

MINUTES OF REGULAR MEETING OF BOARD OF TRUSTEES
FOR RECLAMATION DISTRICT 1614
HELD WEDNESDAY, JULY 14, 2021

The July Regular Meeting of the Board of Trustees of Reclamation District 1614 was held on Wednesday, July 14, 2021, at the hour of 2:00 p.m.

Roll Call of Board Members and Staff:

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

Absent were: Trustee Christian Gaines

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 2:25 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.*

None

Item 3. Approval of Minutes of the regular meeting of June 7, 2021.

After review, President Kauffman made a motion to approve the June 7, 2021 Minutes. Trustee Gulli seconded the motion.

Item 4. Presentation of Financial Status Report. Discussion and Possible Action.

District Secretary, Rhonda Olmo, provided a written and oral report. She noted this month's report shows the District at 100% for the fiscal year. She reviewed the monthly expenses. She noted the District received its FY 2019/2020 subventions check (\$16,881.00). The subventions check was deposited with the County on July 9, 2021 and will be reflected on next month's Financial Report.

After review,

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

a. Adopt Resolution 2021-03 Adopting Appropriations Limit for Fiscal Year 2021-2022.

Attorney Pinasco presented. He stated each year this District receives a portion of the property taxes that are levied against the properties located within this reclamation district. California voters approximately 30 years ago adopted Prop 4, which like Prop 13 for property taxes statewide placed a limit on the maximum portion of property taxes that a special district can receive. It sets a ceiling and if you receive any more money than what the appropriation limits calculations state you must return it. Attorney Pinasco referred to the worksheet attached to Resolution 2021-03 stating it is the worksheet that is mandated by Prop 4, as well the Gov't Code, establishing how you go about calculating what the new limit will be. He explained the price and population factors provided by the state and the factors applied last year. The 2021-2022 appropriations limit is \$686,107.36. Attorney Pinasco said this is the annual process that all special districts go through. This is an obligation that the district must do annually. Discussion was held.

After review,

Trustee Gulli made a motion to Adopt Resolution 2021-03 Adopting Appropriations Limit for Fiscal Year 2021-2022. President Kauffman seconded the motion.

b. Adopt Resolution 2021-04 Certifying Wisconsin Pump Station Assessments to be Collected and Establishing a Procedure for Collection.

Attorney Pinasco presented. He stated annually the District is required to adopt an assessments limit for the Wisconsin Pump Station Assessment. The District did establish these assessments several years ago with a Prop 218 election process. The voters established the maximum number of assessments that the District can levy annually. This year, as in prior years, the District and the District's Engineer are recommending 100% of the Prop 218 amount be assessed to cover the ongoing costs associated with the construction of the Wisconsin Pump Station and its maintenance. Discussion was held. After further review,

After review,

Trustee Gulli made a motion to Adopt Resolution 2021-04 Certifying Wisconsin Pump Station Assessments to be Collected and Establishing a Procedure for Collection. President Kauffman seconded the motion.

c. Adopt Resolution 2021-05 Certifying General Assessments to be Collected and Establishing a Procedure for Collection.

Attorney Pinasco presented. He stated the prior resolution involved the Wisconsin Pump Station which was limited in the scope of the funding. Unlike that the general assessment that is being addressed in Resolution 2021-05 is a general assessment. This is the Prop 218 assessment that was established in 2006 which the voters said could be used with anything regarding the reclamation works within the District. Staff has reviewed and determined there is no inflator in the number. Staff is recommending 100% of the assessment limit be done again which has been done for several years. Discussion was held. After review,

After review,

Trustee Gulli made a motion to Adopt Resolution 2021-05 Certifying General Assessments to be Collected and Establishing a Procedure for Collection. President Kauffman seconded the motion.

d. Approve Proposal for Renewal of Travelers Insurance Policy – Package & Umbrella

No action. To be placed on August Agenda.

Item 5. Presentation of Engineer's Report. Discussion and possible action:

- a. Permit Applications - None
- b. Wisconsin Pump Station Project – General Project Update – See below
 - i. Discussion and Possible Action to approve change order to increase fence from 4' to 6' – held over to next meeting.
- c. Report and Discussion of District Engineer's report regarding Kleinfelder's 3/17/15 Geotechnical Evaluation Report (GER) of RD 1614 and 828's levees – See below.

- d. Report and Discussion on following Trustee questions:
 - i. Regarding Stockton Golf and Country Club levee section:
 - 1. Was State or Federal certification required? Can submitted paperwork be provided to Trustee?

Trustee Gulli said this is referred to as levee section 359. He said it was claimed to have been certified but he found out it's not certified because you can't certify a section of levee – you must certify a system. Mr. Neudeck stated SJAFCA did certify this section. Mr. Juan Neira, from SJAFCA, said PBI did accredit that section of levee. Discussion was held regarding the letter of map revision and whether the District contracted with SJAFCA to accredit one of our levees. This item will be evaluated further.

- 2. What information do we have on the clubhouse encroaching on the levee? Was a State or Federal permit required? Can Trustee receive a copy of as-builts (specifically cross sections)?

Tabled for next month regarding levee section for cart barn. Mr. Neudeck will be seeking authority of the Board of Trustees to survey the Country Club's Club House to obtain as-builts of the basement cart barn in comparison to the levee section.

- ii. Status of UFRR urban levee evaluation. – No action taken.
 - iii. Status of SJAFCA encroachment permit from RD 1614. – Pending, timeline later this year. – No application at this time. Mr. Juan Neira said SJAFCA will be seeking an encroachment permit from the District.

- e. Approve Contract to replace fencing and install a double gate at Gardena Pump Station

Mr. Abel Palacio reported he wants to replace the fence that is falling for security reasons. He's looking at replacing the existing fence with a 6 ft. black plastic coded chain link fence and 3 ft. double wide swing gate. The quote he received from C&R Fence Contractors came in at \$7,711.00 without prevailing wage.

After review,

Trustee Gulli made a motion to authorize the work up to \$9K and to have C&R resubmit another quote. If the new quote comes into high Mr. Palacio was asked to get another quote. President Kauffman seconded the motion.

FROM ENGINEERS REPORT:

I. KLEINFELDER'S GEOTECHNICAL EVALUATION REPORT (GER) OF RD 1614 & RD 828 DWR URBAN LEVEE EVALUATION (ULE).

- Review Christopher H. Neudeck's (CHN) 6/29/19 review of the GER's Purpose and Findings.
EXHIBIT A: CHN's Review of GER's Report and Findings dated 6/28/19 7 7/14/21

Mr. Chris Neudeck summarized his memo to the Board. In summary the methodologies used in the ULE engineering analyses are considered screening-level evaluations. The report qualifies the data within it and the evaluation results generated by ULE, to possibly not be “suitable or sufficient alone for design purposes of either new levees or for remediation of existing levees.” Mr. Neudeck reviewed the Tables in his memo regarding the analyses criteria and summary of evaluation findings for 200-Year Water Surface Elevation. He said based upon this GER report it is clear there are large reaches of RD 1614 and RD 828’s levee that do not meet their unique ULE criteria and therefore they do not meet Standard levee accreditation criteria either. Mr. Neudeck stated that it is important to note that neither the FEMA nor ULDC levee accreditation process can be completed by one engineer. Both accreditation processes require the concurrence of other independent experts. Discussion was held.

II. ROCK SLOPE PROTECTION PROJECT

A. KSN Inc. is coordinating with City of Stockton and the Apartment owners to seek the dedication and easement refinement.

1. **City of Stockton Update:** The RD 1614/City of Stockton Easement package has been presented to the City of Stockton for review, KSN Inc. has been working with Amanda Thomas, City of Stockton Real Property. KSN Inc. has been emailing Amanda frequently about the status of the review and asking if we can provide any additional information to make the review more efficient. We are continuing to work with the City but have not resolved yet.
2. **Apartment Owners- Halo Managers Corporation Update:** KSN Inc. is continuing to work with Halo Managers Corporation.

Mr. Neudeck reported he is still having issues with Amanda Thomas getting back to him to finalize the dedication of the easement in the name of the District. He believes once he gets them to concur then the Halo Managers will concede. He is continuing to work on this.

III. WISCONSIN PUMP STATION NO. 7

A. Contract Administration:

- Notice to Proceed was issued on 6/4/2021.
- Submittal preparation and review is ongoing (e.g., ArmorFlex, valves, pumps & motors, steel piping, electrical, etc.)

B. Schedule:

- Contractor has provided a draft preliminary schedule that shows the sequence of activities and is working to verify material lead times. Official baseline project schedule will be provided by the Contractor after he can confirm material delivery dates. The critical materials at this point are the steel pipe thimbles that are installed within the concrete outfall structure wall.
- Initial construction activities will likely include:
 - Mobilization (1 day)
 - Clearing & grubbing (3 days)
 - Install temporary pump discharge piping (2 days)
 - Initial levee fill import (2 days)

- Construct outfall structure (15 days)
- Install steel discharge piping (5 days)
- Final levee fill import (2 days)
- Install ArmorFlex (5 days)
- Modifications to existing pump station (5 days)

C. Miscellaneous Construction Issues:

- An exhibit is being prepared for the reinforcement of the west wall of the west wing of the sump. The exhibit will be reviewed by the Contractor and then forwarded to the Structural Engineer for final design calculations.

Mr. Neudeck reviewed the above. He also reviewed the schedule with the Board. He added there is no concern with getting the work done on time. He mentioned the next thing he needs to address is to finish preparing an exhibit to reinforce the west wall of the west wing of the sump. Discussion was held.

Item 6. Discussion and Possible Action to Approve Purchase of Accounting Software

Attorney Pinasco reported on this item. He spoke with the auditor and noted the increase in cost was \$1,500 dollars for the audit services. It is estimated that approximately \$1,650 will be the initial expense to purchase a laptop and accounting software. An alternative would be to use a spreadsheet provided by the auditor for the District to use. Attorney Pinasco said the spreadsheet will be useful to the auditor but not sure how it will work for us. He will work with the District Secretary on this and report back to the Board.

Item 7. Presentation of Superintendent's Report; request for direction.

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

- Pump station checks were checked and tested. No problems to report.
- Continuing with station improvements of control systems and general maintenance was performed.
- Wisconsin Pump Station: Pumps at the station have been in the off position for the month of June. Wet well level has remained steady at around 5 ft. Discussion was held. President Kauffman would like this issue detailed out in the District's O&M Manual.
- Levee inspection was performed this month. Little change. Focus of this inspection was to identify and work up a plan for removing the large rotting tree located near Buena Vista Pump Station. Discussion was held. Mr. Neudeck to speak with homeowner.

Mr. Chris Neudeck left the meeting at 4:10 p.m.

Item 8. Report on San Joaquin Area Flood Control Agency's Smith Canal Gate Structure Project.

Mr. Juan Neira (SJAFCA's Project Manager for the Smith Canal Gate Project) reported SJAFCA just started the second season of construction, and this year will be focusing on the South Cellular Wall, the Gate Structure, and Dad's Point improvement. He reported that their contractor has already driven 30 sheets for the Cellular wall (El. -32), has been busy removing the old concrete pathways along Dad's Point, and trimming and removing trees as needed. Mr. Neira reported than an updated progress report will provided at the District's next meeting.

Item 9. Report on Meetings Attended. None

Item 10. District Calendar.

a. **Next Meeting – August 2, 2021.**

Item 11. Items for future meetings. Wisconsin Pump Station: Change order to increase fence from 4' to 6'.

Item 12. Correspondence. None.

Item 13. Motion to Approve Bills. After review,

Trustee Gulli made a motion to approve the June 2021 bills. President Kauffman seconded the motion.

4:20 p.m. – Attorney Pinasco reported the Board is going into Closed Session regarding Item 14 (a).

Item 14. Closed Session

a. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION**
Title: District Engineer

Item 15. Closed Session Report. The Trustees have reconvened out of Closed Session at 4:52 p.m. regarding action item 14 (a). President Kauffman and Trustee Gulli were present during the entirety of the Closed Session. No reportable action.

Item 16. Adjournment. Trustee Gulli made a motion to adjourn the meeting at 4:52 p.m. President Kauffman seconded the motion.

Secretary: The agenda for this meeting was posted at 3121 West March Lane, Suite 100, Stockton, California at least 72 hours preceding the meeting.

Respectfully submitted,



Rhonda L. Olmo
District Secretary