

MINUTES OF SPECIAL MEETING OF BOARD OF TRUSTEES  
FOR RECLAMATION DISTRICT 1614  
HELD MONDAY, JANUARY 11, 2021

The January Special Meeting of the Board of Trustees of Reclamation District 1614 was held on Monday, January 11, 2021, telephonically, at the hour of 2:00 p.m.

Roll Call of Board Members and Staff:

President Kevin Kauffman, Trustee Christian Gaines, Trustee Dominick Gulli, Attorney Daniel Schroeder, Attorney Andy Pinasco, Engineer Chris Neudeck, Superintendent Abel Palacio, Secretary Rhonda Olmo

Absent were: None

*A list of individuals in attendance is outlined in the meeting sign-in sheet, which is attached to these minutes. – No attendance sheet attached – meeting was held telephonically.*

**Item 1. Call to Order/Roll Call.** President Kauffman called the meeting to order at 2:01 p.m. Roll call was taken.

**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. Paul Guerrero stated he hopes the Board will pursue a Writ of Mandate against the Board of Supervisors on behalf of Mr. Gulli.

**Item 3. Appointment of Trustee. Discussion and possible action to fill vacancy on the Board of Trustees by appointment.**

Attorney Dan Schroeder stated at the last Board meeting there had not been an appointment made in accordance with the Water Code by the San Joaquin County Board of Supervisors. At that point, Trustee Koch who was remaining in his position by operation of law chose to resign creating a Board vacancy. Immediately following, the Board held a Special Meeting and directed Legal Counsel to provide Notice that at today's meeting the Board would be appointing somebody to fill in the remainder of Trustee Koch's term, which will end once the Board of Supervisors have fulfilled their statutory obligations and appoint Mr. Gulli to the position of Trustee. The Board of Supervisors has responded to the Demand letter Legal Counsel sent and stated they will be putting on the agenda for their January 26, 2021 meeting the appointment of Mr. Gulli.

Discussion was held with the Board members as to who they would like to appoint to the position of Trustee. Mr. Gulli will be filling in the vacancy of former Trustee Koch. As soon as the Board of Supervisors complies with their statutory obligation, the position that Mr. Gulli would be appointed to would terminate, and his term of office for the appointment would begin.

After review,

Trustee Gaines made a motion to appoint Mr. Dominick Gulli as the third Trustee of Reclamation District 1614. President Kauffman seconded the motion.

Ayes:           Gaines, Kauffman  
Noes:           None

Abstain: None

Absent: None

**Item 4. Oath of Office. Administer Oath of Office to newly appointed Trustee.**

District Secretary, Rhonda Olmo, administered the Oath of Office to Mr. Dominick Gulli. No comments were heard. President Kauffman welcomed Trustee Gulli to the Board.

**Item 5. Approval of Minutes of the December 21, 2020, and December 23, 2020 Board meetings.**

After review,

Trustee Gulli made a motion to approve the December 21, 2020 and December 23, 2020 Minutes. Trustee Gaines seconded the motion.

Ayes: Gaines, Gulli, Kauffman

Noes: None

Abstain: None

Absent: None

**Item 6. Newsletter. Discussion and direction.**

Attorney Andy Pinasco reported the draft of the Newsletter was circulated to the Board members and staff for review and comment. Kristen Dyke reported that she will take all comments received and provide a new draft for the Board Secretary to circulate again prior to the next meeting.

**Item 7. Presentation of Financial Status Report. Discussion and Possible Action.**

**a. Draft Audit Report for the year ended June 30, 2020**

Attorney Schroeder reported on the draft audit report in the agenda packet provided by the auditor. He stated he was pleased to report that the audit was clean. No comments were heard.

After review,

Trustee Gulli mad a motion to approve the audit and directed staff to inform the auditor of no changes, for the auditor to submit a final audit to the District, to approve the Representation letter the auditor has authorized the District's President to sign, and ratify Special District Financial Report and authorize the District President to sign. Trustee Gaines seconded the motion.

Ayes: Gaines, Gulli, Kauffman

Noes: None

Abstain: None

Absent: None

- b. Approve Representation Letter from Croce, Sanguinetti, & Vander Veen and authorize District official to sign – Discussed above.**
- c. Ratify Special District Financial Transactions Report and authorize District official to sign – Discussed above.**

District Secretary, Rhonda Olmo, provided a written and oral report. She noted this month's report shows the District at 50% for the fiscal year. She reviewed the monthly bills and assessments received with the Trustees. She also reviewed the District's election expenses to date. Mrs. Olmo reported on the payroll expenses incurred because of the four temporary workers being hired for the Rock Slope project. She reported she is requesting a warrant today for \$25,000 to replenish the District's checking account. The yearly renewal for Dickinson's Weed Service was shown on the financial report under R4A and will be moved to R4. Discussion was held on the District's subvention application for this fiscal year with the Department of Water Resources. Trustee Gulli stated he would like to see some money used for needed levee projects this subvention season.

After review,

Trustee Gulli made a motion to approve the Financial Report. Trustee Gaines seconded the motion.

Ayes:           Gaines, Gulli, Kauffman  
Noes:           None  
Abstain:       None  
Absent:         None

**Item 8. Presentation of Engineer's Report. Discussion and possible action for the following items:**

- a. Rock Slope Protection Project – see below
- b. Wisconsin Pump Station No. 7 – see below

**FROM ENGINEERS REPORT:**

**I.       ROCK SLOPE PROTECTION PROJECT**

- A. The completion date for the rock slope protection project rock placement was Thursday 1/7/2021. There may be follow up required to restore any surface treatments to the COS pump station per the temporary access agreement between the City and the RD 1614.
- B. KSN Inc. is engaged with the City of Stockton regarding the following items:
  - 1. Seeking easement perfection so the easement where the rock placement area is dedicated to the District.
  - 2. Posting of no trespassing signs to deter campers once rock is placed and prior to fence being installed by the City.

C. California Department of Fish & Wildlife (CDFW) site specific LSAA (submitted & approved) - (needed in order to place rock on slope without breaks every 100 feet).

D. KSN Inc. is coordinating with Apartment owners to seek the dedication and easement refinement.

E. The final estimated construction cost is:

1. District contracted with Vaz Trucking for rock material supply in the amount of \$37,534.00
2. Slope Preparation, fence removal \$15,000.00 (force account)
3. Placement of Large Rock & Slope Riprap \$25,000 (force account).
4. Miscellaneous clean up and haul off of debris \$10,000 (force account).
5. Preliminary Estimated Project Cost with 20% contingency was \$126,000.00.
6. Actual Total Estimated FINAL Project Cost \$88,000.00.

***EXHIBIT A: Photos from KSN Inc Daily Field Report***

Mr. Chris Neudeck read from his summary above, and reported the project came in under budget. He added that the area is rough and the day that the riprap was started he had the City of Stockton Police, and their relocation team, on site to relocate the homeless that had moved in over the weekend. He stated after they moved the homeless out, they started moving back in. The Police came back and encouraged the homeless to move on. Trustee Gulli and President Kauffman congratulated Mr. Neudeck on this work. Discussion was held on the homeless returning.

**II. WISCONSIN PUMP STATION NO. 7**

A. Civil:

1. Civil plans are substantially complete (90%). Plans will be finalized, and specifications will be prepared.

B. Structural:

1. Structural plans are substantially complete (90%). Plans will be finalized.

C. Electrical:

1. We will follow through with PG&E on the Board's decision to go with the Non-Refundable 50% Discount Option and seek the final agreement in order to present back to the Board.

D. Environmental:

1. Done.

E. Permitting:

1. CVFPB encroachment permit is done.
2. CDFW (1602) permit is done.

3. RWQCB (401) permit is done.
4. USACE (404) approval is done.

F. The permitting for this project is completed, and we are working towards finalizing the plans and specs and have it ready to bid in March for a scheduled construction start date of 8/1/2020.

Mr. Chris Neudeck reported this item is the same status quo. He is working with PG&E to get a final agreement on the 50% discount option that was resolved at the Board's last meeting. He is finalizing the plans and will be going out to bid early March 2021 with an anticipated start date of August 1, 2021. Discussion was held on SJAFCA's Letter of Map revision and if the District could do a Letter of Map amendment application for the Wisconsin Pump Station and possibly get reimbursed. Trustee Gulli stated once the plans become finalized that they consider looking for an Engineer to do a Letter of Map amendment. Mr. Neudeck recommended having a conference call with SJAFCA and their consultants on this issue also. This item will be placed on the February agenda to hold discussion regarding the Mapping in conjunction with the Wisconsin Pump Station, and discussion and direction as to whether to pursue another Engineer in which to perform that work.

**Item 9. Presentation of Superintendent's Report; request for direction.**

Mr. Abel Palacio provided an oral and written reports. In summary he reported:

- All pump stations performed well with the recent storms.
- The float system at Pump Station #11 (River Walk) had a few false alarms that were identified to come from a faulty specialized relay in the control cabinet. Mr. Palacio intends to transition to an "off the shelf" level controller like the ones that are in the other nine stations.
- Mr. Palacio hired a contractor to remove overgrowth of trees and shrubs at River Walk and Gardena Pump Station. This work was completed.
- Mr. Palacio put in a request to RACO Engineering for the remainder of the six RTU's for the pump station monitoring system. They should arrive in a few days and he will begin installation.
- Waterside Inspection – Mr. Palacio reported with Winter conditions the waterside slopes are still no more inspectable than they were before. However, he did mention that he sees nothing urgent that needs to be addressed at this time. The homeless camps on Smith Canal have repopulated. Discussion was held on the work Caltrans has been doing for this issue.
- There is a lot on 2220 Canal Drive where the homeowner has given verbal approval to riprap her lot. Mr. Neudeck asked Mr. Palacio to come to his office to discuss further.
- Mr. Palacio reported there are several boats that are sunken and boat docks are starting to cause navigation hazards. Mr. Neudeck recommended Mr. Palacio contact the San Joaquin County Sheriff or Tracy Graves for the sunken boats.
- Trustee Gulli stated that he would like to go out with Mr. Palacio on his next levee inspection.

**Item 10. Report on Meetings Attended. None.**

**Item 11. District Calendar.**

- a. Next Meeting February 1, 2021.

Rhonda Olmo will be distributing Form 700's to the Board Members and Staff later this month.

**Item 12. Items for future meetings.** 1) Mapping in conjunction with the Wisconsin Pump Station and discussion and direction as to whether to pursue another Engineer in which to perform that work. 2) Discussion regarding the Political Reform Act. 3) Conflicts regarding Smith Canal Closure Structure and any disclosure requirements of District Engineer.

*In order to avoid any potential conflict of interest with his contract with SJAFCA, Mr. Neudeck left the meeting at 3:28 p.m..*

**Item 13. San Joaquin Area Flood Control Agency's Smith Canal Gate Structure Project Progress Report.**

Mr. Chris Elias reported. He congratulated Trustee Gulli on his Board appointment. With respect to SJAFCA's Smith Canal Gate Structure Project he said they are looking at the schedule for sequencing the construction activities for the rest of the construction season. He will update the Board once it has been finalized. Discussion was held with installing the wall that is to the North of the Gate and Trustee Gulli's recommendation of having the Stockton Golf and Country Club piece installed prior to the section that is tied into Dads Pointe. Mr. Elias stated he wants to speak with his counsel prior to comment.

**Item 14. Correspondence.** Letter from County Counsel in response to the District's demand regarding the appointment of Mr. Gulli.

**Item 15. Motion to Approve Bills.** – This item was heard after Closed Session.

*3:35 p.m. – Attorney Schroeder reported the Board is going into Closed Session regarding Item 16 (a).*

**Item 16. Closed Session.**

**a. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.1: 1 potential case

**Item 17. Closed Session Report.** The Trustees have reconvened out of Closed Session at 3:44 p.m. regarding action item 16 (a). All Trustees were present during the entirety of the Closed Session. There is no reportable action at this time.

**Item 15. Motion to Approve Bills.**

Trustee Gaines made a motion to approve the bills for the month of December 2020 with the warrants to be signed by President Kauffman and Attorney Schroeder. President Kauffman seconded the motion.

Ayes:           Gaines, Kauffman  
Noes:           None  
Abstain:       Gulli  
Absent:         None

**Item 18. Adjournment.** Trustee Gaines made a motion to adjourn the meeting at 3:47 p.m. President Kauffman seconded the motion.

Secretary: The agenda for this special meeting was posted at 3121 West March Lane, Suite 100, Stockton, California at least 24 hours preceding the meeting.

Respectfully submitted,

Rhonda L. Olmo  
District Secretary