

MINUTES OF REGULAR MEETING

Reclamation District No. 341
Sherman Island

9:00 a.m.
Tuesday, September 14, 2021

306 Second Street
Isleton, California

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. Executive Order N-08-21 authorizes local legislative bodies to hold public meetings via teleconference and to make public meetings accessible telephonically or otherwise electronically to all members of the public until September 30, 2021. 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, 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 9:02 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: Bob Wagner and Martin Berber; DWR: Molly Ferrell and Bryan Brock (arrived at 9:07 AM); District Superintendent: Joel McElroy (arrived at 9:20 AM); Landowner(s): Ceci Giacoma.

PUBLIC COMMENTS

Jesse Barton reported this meeting is the last meeting that the District board members will be able to call in for a conference call without complying with certain notice, quorum, and agenda item requirements. Due to the pandemic, these Brown Act requirements were lifted temporarily. They go back into effect on October 1. Jesse inquired if the board would like to continue with offering the conference line to the residents or non-board member attendees. Juan stated that keeping this conference call number open, allows more people to attend the meeting if they cannot physically come into the office.

ISLAND SECURITY

Ceci Giacoma reported it has been quiet on the Island. There have been a few incidences of people on the levee. Martin inquired if there was always a fishing sign on West Sherman Island Road coming off HWY 160. Ceci said she does not remember seeing the sign. Martin said it is an official sign heading towards the County Park. Martin will look into the signage. Ceci stated she is going to try to get the CHP to attend the next Sherman Island Resident Meeting.

ACCOUNTS PAYABLE AND RECEIVABLE

The Board reviewed the accounts payable for September 14, 2021. Transfer of \$1,040,000 from the general fund is required to cover current month cash disbursements pending approval of \$1,011,924.62 plus 09/20/21 and 10/05/21 payroll checks and related liabilities. Financial statements reflect an ending balance of \$36,531.24 after the before mentioned transactions are approved.

Notes:

- 8/11 Central Valley Waste Services payment of \$174.08 was paid with check 10261 due to timing of due date.
- 8/17 Gallery & Barton payment of \$3,498.41 was paid to replace for check 10204, lost in mail.
- 8/17 Visa-Joel payment of \$2,363.50 (Arlo Tech., Dolk Tractor-maintenance Kubota, AC camp, Fairfield Safe and Lock-PG&E keys) was paid with check 10263 due to timing of due date.
- 9/02 deposit \$5,667.26 Assessment Call 25 payments.
- 9/08 PERS payment of \$2,929.27 was paid via EFT due to timing of due date.
- 9/14/21 Payroll check to Morgan Johnson: Gross \$350, Net \$319.02.

General Fund:

Balance in general fund account \$938,106.85

Notes:

- 8/19 deposit of \$12,221.70 Assessment Call No. 25 payments.
- 8/23 deposit of \$541,644.20 Assessment Call No. 25 payments (DWR Property Management \$538,402.68).
- 8/26 Returned check of \$314 Ken Canedo (Assessment Call No. 25 payment), balance due \$180
- 9/08 deposit of \$5,054.04 Assessment Call No. 25 payments.
- 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

Juan inquired about the three PG&E accounts; Perla said one is for Birds Landing and another one is for the tower. Perla reported 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 September 14, 2021, accounts payable, receivables and transfers. This passed 3-0.

ASSESSMENT #25

Perla reported ongoing assessment receipts. She stated PG&E had questions regarding their assessment as they were questioning the number of invoices that were sent to them. Perla provided them with the documentation that she sent in 2020. Landowner Betz has requested an installment payment plan – they paid \$2,000 and have an outstanding balance. They are reluctant to commit to an exact monthly payment amount. They requested a waiver of interest and penalty. The Board

agreed to allow a payment plan with the balance paid by the end of the fiscal year 06/30/2022 waiving interest and penalties.

APPROVAL OF MINUTES

The Board reviewed minutes of the regular meeting of August 10, 2021. It was MSP (Juan Morgan/Juan Mercado) to approve the regular meeting minutes of August 10, 2021, as read. This passed 3-0.

DISTRICT CREDIT CARD

Perla stated that the District credit cards that are used by Joel and Brad's are linked to their personal Social Security numbers. Perla stated that District credit cards with their liability should be associated with the District. Perla stated that Cal-Card through US Bank has a credit card that will service the District's needs. Perla started the process but needs District approval to apply for the card. Juan inquired about the limits. Perla stated that the District is asking for a \$50,000 credit limit, however, the District would limit each card to \$10,000. The only time the card is used for that high dollar amount is if there is a repair on equipment. Juan inquired if it would be best if we used a debit account. Perla stated there is more protection under the credit card program as the debit card is associated with the checking account. It was MSP (Morgan Johnson/Juan Mercado) to acquire a credit card in the District's name. This passed 3-0.

DISTRICT WEBSITE

Cindy Hill was unable to attend the meeting. Nothing to report at this time.

DISTRICT STAFF

Juan Mercado led the discussion regarding hiring an additional staff person to manage the habitat areas. This would be a shared employee with Twitchell. Bryan Brock, Molly Ferrell, Joel McElroy, and Juan interviewed a candidate – Timothy Nicks. They offered him the position; the District will perform a background check on him. Bryan stated he has equipment operator experience and is mechanical with plumbing experience. Possible start date would be mid-October. There will be a 6 months' probation period. He will start at \$21 per hour and after 6 months his wage would raise to \$23.00 per hour. All subsequent raises and benefits will be consistent the employee handbook. This position will be fully funded by DWR. He will report to Joel. Joel will maintain the scheduling of his work. Molly Ferrell added that he will be a great addition to the staff and will also help the RCD in a maintenance perspective. It was MSP (Juan Mercado/Morgan Johnson) to hire Timothy Nicks for the new District position pending the outcome of the background check. This passed 3-0.

CALIFORNIA DROUGHT

Juan stated that he requested this item to be a standalone item on the agenda due to the current drought situation in California. Bob reiterated it has been dry in California and he provided some background on the watersheds based on the CDEC. He stated that the unimpaired runoff of the Feather River at Oroville, through August 2021, has been 32% of the 50-year average flow; similarly, below average runoff conditions for the water year are reported at all other station's tributary to the Delta. The Colorado river (inflow to Lake Powell) is 30% of the 50-year average. Climate Prediction Center, (NOAA), indicates a 50-55% chance of below average precipitation, through April 2022. The current low season runoff in the Delta watershed for last

year is consistent with below average runoff seen throughout California and Western US during the past 20 years. Bob stated he is taking hydrographs and layering them to see the history to determine how they will manage the water situation. Bob said the predictions for the next 6 months reflect that it will be dryer than average. Juan asked if it is going to be dryer if the District should keep the island wetter by pumping less. Joel stated this would depend on the weather – he said that during the summer it may be a good idea to reduce pumping, but not in the winter. Juan said that the farmers on the Island may not be farming much as their yield has been low. Morgan asked about the water quality as there is concern that we would have more salts. He asked about the habitat that we are trying to develop. Molly stated that Parcel 11 has more salinity. Molly stated there has been some studies on the samples of the ground. Morgan said when salt gets into the soil – we should keep it wet. Ceci stated since they have owed their property, the ground has sunk by 2 feet around her well. Bryan explained the saltwater content in relation to the carbon in soil. Juan asked Bryan if they are changing what they are planting due to the salinity of the dirt; Bryan said he prefers to use fresh water when planting, but that is not an option at this time. Juan asked if they are planting plants that will do better with salt water. Bryan stated that they are not changing what they are planting due to the drought. They are planning on filling the area in November. If there is too much salt, they will wait for fresh rains before filling the area. Morgan would like to know how much is being pumped. Bob will provide additional data at the next meeting.

BIRD'S LANDING PROJECT

Martin Berber reported on this project.

- DWR is expecting to issue the Encroachment Permit this week.
- The District will monitor inclinometers and control points before and after tower demolition. Additionally, the District will contract with Dutra for a standby barge. Costs will be recouped through the PG&E Reimbursement Agreement.

Juan asked about the contractor that PG&E is using. Bob Wagner said that he has reviewed Kleinfelder's reports. They bored near the area that the new tower is going up. Morgan said that the old tower will fall closer to the levee, and he wants to know if there are going to be boring where the tower is going to fall. Bob said there should be enough data at this point. Morgan said he saw that area sink 18 inches and he is concerned with the area that the old tower is going to fall and possibly compromising the stability of the levee. Morgan stated they need to be sure that the tower falls away from the levee; they currently have it falling parallel to the levee. Bryan said he spoke to them about having the tower fall away from the levee. They said that the area is too unstable as they will have to take out one of the posts. Bob said that it may twist if it doesn't fall on an axis and do more damage. Bryan said that they will have a demolition charge that will make it fall towards the area that they want it to fall. Bob said, if it falls off center, they will not have as much control. Bob said that we can advise PG&E that the Board is not happy with the plan. Rob said that they must be hiring experts for the demolition charge. Juan said it is difficult to demand too much from PG&E as they do not need an encroachment permit for this project. Bob said after seeing the Geotech reports – he thinks that the structure is dense, and the impact should be spread out over the area. Ceci asked what the worst-case scenario is if the levee is compromised. Bob said will have dump trucks and earth moving equipment on site – they will have a barge with rock. Bryan said there is a zone of ½ mile radius that no one can be near the area when it falls. Morgan would like boring samples where the tower is expected to fall.

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

Bob Wagner reported the work is ongoing. Demolition work for dock removal and the development has stopped at the Outrigger. We are assessing the site conditions relative to the District facilities. Repair of the drainage system that was uncovered for exploratory purposes will be finished before the rainy season. Jesse Barton will check if there is an expiration date on the encroachment permit. Bob said that they are concerned that the area will not be cleaned up and the \$5,000 deposit will not cover the cleanup. Jesse said that it is important that Raghu knows that he is responsible for the cleanup.

ENCROACHMENT PERMIT NO 2021-2 (PG&E TOWER 35/266 REMOVAL)

Martin Berber stated we have not received the deposit or executed encroachment permit. There are no other updates at this time. We will leave this on the agenda.

ENCROACHMENT PERMIT NO 2021-3 (ADGATE ADDITION)

Martin Berber reported he notified Steve Adgate of the \$5,000 deposit requirement by email dated July 21, 2021. There are no other updates.

SHERMAN ISLAND DRAINAGE PLAN

Martin Berber reported:

- Work is ongoing on the District wide drainage plan.
- Contacted Gill Labrie on 8/31 re: expected runoff volume from the Paradise Waterfront development, his team was planning to review previous assumptions and calculations.
- We developed a plan to repair the exposed drainpipe and embankment at Sta. 66+00, on the NE end of the Outrigger ditch.
- We estimate the repair to be 3 days of work.
- Met with Scott Schmitt with Asta construction on 9/8 to inspect the site, the estimate for the repair is \$21,613.00.

Martin clarified that the fix is replacing the pipe, drain rock, fabric, and fill – this was damaged during exploration. If there is money left over, they will dispose of the excavation material. This is Subventions eligible. It was MSP (Juan Mercado/Morgan Johnson) to improve the drainage system at as long as it is under \$25,000. This passed 3-0.

FLOOD SYSTEM REPAIR PROJECT AND EMERGENCY REPAIR

Martin Berber reported there are no updates at this time.

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:

- By email dated September 9, 2021, Maribel Velazquez informed us that the time extension request is being processed.
- Clearing and grubbing work has been completed:
 - Work began on August 16 and was largely completed on August 27.

- We have not received Asta's invoice yet, but it will be larger than their bid of \$243,213 due to additional off hauling as a result of a drainage ditch that had to be cleaned.
- During construction, we removed 0.08 ac (3,597 sf) of corn before Ryan Katsuki could harvest; all corn taken was within the PG&E easement.
- Ryan's estimated yield of corn per acre is 3 TN.
- Estimated value of corn \$220 – 230/TN
- Assuming we took approximately .3 TN of corn (.1 AC * 3 TN), @ \$230/TN, we estimate the value to be \$69
- Joel stated that the District should adopt the ditch.
- Utility Relocation
 - PG&E has run into issues with Caltrans on obtaining an Encroachment Permit for the section of powerline that crosses over Highway 160 by West Sherman Island Road. The takeoff pole by the fish release facility is going to require an additional anchor due the realignment of the crossing. The new anchor will be placed in the middle of the driveway around the facility.
 - PG&E had planned on starting relocation work before the end of the month; all pole locations have already been staked by their surveyors.

Bob Wagner reported he called the permitting person at Caltrans and explained that the highway is unsafe, and we need this area fixed. He thought after the phone call he made headway, but later found out that Caltrans contacted PG&E and said that their encroachment application was deficient. This time of the year it is difficult for PG&E as their staffing is dependent on the need to manage work due to fire season. Martin said that we are getting an extension; hopefully this will be resolved, and work can start next spring. Martin reminded Joel that the anchor will go in the middle of the driveway and said the K-rail will need to be removed when they begin construction.

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.

Molly Ferrell reported the work is moving forward. She is working on the completion report. The RCDs are dealing with Chabata and Bermuda grass. She inquired if they would like the sand piles to be seeded. Jesse Barton stated the agreement expires at the end of the year and wondered if the time frame that it will take to get the AD-360 will impact the project. Molly said that she doesn't think that there will be an issue.

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 the project is moving forward. He said they will be requesting an extension for time. Depending on weather, they will be able to continue working through October. They filed the annual report for the Storm Water permit. They are glad to have the new employee. Bryan said that there will be approximately 6 more weeks of extra work before the area is filled. Ceci said the gates into the project are open, so people are able to go into the area. She said the area behind Martucci's is open as well. Bryan will go out to the area and

check the gates – he will advise them that the gates need to be closed and locked at night and on the weekends. Bryan asked if the District would like him to set up a waterside tour. He said that he can set that up for the 16th or the 17th.

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:

- Emailed a draft Cost Share Agreement to Kamal Atwal with Sacramento County DOT on 9/3 to cover \$200,000 of expenses for the asphalt overlay and pavement striping.
- The County DOT is reviewing the agreement for approval by the Board.
- 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.

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 Carter has cleaned the #3 drainage canal and is now working on the new ditches near the habitat area. He will work on #4 next. Joel said it will take about a week and a half to complete. They installed a new pipe from the #3 drainage to the high canal. They hauled in fill. They knocked the spoils down in the bean pod field. District staff has been mowing. There is a new tenant at Denny's house. Joel explained to him that he needs to get a new permit to replace the fence. He said that he thinks there may be a language barrier – he provided the person with the District guidelines. Joel said that he ordered pipe – we need 100 feet at #5 and #3 needs to be done now – that is about 80 feet. Joel got a good price on it – it is not new pipe (Morgan said the pipe maybe considered a second). Joel said he put a new lock on the carousel at the old highway. When Jose opened it this morning – he said the lock just fell apart. They will check the video from the camera to see if they can see anything; he will put a new lock on the carousel.

Joel said that the District property that was recently sold is back on the market.

There being no further business to come before the Board, the public meeting was adjourned at 11:45 A.M.

The presiding Trustee of the September 14, 2021, meeting hereby certifies that the above minutes were approved as read.