

# MINUTES OF REGULAR MEETING

Reclamation District No. 341  
Sherman Island

9:00 a.m.  
Tuesday, August 9, 2022

306 Second Street  
Isleton, California

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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 9:01 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: Preston Good and Rob Black; District Attorney: Jesse Barton; Accountant: Perla Tzintzun-Garibay; Engineer: Martin Berber; District Superintendent: Joel McElroy; DWR: David Julian; Rio Vista Windsurf Association: Don Ross; Landowner(s): Ceci Giacoma; District Secretary: Cindy Hill

## **PUBLIC COMMENTS**

Don Ross asked who with the RD would a resident contact regarding the erosion at the County Park. Martin said the park is outside the RD. Don said he will contact County Park to address his concerns. Rob Black asked Wagner Bonsignore to go out and look at the area. Martin said he would go out. Jesse announced that Morgan Johnson resigned from his trustee position and would not be in attendance. Morgan's replacement will be discussed under the appropriate agenda item.

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

## **ISLAND SECURITY**

Ceci Giacoma reported the county evicted a woman that was living in her car on the east side. Jesse said the Sacramento County Board of Supervisors contacted him regarding an ordinance that can reduce the people that are living on the levee or any critical structures. He said he does not think that this will affect our District as much as other Districts and gave an example of an area that is highly affected. He said the American River Parkway and other regions are experiencing an increase in homeless encampments. Preston asked if there is a distinction between an arrest

and moving someone from the area. Jesse did not know. Joel said they have left abandoned trailers and trash at various areas within the District boundaries.

### **APPROVAL OF MINUTES**

The Board reviewed minutes of the regular meeting of July 12, 2022. It was MSP (Preston Good/Rob Black) to approve the meeting minutes of July 12, 2022, as written. This passed 2-0, 1 absent.

### **ACCOUNTS PAYABLE AND RECEIVABLE**

The Board reviewed the accounts payable for August 9, 2022. Transfer of \$430,000 from the general fund is required to cover current month cash disbursements pending approval of \$417,826.04 plus 08/20/22 and 09/05/22 payroll checks and related liabilities. Financial statements reflect an ending balance of \$35,091.06 after the before mentioned transactions are approved.

#### **Notes:**

- 7/19 AT&T payment of \$651.56 was paid with check 10544 for security cameras and cell phone
- 7/19 PG&E payment of \$226.49 was paid with check 10545
- 08/08 EFT PERS payment of \$3,640.16
- 08/09 Payroll check to Morgan Johnson: Gross \$350, Net \$319.37.

#### **General Fund:**

Balance in general fund account \$60,914.

Delta Rentals should be classified under DWR Trust. Perla Tzintzun-Garibay said this invoice is for the berry removal from a ditch line. Perla asked about Tim Nix milage reimbursement. She said she noticed on the fuel log that he filled up the vehicle with fuel plus he turns in his mileage. We pay \$0.625 per mile which should cover all costs including gas. Perla said she spoke with Bryan Brock, and they believe he may have filled his tank plus submitted mileage which is double dipping. Perla recommended Tim stick with submitting the mileage and not use the District gas. The Board will not agree to pay the mileage in July as he gassed up several times. Effective August he should only submit his mileage. The District has exceeded the amount in the advance account on Project Funding Agreement 10-2. Perla said she will hold the Asta invoice – she said that she would like to speak to this under the agenda item. 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 August 9, 2022, accounts payable, receivables, transfers, and letter to the bank to close out 10-2. This passed 2-0, 1 absent.

### **ANNUAL INDEPENDENT AUDIT**

Perla presented the engagement letter from Croce, Sanguinetti & Vander Veen CPA to perform the annual independent audit and special district financial report for year ending June 30, 2022. She recommends approval with a 3-4% fee increase. It was MSP (Preston Good/Rob Black) to approve the engagement letter. This passed 2-0, 1 absent

### **BOARD TO CONSIDER AND POSSIBLY APPROVE SEEKING A LINE OF CREDIT AT FARMERS & MERCHANTS BANK TO ADDRESS SHORT TERM FUNDING NEEDS.**

Perla asked to move this agenda item to be discussed in conjunction with Agenda item 18 – Project Funding Agreement SH 10-2.9

**ASSESSMENT #26**

Perla reported assessments are coming in slowly. She said she received notification that DWR received and approved their payment.

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

There is no update at this time. DWR is working with the tenants. Joel reported repairs need to be done on a discharge pipe. He said this will be addressed this week.

**BOARD TO DISCUSS THE RESIGNATION FROM THE BOARD AND ADVERTISE THE VACANCY**

Jesse Barton reported Morgan Johnson has submitted his resignation from the Board. Jesse stated the District will need to advertise the vacancy. Jesse will prepare the notification and have the position posted.

**BOARD TO DISCUSS AND POSSIBLY APPROVE ITS ANNUAL CEQA EXEMPTION FOR ROUTINE LEVEE MAINTENANCE**

Jesse Barton presented the Annual CEQA Exemption for Routine Levee Maintenance. He stated this is typically brought to the Board annually. It was MSP (Preston Good/Rob Black) to approve the Annual CEQA Exemption for routine levee maintenance. This passed 2-0, 1 absent.

**BOARD TO REVIEW AND POSSIBLY RENEW THE DISTRICTS INSURANCE POLICY**

Jesse Barton reported that he and Perla annually review the District's insurance policy. He said there is a substantial increase of \$5,000 with reduced benefits. Preston Good commented that the insurance has increased by 50% over the last 5 years. Jesse stated that it takes time to find a new carrier and obtain bids. He recommends that the District continue with the current carrier and continue to look for other options. It was MSP (Preston Good/Rob Black) to approve the current insurance policy with the possibility of obtaining coverage with another carrier at a lower price. This passed 2-0, 1 absent.

**BOARD TO DISCUSS THE POSSIBLE HIRING OF GENERAL MANAGER**

Jesse Barton reported there are no updates at this time.

**ENCROACHMENT PERMIT NO 2022-1 - MAYBERRY SLOUGH SPANS (PG&E MAYBERRY SLOUGH SPANS)**

Martin Berber reported the standard EP was sent to PG&E on July 11. After review, PG&E had a few comments on the EP related to time of completion since the work has already been completed. Jesse Barton reviewed the EP and updated the document accordingly. They sent the updated EP to PG&E on July 15 and by email dated July 20, 2022, we received the partially executed EP from PG&E. At this time, we recommend the Board to fully execute the EP to have on file. It was MSP (Preston Good/Rob Black) to approve the amended encroachment permit. This passed 2-0, 1 absent.

**SACRAMENTO RIVER ARUNDO REMOVAL AND RIPRAP PLACEMENT**

Joel McElroy reported the work is done. He sprayed 3 spots, but it is too windy to spray. He said he will use the District mower to remove the growth and spray when it is less windy.

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

Martin Berber reported ongoing work is being performed on the Completion Report and Project closeout; all work will be done by the September 2022 meeting. He said that August invoice will be the last submission and the District will be able to return the unspent funds. He said that all advanced funds must be returned to DWR 30 days prior to the expiration of the Project Agreement.

### **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 reported all earthwork is complete and Asta has demobilized from the Project site. Prior to demobilization, Asta replaced 5 crossings with 24-inch HDPE at the Sta. 892+00 irrigation/drainage ditch; the old crossings were impeding seepage from reaching the Pump 1 drainage canal. The District adopted the ditches. Hydroseeding of the Project area will be conducted on Monday, August 15. New chain link fencing will be installed at Martin Zaragoza's property once materials arrive in a couple of weeks. By email dated August 3, 2022, DWR informed us that they are moving forward with an Amendment to the PFA to grant the additional funds. We are continuing discussions with Caltrans on the Highway cracking within the Project area. Their geotechnical engineer wants to meet onsite to inspect the cracking. Perla said that we are not currently able to cover the costs due to the pending amendment and subsequent advance request due to timing. She said we are unable to pay the contractors which need to be paid within 30 days of completion of work. Perla said the District has a few options. She said we could pay a large partial payment and once the assessments come in, we can pay the remainder. Or we could wait and pay the full amount when we receive all the assessments. Jesse recommended we contact Asta and communicate the issue and ask them for additional time. Perla said there will be additional costs next month. Perla said she spoke with F&M regarding a line of credit. The interest rate is prime + 1. This is a special rate for Districts. During the discussion, Martin messaged the Project Manager at Asta. They agreed to accept the partial payment. There will be no action of the line of credit. This will remain on the agenda for September. Rob Black asked how much of the assessments have been received. Perla said approximately \$5,000. It was MSP (Preston Good/Robert Black) to approve a transfer of \$687,000 and make a partial payment to Asta. This passed 2-0, 1 absent.

### **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.**

David Julian reported rock was placed on Whales Belly. Bryan has completed the survey. David said he looked at the fish screen at the Whales Mouth as vegetation is getting caught. He contacted Intake Screens and is waiting on a response. He said the ponds are drying out. He found a habitat plan where the recommendation is to draw down the pond. He said they will use this time for maintenance. Tim Nix will be working on Twitchell. Joel McElroy asked if they are considering

getting Tim a truck instead of using his own vehicle. David will check with Bryan and report back. Tim needs to be advised that if he gets a vehicle, he will not be able to submit mileage.

**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 they are currently finalizing the Initial Study/Mitigated Negative Declaration. NorthStar Engineering will be calculating and staking the property lines within the Project area starting today. PG&E needs the property lines staked to complete the redesign of the powerline alignment. Joel McElroy said there was a NorthStar truck by the Zaragoza property.

**ENGINEERS REPORT**

Martin Berber reported they are waiting on a response from Caltrans on whether their surveyors can stake their right-of-way at Upham's parcel; our plan is to place concrete blocks just outside Caltrans right-of-way to prevent further dumping. He said they presented the drainage plan; there should be adequate funding to complete this. Total engineering expenses to date \$10,389.36. He will send the plans electronically to Rob Black and David Julian.

**SUPERINTENDENT REPORT**

Joel McElroy reported they have been mowing and spraying around the discharge pipe that should be replaced for DWR. He said they got the tractor back. Joel asked about mail delivery. He wants to know if there is anything that can be done get the mail delivered to the marina. Jesse recommended that Joel talk to Bob Vallier and possibly to the Rio Vista Postmaster. We may need to be a part of the next years contract. Jesse told Joel if Bob Vallier has any information on this, he should contact Jesse. There are no changes on Brad's recovery; he continues with his rehabilitation program.

Preston said he cannot attend the September meeting. It was decided to move the meeting to September 22<sup>nd</sup>.

**There being no further business to come before the Board, the public meeting was adjourned at 10:23 A.M.**

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**The presiding Trustee of the August 9, 2022, meeting hereby certifies that the above minutes were approved as read.**