

MINUTES OF REGULAR MEETING OF BOARD OF TRUSTEES
FOR RECLAMATION DISTRICT 1614
HELD MONDAY, DECEMBER 5, 2022

The December Regular Meeting of the Board of Trustees of Reclamation District 1614 was held on Monday, December 5, 2022, at the hour of 2:00 p.m.

Roll Call of Board Members and Staff:

President Kauffman, Trustee Christian Gaines, Trustee Dominick Gulli, Attorney Andy Pinasco, Engineer Chris Neudeck, and District Secretary Rhonda Olmo

The following members of the public were present: Glenn Prasad (SJAFCFA), Paul Guerrero (landowner), Sarah Vigil (Port Marketing), Jeanne Darrah – telephonically (landowner)

Absent were: District Superintendent Abel Palacio

Item 1. Call to Order/Roll Call. President Kauffman called the meeting to order at 2:05 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 November 7, 2022, meeting of the Board. After review,

On a motion by Trustee Gulli, seconded by Trustee Gaines, the Trustees present voted unanimously to approve the November 7, 2022 minutes by the following vote.

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

Item 4. Oath of Office. Administer Oath of Office to Trustee Gaines.

President Kauffman asked that the District Secretary administer the Oath of Office to Trustee Gaines after the meeting.

Item 5. Presentation of Financial Status Report. Discussion and possible action.

Rhonda Olmo provided a written and oral report of the District’s revenues and expenditures. She reported the District is at 41.66% for their fiscal year. She requested a warrant for \$25,000 to replenish the District’s checking account. She reported on the assessments and interest received to date. Attorney Pinasco was asked to bring a report to the January meeting on the District possibly becoming its own Treasurer and options for investment in a Local Agency Investment Fund.

On a motion by Trustee Gulli, seconded by Trustee Gaines, the Trustees present voted unanimously to approve the Financial Report by the following vote.

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

Absent: None

Item 6. Presentation of Engineer's Report. Discussion, direction, and possible action for following items:

- a. Rock Slope Protection Project**
- b. Wisconsin Pump Station Project. Discussion and Direction regarding Project status.**

Mr. Neudeck provided a written and oral report on the following:

FROM ENGINEER'S REPORT:

I. SJAFCA SMITH CANAL GATE

- A. Review correspondence from SJAFCA regarding the status of the Smith Canal Gate Project and follow up investigation associated with the potential of increased velocities and scour in the area between north cellular wall and RD 1614's levee thru the remaining channel opening of approximately 65 feet in width.**

EXHIBIT A: SJAFCA correspondence regarding the status of Smith Canal Gate dated 12/1/22.

District Engineer, Chris Neudeck, and the Trustees agreed that Mr. Neudeck would only be representing RD 1614 while this topic is being discussed. Mr. Neudeck reviewed the December 1, 2022 the District received from SJAFCA. SJAFCA summarized their letter by stating "...the velocity monitoring and bathymetric surveys performed to date have shown that no erosion is currently occurring and that measured velocities are below scour-potential velocity thresholds. Furthermore, modeling efforts have demonstrated that future high-water/high-flow scenarios will not lead to adverse velocities along the RD1614 levee."

Attorney Pinasco was directed to send a letter to SJAFCA, San Joaquin County Flood Control (SJCFC), Water Conservation District (WCD), Central Valley Flood Protection Board (CVFPB), and United States Army Corps of Engineers (ACE) expressing the District's concerns:

1. Request that SJAFCA, CVFPB, SJCFC & WCD approve the condition of the floodways as it exists, with the partially completed Smith Canal Gate.
2. The CVFPB and the SJCFC & WCD have provided floodplain encroachment permits for the Gate Structure. Neither of the permits issued, addressed the issue of the Gate being partially completed as it exists for the current flood season. Both permits include language that require review and approval of the agencies for revised plans and adverse hydraulic effects.

The Trustees raised additional questions and concerns with the monitoring, bathymetric results, and evaluation of potential Flow Velocities:

1. The monitoring indicated that: The highest averaged flood velocities occur in about the same location as the ebb velocities, but the peak flood velocities are over 3 ft./s and can approach 2.5 ft./s within a few feet of the bank (or more appropriately, the 'bank' as seen by the instrument). These data suggest that the ebb velocities impinging the bank as water turns 90 degrees to exit Smith Canal are much less of a concern than the flood velocities.

2. Regardless of the above, the Evaluation of potential Flow Velocities modeled only Ebb and did not evaluate the Flood velocities.
3. The models Manning number factor of 0.1 at the bank of the RD 1614 levee would produce a drastic reduction of velocity near the bank.
4. Verification is required that The Hec-Ras model is required to use the Full Saint Venant Method of momentum and that a significant Eddy Viscosity Mixing coefficient was input to the model.
5. The storm drain pump discharges should account for stage buildup in the Smith Canal on an incoming tide and the additional stage will flow out during a single Ebb Tide.

On a motion by Trustee Gulli, seconded by Trustee Gaines, the Trustees present voted unanimously to have Attorney Pinasco send a letter (by close of business tomorrow) requesting that SJAFCA consider removing the cofferdam and stop logs to direct the flow through the gate structure. Request that the CVFPB, the SJCFC and WCD review and approve the condition of the floodway as it exists, with the partially completed Smith Canal Gate at an upcoming meeting. Request that the agencies advise RD 1614 the date of their meeting(s) this item will be considered so that RD 1614 officials may attend and comment, and include all of Trustee Gulli's exhibits and the Emergency Resolution being considered today with the letter by the following vote.

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

II. ROCK SLOPE PROTECTION PROJECT (2022-2023)

- A. Review candidate properties for Rock Slope Protection and Beaver Damage repairs along Smith Canal.**

EXHIBIT B: Summary & Photos of RSP potential sites and Beaver damage sites.

Mr. Neudeck stated he is preparing to do some riprap this coming spring. He reviewed Exhibit B with the Board explaining to them where the beaver damage/activity is occurring. He also reviewed the potential homeowner candidates that are next to receive work. KSN is reaching out to the homeowners as to their accessibility. Their property will be surveyed and he will get each one on a plan set, then bid the work.

III. WISCONSIN PUMP STATION NO. 7

- A. Arnaudo is planning on performing the pump testing post this coming week post the recent storms allowing the system to fill up with surface run-off. KSN will coordinate the pump testing with Arnaudo, Abel, and Control Point.**

Mr. Neudeck stated he had hoped to have this work complete. Abel Palacio and Arnaudo Construction's team have worked out that they are going to wait for this storm event and let the system build. Once Mr. Palacio returns from vacation this week work will continue. Mr. Neudeck said he will give the Board as much notice as he can so they can come out and take a look.

Mr. Neudeck reviewed his memo from Gilbert Cosio, dated December 2, 2022, re Summary of Delta Items Addressed in November 2022. Mr. Cosio is from River Delta Consulting and he attends the Delta meetings that Mr. Neudeck can't attend monthly and provides Mr. Neudeck with a summary and other activity being monitored.

Item 7. SJAFCMA Smith Canal Gate Project. Discussion and possible action regarding potential of increased velocities and scour in the area between the north cellular wall and RD 1614's levee through the remaining channel opening.

This item was reported under Item 6.I.A above.

Item 8. Resolution 2022-08. Adopt Resolution 2022-08 Declaring that an Emergency Situation Exists.

Attorney Pinasco stated that this Resolution is declaring that an emergency condition exists within the District and along the District's levees due to the prospect of increased channel velocities and scour in the area between north cellular wall of the partially completed Smith Canal Gate Project and the right-side levee with RD 1614, which requires the District to proceed immediately with all work necessary at the earliest possible time to prevent the possible failure to its levee and flooding of the District.

The District President, District Engineer, and/or District Superintendent, acting alone or in concert with others be hereby authorized and directed to acquire such materials and equipment and to enter into contracts necessary and appropriate to meet the emergency needs of the District caused by the increased channel velocities and scour in the area between north cellular wall of the partially completed Smith Canal Gate Project and the right-side of the levee of the District in accordance with District Standards and Policies.

After review,

On a motion by Trustee Gulli, seconded by Trustee Gaines, the Trustees present voted unanimously to adopt Resolution 2022-08 Declaring that an Emergency Situation Exists by the following vote.

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

Item 9. Letter of Map Revision. Discussion and possible action regarding Letter of Map Revision.

Trustee Gulli reported he has not heard from FEMA. Their 90 day window to respond is approaching. Trustee Gulli is hoping to hear from them soon.

Item 10. Presentation of Superintendent's Report; request for direction.

Superintendent Palacio was not in attendance. His monthly reports were submitted to the Board for their review.

Item 11. District Newsletter. Discussion and direction.

Sarah Vigil reviewed the draft Newsletter with the Board. President Kauffman provided additional content for Ms. Vigil to incorporate into her next draft. Trustee Gulli will send Ms. Vigil his additional comments on the CLOMAR and flood regulations by the next Board meeting. Trustee Gulli stated if the District hears back positive news re the Letter of Map Revision that he would like that included in the newsletter also. Ms. Vigil will send another draft to the District Secretary for her to forward to the Board for their review.

Item 12. Report on Meetings Attended. None.

Item 13. District Calendar.

a. Next Meeting is January 2, 2023 -

The next District meeting will take place on January 9, 2023, at 2:00 p.m., at 3121 West March Lane, Suite 100, Stockton, CA.

Item 14. Items for Future Meetings.

Follow-up with:

1. FEMA (Letter of Map Revision)
2. Flood plain encroachments permits for the Gate Structure
3. Newsletter

Item 15. Correspondence. Discussion and direction. None.

Item 16. Bills. Discussion and Possible Action to approve bills presented.

District Secretary, Rhonda Olmo, mentioned that she received a November bill from KSN (not reflected on the bills sheet). The Trustees approved KSN's bill and a warrant will be approved. The bills spreadsheet will be amended.

After review,

Trustee Gulli made a motion to approve the November bills as presented and approved KSN's November invoice. Trustee Gaines seconded the motion.

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

Item 17. Report on San Joaquin Area Flood Control Agency's Smith Canal Gate Structure Project.

Mr. Neudeck left the meeting due to an apparent conflict of interest at 4:08 p.m. Mr. Glenn Prasad added to the SJAFCA Smith Canal Gate Project discussion stating that SJAFCA's intention is to look at the reports/evidence and then discuss with their permitting agencies. SJAFCA's hands are tied a little as their permitting window is not being extended as they had anticipated. Mr. Prasad stated that SJAFCA will have to wait on the outcome of the report and then report back to RD 1614.

Item 18. Adjournment. Trustee Gaines made a motion to adjourn the meeting at 4:14 p.m. Trustee Gulli seconded the motion.

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

The Oath of Office was administered to Trustee Gaines.

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