

MINUTES OF REGULAR MEETING

Reclamation District No. 341
Sherman Island

9:00 a.m.
Tuesday, January 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 9:00 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: Mark Icanberry and Rob Black; District Attorney: Jesse Barton; Accountant: Perla Tzintzun-Garibay; Engineer: Martin Berber; District Manager: Morgan Johnson; District Superintendent: Joel McElroy; DWR: David Julian; Landowner(s): Jamie Renwick and Ceci Giacomia; District Secretary: Cindy Hill

PUBLIC COMMENTS

Jamie Renwick said there are homeless people setting up tents near pump 1. This is DWR property; the District does not have jurisdiction over this area. Joel confirmed they are situated behind the stockpile of material. Jesse Barton said that Steve Adgate sent an email to the District regarding a leak from District equipment (hydraulics) which left a spot on his driveway. Steve is asking for an encroachment permit to install a gate. He does not want the District to use his roads unless it is an emergency (however, he also said the gates can be used at any time) – Jesse confirmed to the Board that the District has rights to use the road. Martin said he will contact Steve and advise him to submit an application for an encroachment permit.

DISTRICT MANAGER'S REPORT

Morgan shared that District personnel have been inspecting the levees for leaks. He said they will begin spraying. Martin is in coordination with Asta on the beaver dam. Tim tried to stop some leaks – however, there is a lot of water going through the No. 3 drain. The welders repaired pipes for the pump discharge – the cost of the welding and lifting and holding the pipe is \$5,000. Morgan said the #4 discharge pipe sprung a leak – the pipe is \$85 a foot; the replacement of the pipe will be about \$68,000. Bob and Martin were on the #3 platform; later when the guys went out to check the pipes – the platform collapsed.

Morgan said the #3 platform is a higher priority as it is a safety issue. This will be discussed on agenda item #13.

APPROVAL OF MINUTES

The Board reviewed the minutes of the regular meeting of December 12, 2023. It was MSP (Mark Icanberry/Rob Black) to approve the regular meeting minutes of December 12, 2023, as corrected. Ceci Giacoma pointed out that the under the superintendent item – it reflects dental and not delta. This passed 2-0, 1 absent.

ACCOUNTS PAYABLE AND RECEIVABLE

Perla Tzintzun-Garibay reported the accounts payable for January 9, 2024. The transfer of \$110,000 from the general fund is required to cover the current months' cash disbursements pending approval of \$80,189.26. Financial statements reflect an ending balance of \$454,134.42 after the before mentioned transactions are approved.

Notes:

- 12/20/22 \$651.78 check to AT&T Mobility (Security cameras, District cell phones)
- 1/03/23 \$36,478.16 check to Rio Vista Ford (2019 RAM 1500 Truck)
- 1/06/23 EFT PERS payment of \$3,954.3
- 1/10/23 Payroll E-check to Mark Icanberry: Gross \$350, Net \$320.07

Balance in general fund account \$114,861.55

Martin asked about the balance in the general fund. Perla said we will be approximately \$150,000 in the red; she said we should receive subventions in April. Perla reported the District deposited the annual contributions to the employee pension plans. Perla sent the financials to the Board prior to the meeting for their review and Rob Black signed off on the invoices. Judy Ortega – the office janitor notified the District that her rate will be increasing to \$60 effective 02/01/2024 – she has not increased her rate since we started leasing this space. It was MSP (Rob Black/Mark Icanberry) to approve the January 9, 2024, accounts payable, transfers, and submitted invoices. This passed 2-0, 1 absent.

ASSESSMENT CALL NO 27

Perla reported there is \$5,005.06 outstanding for the assessment year 2023-2024 and an additional \$1,105.92 outstanding for 2022-2023. Jesse said he will verify if the landowners received their assessment notifications.

NEW ASSESSMENT PROP 218

Jesse Barton recommended tabling this until next month when we will have a full Board in attendance.

OUTRIGGER MARINA DAMAGE AND REMEDIATION

Jesse reported he sent a notice of violation to Raghu on December 15. He gave him 45 days to clean up the area. Jesse informed Raghu that if he does not clean up the area, the

District will perform the cleanup and bill it to him. The property is in pre-foreclosure. Jesse said if it is foreclosed upon the District may not be paid for any cleanup expenses, however if Raghu sells the property the District should be able to collect. Morgan said it looks like they removed a section of the dock (the cover). Martin reported they reached out to Sacramento County Environmental Management Department via email on 12/14/2023; they have not responded. He said they reached out to Alexandra Borack at the California State Lands Commission via email on 12/14/2023; there has not been a response from the States Land Commission. He said on December 21, 2023, they notified PG&E and the Sacramento County Sheriff of squatters stealing power from the grid. PG&E informed us that the account was past due, and service would be shut down soon. Ceci said that her next-door neighbor's family member has been living behind their property in a motorhome. They moved it down by the outrigger (he is an electrician) but now have moved it back to her neighbor's property. Morgan said we need to have a lot of eyes on the island. Jesse recommends discussing this next month to decide if the District wants to pay for the clean-up. Martin said the cleanup will be expensive; he estimates no less than \$50,000.

ENCROACHMENT PERMIT NO 2023-3 (ROSAS FENCE)

Martin reported there is no update at this time. He said he will schedule a site visit with Mr. Rosas and District staff.

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

Martin reported he met with Ancon and Caltrans on December 28, 2023, to go over plans for the cleanup and guardrail repair. He said that Caltrans requested that Ancon perform some soil sampling to determine the overall area of disturbance. The District is waiting on the \$25,000 deposit before executing the EP.

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

Martin reported PG&E has submitted an EP application for the removal of four towers within the District's levee easement; overall they are removing ten towers on Sherman Island. Martin said they are planning to perform this work by helicopter; they will remove the towers down to the foundation. He said they submitted their application fee and a \$25,000 deposit. David Julian said there is an impact in taking them down past the footing. Jesse asked him to find out why they are not removing the footings and share with them the District has concerns that by not removing the footings that this may affect the District by impairing our flood protection activities in the future.

PUMP NO 1 DISCHARGE PIPE REPLACEMENT

Martin reported welding of the 40-foot sections into 80-foot sections has been completed, however, we are not allowed to commence replacement work until the end of the flood window on April 15, 2024, unless we submit a time variance request with Central Valley Flood Protection Board. Martin said due to lack of District funds we can wait until spring to do this work. He is asking the District for directions. Morgan confirmed this work can wait until spring. Joel said if there is an emergency, we can patch the area. The Board advised Martin we will pause on the completion of this work until spring.

PUMP NO 3 REHABILITATION

Martin reported:

- Pump 3B Repair – Delta rental has ordered all pipes and parts for the repair. They are estimating the pump to be completed by February 5 and ready for installation subsequently. The bill for this will be approximately \$24,000. This invoice will be received in March.
- Repair/Replacement of Trash Rack - On January 4, 2023, the catwalk for the trash rack failed. As a result, the cost estimate for a new trash rack has been updated; Replacing the existing trash rack and catwalk is estimated at \$275,000. Martin said this is a safety issue and would like directions (photo of failed rack provided). To complete the whole pump station, it will be approximately \$1.5 million dollars. The District does not have funds for this work; completion will put the District in debt. He said the District would save about \$25,000 in mobilizing if we did this work all at the same time. The column repair will be done in February. Perla said that we will receive funds for Project Funding Agreement 23.1 – which could cover costs. David said he will try to get these funds distributed as soon as possible. Joel said that District staff uses this platform each day. Mark asked if our current staff could build it. Morgan said no, we do not have the capabilities of driving the piles. Rob Black asked if we would have funds to cover the trash rack (\$60,000) for the manufacturer. Perla confirmed we do. Martin said the lowest bid is \$60,000. Morgan said the area has been temporarily repaired for access. It was MSP (Rob Black/Mark Icanberry) to spend \$60,000 on manufacturing the trash rack. This passed 2-0, 1 absent.

MAYBERRY SLOUGH SETBACK LEVEE HABITAT

Martin reported at the last meeting, they informed the Board that DWR was rethinking the 10-foot vegetation buffer that was incorporated into the original project design. He said this came from Molly at DWR. David Julian said the 10-foot buffer was approved on a call, however there was not a site visit by CDFW or DWR. Molly went out to the site; she said the buffer may be too much and requested CDFW to go out and do another site visit. Molly advised the District to not do any maintenance work until there is a final decision on the buffer. Jesse said if the District does not receive a letter, we will send a letter to both DWR and CDFW of the District's intent to maintain the area in the same manner. Morgan said during this time, the weeds were always mowed and sometimes sprayed. Joel said the weeds are dead. He said that we have not encroached on any of their areas. Jesse said we should send the letter this week as it appears there is a disagreement between DWR and CDFW. Morgan said there is beaver activity in the area and these bushes are affecting our ability to monitor the beavers. He is concerned that the beavers are digging into the levee. Morgan said there is an issue with safety. David mentioned the method of maintenance - DWR would like a less intrusive method of reducing vegetation, as they used a mower that chopped the area. Jesse said he will include in the letter that DWR can maintain the area if they chose to; Martin will provide a map to Jesse.

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.

a. Clean-up of the Project area by Gornto Ditching

David Julian reported Gornto cleaned the area. Antonio Leal did most of the clean-up. There is junk on site; the SMFA will pay for the removal of the debris – this work will be done by Tim. Morgan said it might take more than one dumpster. Joel will order the dumpster. David said all staff time will be charged to SMFA.

b. Repair of perimeter berm leakage at Whale’s Mouth through the construction of a bentonite cutoff wall.

David Julian said this will be paid for by the SMFA. Martin said the pipe is on site. We will need a long reach to clear the area before we lay the pipe. Martin said it is tricky working over the gas lines. David said he is working on a new permit to have beaver hunters on site.

c. Repair of perimeter berm leakage at Whale’s Mouth through construction of a bentonite cutoff wall or the installation of a recirculation pump.

David said there is nothing to report at this time.

d. Moving a drainage ditch adjacent to the Sherman Island Cross Road, the repair or replacement of several risers within Whale’s Belly, the repair of several siphons, and the installation of new culverts in Pump 3 Canal. The Board will discuss the status of the Whale’s Mouth maintenance contract with Gornto Ditching. The Board will also receive an update on the riser that was incorrectly installed in the Pump 3 canal.

David said he spoke with Antonio and Antonio claims the license is in place. Jesse reported that in the State of California, if a contractor passes – there is a limited time period that a family can retain the license to complete the work. They will have to be bonded and insured. Gornto’s daughter Bianca is going through this process.

e. An operational plan that will coordinate wetland operations with District Operations.

Morgan Johnson requested a copy of the draft of the operation plan.

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

Martin Berber reported Neil is wrapping up the scope of work. This will be submitted this month. They are coordinating with the consulting biologists to provide site specific monitoring and a maintenance plan to accompany the SOW to meet all requirements from CDFW and DWR.

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

Jesse stated the agreement has been signed. Perla stated the invoice has been prepared, reviewed, and signed. It will be submitted to DWR for payment. Martin reported they are currently finalizing as-built drawings for the emergency repair work and will begin work on a Completion Report. Caltrans filled in the large asphalt cracks in the repair area, and they are continuing to monitor them as they settle.

ENGINEERS REPORT

Caltrans Coordination

- Martin provided photos and reported Caltrans was able to repair a down drain on the waterside of Station 892+50.

SUPERINTENDENT REPORT

Joel said there is nothing else to report at this time.

CLOSED SESSION

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

The Board tabled this item with no action taken. This will be discussed at the February meeting.

There being no further business to come before the Board, the public meeting was adjourned at 10:36 A.M.

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