract documents and specifications this month for routine maintenance repairs during the summer.

### **PROJECT FUNDING AGREEMENT SH 10-2.7 – (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:

SH-08-2.2

- They addressed DWR's comments on the Completion Report by letter dated March 19, 2021. Also, additional information was provided to DWR by email dated April 12, 2021. The retention should be released soon.

DWR PG&E Easement

- PG&E legal is still reviewing the right-of-entry agreement which was provided to them on February 10.
- We have been working with DWR's surveyor on revisions to the PG&E easement deed and exhibits.

Caltrans Encroachment Permit

- By email dated March 19, 2021, Caltrans notified us that our application will no longer be processed by the Encroachment Permits Office. Instead, our application is being processed by the Project Management Office. This is due to the Project having an existing Cooperative Agreement. As a reminder, Caltrans

provided \$285,000 towards the relocation of utilities through the form of a Cooperative Agreement in 2014.

- Before Caltrans can issue us the Encroachment Permit, an amendment to the Cooperative Agreement must be issued to include design review and construction inspection.
- Martin said that the job should be complete in 2 months, but we need the easement or right of way in place in order to begin. Martin added this is also dependent on the fire season, if it is a busy fire season, it could affect the time.

**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.**

There are no updates at this time.

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

There is no update at this time.

**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 work is ongoing on the Initial Study/Mitigated Negative Declaration.

We received comments from DWR on the Draft Scope of Work by letter dated March 16, 2021.

- The biggest comments are regarding the reduction of waterside habitat created through the project compared to the Full Application. This is due to:
  - Encroachment on S. Case’s property, i.e. residence on the landside
  - High pressure gas pipeline crossing at Sta. 197+50.
- The remainder of the comments are relatively minor, and include:
  - Addressing changes to the levee prism design from the Full Application,
  - Clarification to show Base Flood Elevation relative to the levee crest,
  - Clarification on the waterside slope proposed design, and
  - More detail describing environmental impact avoidance.

**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 reported work is ongoing on the final draft of the Five-Year Plan.

**SUPERINTENDENT REPORT**

Joel McElroy reported the goats are working on the levee and headed toward Icanberry’s property. A PG&E inspector was out to watch them clean around their easements, there were tules stuck in the pipes. They were unable to clean it out. Carter has raised his rates to \$100 per an hour (operator and machine). Joel stated the amount is cheaper than others. The fence was run into at Monzo’s. Joel stated we have not received a bill on pump 5, he will contact PG&E. He looked at a couple of new trucks. Ford is \$46,227.94 and Chevrolet \$43,943.02. Joel stated the Chevrolet has a better service body. He said it is difficult to find a truck with a utility box. Estimated trade in sight unseen from Chevrolet is \$6,224. Ford stated they want to see the truck before giving a trade-in amount. Juan asked if that is with taxes.? Joel said yes, those are the out the door prices. He stated he thinks that Chevrolet gave a high value; but believes that we will only get about \$4,000 for the truck. Joel stated he liked the Chevrolet better. It is in stock and costs less. He said it is all that they need. The quote from Ford is good through the end of this month. The Chevrolet is

a new bid. Jesse asked if we would like to place this on the agenda for next month aside from the superintendent report. Juan stated yes. Morgan stated that he has had both trucks and that the Knapheide box on the Chevrolet is a better product. He thinks it is a good deal. All board members agree, Joel will take the District truck to confirm the trade-in value. Joel stated he is taking off around May 12 until the 1<sup>st</sup> of June. He stated coverage will be managed. Juan asked about the fence on Manzo. Joel stated it is the fence that was put up to protect the fish release site. Joel will call Juan when he has more information.

**There being no further business to come before the Board, the public meeting was adjourned at 10:21 A.M.**

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**The presiding Trustee of the April 16, 2021, meeting hereby certifies that the above minutes were approved as read.**