

MINUTES OF SPECIAL MEETING OF BOARD OF TRUSTEES  
FOR RECLAMATION DISTRICT 1614  
HELD MONDAY, MAY 15, 2017

The May Special Meeting of the Board of Trustees of Reclamation District 1614 was held on Monday, May 15, 2017, at the law office of Neumiller & Beardslee, 509 W. Weber Avenue, 5<sup>th</sup> Floor, Stockton, California, at the hour of 2:00 p.m.

TRUSTEES PRESENT WERE:

KEVIN KAUFFMAN  
WILLIAM DUNNING  
BEN KOCH

OTHERS PRESENT WERE:

DANIEL J. SCHROEDER  
CHRISTOPHER H. NEUDECK  
ANDREW J. PINASCO  
RHONDA L. OLMO  
ORLANDO LOBOSCO  
DOMINICK GULLI, Green Mountain Engineering  
RICHARD GACER, Resident & S and R Stockton Properties LLC  
ERNEST TUFFT, Resident  
RANDALL SCHANGIN

ABSENT WAS: None

**Item 1. Call to Order/Roll Call.** President Kauffman called the meeting to order at 2:00 p.m.

**Item 2. Public Comment.**

President Kauffman stated that since this is a Special Meeting that the public may comment on any item that is on today's Agenda. If needed, anything presented or commented on that is not on the Agenda will be addressed at a future meeting.

Mr. Tufft handed out a letter, dated May 15, 2017, regarding Trash Removal Concept Proposal.

Mr. Gacer handed out a letter, dated May 15, 2017, regarding the proposed manuals for the pump stations and the Smith Canal levees.

**Item 3. Approval of Correspondence and Maintenance Manual Cost Sharing Agreement with SJAFCA**

At the last District meeting, the Board was presented with an opportunity to move forward with an Operation and Maintenance Plan. Based off of the direction of the Board, Attorney Dan Schroeder contacted SJAFCA and asked them to participate in the Cost Sharing Agreement. SJAFCA stated that in the previous Cost Sharing that it was a 1/3, 1/3 split between RD828, RD 1614, and SJAFCA. As reported earlier, RD828 has already agreed to a cost share greater than 1/3. Mr. Schroeder said that SJAFCA is willing to pay 1/3 of the cost authorized. Mr. Schroeder handed out a copy of a letter of agreement that outlines the 1/3, 1/3 split (everyone will pay within 30 days of submission of an invoice). President Kauffman thanked Mr. Schroeder for his good work.

Mr. Gulli said that he asked at RD828's meeting if the Operations and Maintenance (O&M) Manual was up to FEMA standards, as far as operating and maintaining the FEMA levees, and he was told that it was not. He asked if this is now going to be up to the standards of a CFR6510 Operations and Maintenance Manual. He asked if the District is able to provide this type of Manual and wanted to know why the levees could not be certified. Mr. Neudeck said the certification of the levee is not on today's Agenda, and that Mr. Gulli is incorrect about what was said in a different District meeting that it was not applicable to CFR6510 (he said it was stated that "it could be.") Mr. Neudeck said in this instance this is not a CFR6510 necessarily exercised from the District's prospective, but it can be used as a 6510 effort. Mr. Schroeder said that as far as getting into the issue associated with what constitutes accreditation of the levee system relative to this issue that it is a whole other subject matter and he is not prepared to discuss at this time as this is not on the Agenda to discuss. President Kauffman told Mr. Gulli that part of the O&M Manual will be assuming that the Smith Canal facility is in place. For clarification, Mr. Gulli said the O&M Manual for the levees is not going to be done to the requirements of 6510, but could be used for 6510. Mr. Neudeck said that was correct and stated he does not feel that this is properly being presented as SJAFCA is not in attendance. Mr. Gulli also wanted clarification that the O&M Manual is for the levee only. Mr. Neudeck said that it is just for the levees only and that it is not an O&M Manual for the terminal drainage facilities or Smith Canal Gate. Mr. Gulli said the action taken today is coinciding with the action that SJAFCA will be taking on Thursday. He said they call the levees embankments and feels that is misleading. Mr. Gulli stated that he feels SJAFCA should pay for the O&M Manual in its entirety.

Mr. Gacer asked for clarification on the word "required" for the O&M Manual. President Kauffman addressed by reading an excerpt from the Letter of Agreement which stated "...Districts have learned that SJAFCA will also need a similar manual for FEMA as part of the process in providing FEMA the additional information they have requested under the conditional letter of map revision for the Smith Canal Gate Closure project." President Kauffman stated that excerpt seems like a requirement to him. RD1614 desires to have an O&M Manual for the District.

Mr. Schangin asked what the value of the manual is. President Kauffman stated that the District has desired to have an O&M Manual, and that it provides the Superintendent with the ability of standards for having the Reclamation District operated and maintained properly.

Mr. Tufft congratulated the Board for taking up the task of trying to better inspect the levees on a more routine basis. He said his question to the Board is SJAFCA's need to have this and the manual? Mr. Schroeder said this question should be directed to SJAFCA as this item is on their next Agenda.

Mr. Gacer referred to his letter he submitted and said that he will rephrase it to say instead.... "The two manuals for the pump station and the Smith Canal are not needed because of the following...."

Trustee Dunning asked if anyone in attendance did not want SJAFCA paying 1/3 toward the O&M Manual. Mr. Gulli said he wants them to pay 100%. No further comments.

Mr. Tufft said it seemed at the last meeting that there was very little discussion, and that the Trustees did not ask any critical questions about the nature of the Manual and felt it was just approved by quick voice vote. He said there was very little discussion. Mr. Tufft says he objects to the hurried pace.

It was moved, seconded (Dunning/Koch) and unanimously carried by the Board of Trustees of Reclamation District 1614 that the Board Approve the Correspondence and Maintenance Manual Cost Sharing Agreement with SJAFCFA.

**Item 4. Recording of Visitors in District Minutes**

Mr. Schroeder said at the March Meeting there was an issue about having visitors identified in the Minutes. He said there is no issue whether you list the visitor's names or not. Mr. Schroeder said a sign-in sheet for visitors to use could be used in lieu. His only caution about continuing to list names of visitors in the Minutes is by going around the room and having visitors announce their names that the Board is requiring people to sign-in to the meeting by identifying who they are. He says this creates a pressure on those who may not want to be identified. Mr. Schroeder said the Brown Act expressly prohibits requiring people to sign-in and identify themselves as a condition to attending meetings. A solution, Mr. Schroeder believes that meets everyone's needs, would be to have a sign-in sheet in front of the room, and when people arrive they can choose to sign-in if they wish. The sign-in sheet will be attached to the District's Minutes. Mr. Schroeder said there is also no requirement to identify visitors at all either. He said a potential problem with continuing to list visitors names in the Minutes is that someones name could be inadvertently missed or someone may arrive late or leave early. Also, during the Districts Town Hall meetings it would be very difficult and time consuming for everyone to go around the room identifying themselves. The concern is by having everyone feel they have to identify themselves that it could deter them from attending future meetings.

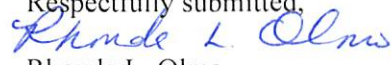
Mr. Gacer said that he has attended 35 meetings, and all but one he believes everyone stated their names willingly. He said if it has been ok for so long he does not see the issue. He said that the Board could state they are going to do roll call and that if anyone does not want to participate they do not have too. He says that he insists that the names be identified in the Minutes for the record keeping system.

President Kauffman says he understands the privacy issues this presents and feels Mr. Schroeder's recommendation to use a sign-in sheet is a good option.

It was moved, seconded (Koch/Dunning) and unanimously carried by the Board of Trustees of Reclamation District 1614 that the Board directed Staff to implement a sign-in sheet for recording of visitors at future District Meetings, and the sign-in sheet to be attached to District Minutes.

**Item 5. Adjournment.** The meeting was adjourned at 2:32 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