

MINUTES OF REGULAR MEETING OF BOARD OF TRUSTEES
FOR RECLAMATION DISTRICT 1614
HELD MONDAY, JANUARY 7, 2019

The January Regular Meeting of the Board of Trustees of Reclamation District 1614 was held on Monday, January 7, 2019, at the law office of Neumiller & Beardslee, 509 W. Weber Avenue, 5th Floor, Stockton, California, at the hour of 2:00 p.m.

TRUSTEES PRESENT WERE:

KEVIN KAUFFMAN
BEN KOCH
CHRISTIAN GAINES

OTHERS PRESENT WERE:

DANIEL J. SCHROEDER
ANDY J. PINASCO
CHRISTOPHER H. NEUDECK
RHONDA L. OLMO
ORLANDO LOBOSCO

ABSENT WAS:

NONE

A list of individuals in attendance is outlined in the meeting sign-in sheet, which is attached to these minutes.

Item 1. Call to Order/Roll Call. President Kauffman called the meeting to order at 2:07 p.m. Trustee Gaines arrived at 2:12 p.m.

Item 2. Public Comment. *The public may comment on any matter within the District's jurisdiction that is not on the agenda. Matters on the agenda may be commented on by the public when the matter is taken up. All comments are limited to 5 minutes for general public comment and per agenda item in accordance with Resolution 2014-06.*

Mr. Dominick Gulli said he submitted a proposal, a couple of years ago, to construct the Wisconsin Pump Station. He indicated at that time there was an issue of installing HDPE pipe through the project levee. Upon his recent research with the Central Valley Flood Protection Board, he found that high-density pipe might be an option. He asked that the Board review his findings. President Kauffman tasked Mr. Neudeck with the review.

Mr. Dominick Gulli asked if he could review the District's bills. Attorney Schroeder instructed him to submit a Public Records Request.

Item 3. Election of Officers.

- a. **President.**
- b. **Vice-President.**
- c. **Choose Secretary.**

President Kauffman stated nominations need to be made for the above positions. Regarding the Secretary position, Attorney Schroeder said that position comes from the original Bylaws adopted in the early twentieth century. Attorney Schroeder said the language that was used "choose secretary" was not directed at the Trustees. For "choose secretary", Attorney Schroeder recommended the Board continue to use Rhonda Olmo. Mr. Gacer stated he feels the Bylaws should be corrected and would like a committee formed to review them. Attorney Schroeder said

the only uncertainty in the original Bylaws is the strange language that was used in “choose secretary” and recommended no change be made. He said anything the Bylaws may need addressed could be handled by way of resolution. He recommended the next District newsletter reference the Bylaws are posted on the District’s website. He also wants the article noted that the public is welcome to review the Bylaws and may comment as to any potential issues and/or proposed changes they may have.

Nominations were heard. Trustee Koch nominated Kevin Kauffman (President), Christian Gaines (Vice-President), and Rhonda Olmo (Secretary).

No other nominations were heard. After discussion,

It was moved, seconded (B. Koch/C. Gaines) and unanimously carried by the Board of Trustees of Reclamation District 1614 that Kevin Kauffman was elected President, Christian Gaines was elected Vice-President, and Rhonda Olmo was elected Secretary for Reclamation District 1614.

Item 4. Approval of Minutes of the regular meeting of December 10, 2018. After review,

It was moved, seconded (B. Koch/K. Kauffman) and unanimously carried by the Board of Trustees of Reclamation District 1614 that the Minutes of the regular meeting of December 10, 2018 be approved as read.

Item 5. Presentation of Financial Status Report. Discussion and possible action. District Secretary, Rhonda Olmo, handed out the Financial Report. She stated the District is halfway through their Fiscal Year. Mrs. Olmo mentioned the District is in the process of being audited by State Fund. She reviewed the financial report, bills, noted the year-to-date election expenses, and assessments that were received. Mr. Neudeck directed Mrs. Olmo to move the \$121,244.86 (Dino & Sons) entry that is booked under R1 to be reallocated to R1C. The change will be reflected on the next Financial Report. President Kauffman directed Mr. Lobosco to review PG&E’s usage history. Questions were heard and addressed.

After review,

It was moved, seconded (B. Koch/C. Gaines) and unanimously carried by the Board of Trustees of Reclamation District 1614 that the Financial Report be approved as presented noting the change that will be made next month with the R1 and R1C booking entry.

Item 6. Presentation of Engineer’s Report. Discussion and possible action:

- a. Wisconsin Pump Station Project update. – See below
- b. Smith Canal Closure Structure update. – See below
- c. Report on Emergency Repairs Pursuant to Resolution 2018-12 and 2018-13. – See below

Excerpts from the Engineer's Report:

I. AB 360 DELTA LEVEE SUBVENTIONS PROGRAM

A. Review the Emergency Repairs to levee slopes at 2004 and 2016 Canal Drive. The scope of work entailed extensive slope repairs and rehabilitation including placement of a rock core to prevent future burrowing of beavers into the lots. Initial repair scope took the work to a point where it appeared it may be safe to conclude but upon further consideration, it was decided that we continue the emergency repairs given the unstable nature of the site. The beaver activity to the west may have affected portions of the remaining un-rocked slope to the east and we simply are not seeing the damage because it is beneath the surface. Furthermore, since we reinforced and placed rock slope protection on the area most visibly damaged to the west, the chances are the beavers will return to their old dens to find that they have been displaced and they are going to move to the nearest unprotected slope to re-burrow. These two lots were particularly riddled with beaver dense and vent holes and it was important that we stabilized the site and protected it from further erosion. Upon completion of 2004 Canal Drive it was discovered that there was another significant beaver den leading into the neighboring parcel @ 1990 Canal Drive as well back up into 2004 Canal Drive thus supporting our decision to continue our reinforcement of this levee to this point rather than stop further to the west. (*Exhibit A: Contract Summary and Exhibit B: KSN Inc summary of Project Photographs included in Engineers Report.*)

Mr. Neudeck reported these projects are uncertain when you open up the levee slopes as to what you may encounter. Historically he has been relatively fortunate that most of the conditions, as to the beavers and their dens, have been isolated to one lot. In this situation, the condition clearly expanded into a second lot. Mr. Neudeck reviewed exhibit B that is representative of the conditions that existed during the course of the construction. He also reviewed exhibit A (Summary of Contract and Change Orders & Estimated Fee for the Beaver Den Repairs.) The cost of the repairs came in at \$121,244.86, which did not extend the entire contract out to its estimated amount of \$135,000.00. Mr. Neudeck is investigating the possibility of getting one more lot in during this budget period. He mentioned he has good cooperation from landowners, and has obtained three easements out of this. He said there may be some mitigation requirements and he has been conversing with the CA Department of Fish and Wildlife.

Attorney Schroeder remarked how this identified problem is a perfect example of how the District's Emergency System works. Further discussion and questions were heard and addressed.

II. WISCONSIN PUMP STATION NO. 7

A. Review status of alternative repair design for Wisconsin Pump Station. (*Exhibit C: Email Memorandum from KSN Inc dated January 3, 2019 included in Engineer's Report.*)

Mr. Neudeck expressed frustration that the permit was being held up with the County. He tried unsuccessfully to contact Mr. Brandon Nakagawa, who is in charge of the reviewer of the application. He also attempted several times to contact Mr. Nader Shareghi. Mr. Shareghi just got back with Mr. Neudeck right before this meeting and stated he just completed his review. Mr. Shareghi had one minor comment about the hydrologic nature of the flow into the Calaveras stating any increase would create an impact to the water service elevation. Mr. Neudeck said he

measured that and gave him the model and Mr. Shareghi was satisfied. Mr. Neudeck said he will have due consideration of the HTPe beforehand; and if necessary, he will put that in as an alternative for consideration.

At this point Mr. Neudeck stated he had a specific item, since he was currently discussing pump stations, which he wanted to address with the Board:

Last night, Mr. Neudeck received a phone call from Mr. Lobosco around 10:00 p.m. stating there was a full power outage west of I5, and six pumping plants were down. Mr. Lobosco said he was maxed out and the lowest street by Wisconsin was under water. Mr. Lobosco said he called Holt's primary contact and was informed he was on vacation. Mr. Lobosco unsuccessfully also attempted reaching Holt's secondary emergency contact. Mr. Neudeck said this situation was completely unacceptable. Mr. Lobosco said Dave Carr at KSN also put in a call to his contact at Holt and was unsuccessful. At that point, Mr. Lobosco evaluated the weather forecast, made the decision to cancel trying to get any pumps out, and focused on the power issue with PG&E. Mr. Lobosco said power was finally restored around 4:20 a.m. He said once power was restored it only took about 25 minutes to clear the high-level alarm.

Mr. Lobosco said Colin Turk (his primary contact at Holt) finally returned his call this morning. Mr. Lobosco expressed his frustration with Mr. Turk about not being able to reach anyone at Holt. Mr. Lobosco stated he felt Mr. Turk took the conversation seriously and understood this could not happen again. He also mentioned to Mr. Turk that the District is considering going out to competitive bid. Mr. Turk stated he would look into this issue immediately and would call Mr. Lobosco back. Mr. Lobosco is still waiting for a call back and will call him again after this meeting concludes.

After discussion, the Board directed Attorney Schroeder to send a letter to Holt regarding their non-performance issue.

III. SMITH CANAL GATE STRUCTURE PROJECT – SAN JOAQUIN FLOOD CONTROL AGENCY (SJAFCA)

A. Update on Smith Canal gate closure project (*Exhibit D: File Memorandum dated December 20, 2018 from SJAFCA– included in Engineer's Packet.*)

Mr. Neudeck stated he, President Kauffman, and Attorney Schroeder attended the SJAFCA Informational Briefing (Leadership of Reclamation Districts) Meeting held this morning. It was SJAFCA's kickoff of the Lower San Joaquin River Feasibility Project, and outset of prioritization of funds and projects. He provided and reviewed the copy of the handout that was given. He said overall, there are many questions that are yet to be answered. This is the first time this region has ever seen federal monies from the standpoint of federal participation in any of the flood control systems. He also stated there is some question as to the ultimate project purpose in the sense of "What are they attempting to accomplish?" Are they attempting to accomplish 150/200/400 year protection? That, along with other issues, have not yet been established. Mr. Chris Elias said the meeting was an opportunity to bring together selected individuals of the Reclamation Districts, as they have been partners with SJAFCA to fund the study. Mr. Elias said now that the study is done and SJAFCA has their schedule that the meeting was to provide everyone with an update,

share information, and get some guidance on future steps. Mr. Elias said the meeting went very well and he received a lot of advice, questions, and feedback. President Kauffman said the meeting seemed to be well received by all the reclamation district representatives that attended. Further discussion was held.

Mr. Elias provided an update on the Smith Canal Gate Project. As far as the Design, he said some of the last minute information received is now being addressed to get to 100% final. For Environmental, he said most of the permits that have been applied for are in process. In respect to the ROW, he said the Stockton Golf and Country Club received their offer packet and they in turn asked SJAFCA to do an overlay of the construction path taken so the impact could be assessed. He said SJAFCA is working with the City to identify the areas that will need the ROW. Mr. Elias also provided an update on the recent progress of their legal cases. A copy of the update of the Smith Canal Project can be found in the Engineer's packet. Further discussion was held and questions, comments were heard and addressed.

Item 7. Presentation of Superintendent's Report; request for direction. Mr. Lobosco handed out his Superintendent Report, and stated most of his report was covered already (beaver issue). He reported that he had an issue at Lake Court. He said the float had to be replaced due to a leak. Mr. Neudeck said that bubblers were in place at the other stations and River Walk was the only one that does not have the main disconnect. Mr. Neudeck suggested Mr. Lobosco price that for the Board's consideration for this year's cycle for capital improvements. Mr. Lobosco also spoke to the vandalism issue he has been having with the homeless at River and Smith Canal. He had All State Fence come out and had them reformatify.

Mr. Gacer addressed the Board with questions regarding the Operational Manual. He said the manual refers to a "boat team." He asked that the manual be clarified to say the team is the "District's Superintendent and a hired person to man the boat." Attorney Schroeder took this as a Public Information Request and will respond accordingly.

Item 8. Report on Meetings Attended. Discussed above.

Item 9. New Meeting Location. Effective February 2019, all District meetings will now be held at 3121 W. March Lane, Suite 100, Stockton, CA.

Item 10. District Calendar. The next District meeting will be held on February 11, 2019.

Item 11. Items for Future Meetings. Newsletter.

Item 12. Correspondence. None,

Item 13. Motion to Approve Bills.

It was moved, seconded (B. Koch/C. Gaines), and unanimously carried by the Board of Trustees for Reclamation District 1614 that the Trustees authorize/approve the Bills to be paid for December 2018.

Item 12. Adjournment. The meeting was adjourned at 3:59 p.m.

Secretary: The agenda for this meeting was posted at 509 W. Weber Avenue, Stockton California at least 72 hours preceding the meeting.

Respectfully submitted,



Rhonda L. Olmo
District Secretary

RECLAMATION DISTRICT NO. 1614

Meeting Sign-In Sheet

Monday, January 7, 2019

SIGNING OF THIS SHEET IS VOLUNTARY AND IS NOT REQUIRED TO ATTEND THIS MEETING.
THIS SIGN IN SHEET WILL BE ATTACHED TO THE MINUTES OF THE BOARD MEETING

	First Name	Last Name
1	<i>Pichaw</i>	<i>Pacu</i>
2	<i>CHRIS ELIAS</i>	<i>ELIAS-</i>
3	<i>Don Gully</i>	
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