

# RECLAMATION DISTRICT NO. 1601

306 Second Street  
Isleton, CA 95641

## Minutes of the Board of Trustees Regular Meeting August 20, 2024

### 1. CALL MEETING TO ORDER.

President Barry Sgarrella called the regular meeting of the Board of Trustees (Board) to order on August 20, 2024, at 9:00 a.m. ROLL CALL: In attendance: President Barry Sgarrella, Trustee Dave Huston and Trustee Jasbir Gill. District's superintendent Mr. Ricky Carter Jr., District's engineer Mr. Chris Neudeck, District's attorney Mr. Jesse Barton and District's accountant/treasurer Mrs. Perla Tzintzun-Garibay with Butterfield and Company.

Also attending, Mr. Ricky Carter Sr., Mr. David Julian, Ms. Ceci Giacomina and Mr. Richard Silva.

Attending by conference call, District's secretary Mrs. Linda Carter and Ms. Otome Lindsey.

### 2. PUBLIC COMMENT: ANY PERSON MAY SPEAK ON ANY TOPIC INCLUDING ANY AGENDA ITEM LISTED BELOW, PROVIDED IT IS WITHIN THE JURISDICTION OF RD 1601.

Nothing to report.

### 3. MINUTES FOR REGULAR MEETING.

Trustee Huston entertained a motion to approve the July 16, 2024, regular meeting minutes as presented, motion was seconded by President Sgarrella, VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Gill NOES: None ABSTAIN: None ABSENT: None, motion carried.

### 4. ACCOUNTS PAYABLE.

Mrs. Perla Tzintzun-Garibay went over the accounts payable, accounting notes and financial statements with the Board. President Sgarrella reviewed the accounts payable before today's meeting.

Mrs. Perla Tzintzun-Garibay also noted the payments and deposits made between meetings: On August 7, 2024, EFT payment to PERS for \$1,833.03, due to the timing of the due date.

On July 17, 2024, deposited \$34,518.75, from Baker for grazing lease payment. July 18, 2024 deposited \$4,822.98, for Bakke grazing lease payment. Rick and Linda Carter, Fagundes Dairy and Marjorie Sgarrella Assessment Call 33 payments.

On July 22, 2024, deposited \$5,218.12, for DWR payment submitted April 16, 2024, (\$5,086.45) and RD 536 rent payment (\$131.67). July 26, 2024, deposited \$141,332.67 from SDRMA for claim payment for excavator. July 31, 2024, deposited \$104,504.22, from California Resources Production for Assessment Call 33 payment.

August 5, 2024, deposited \$43,167.26 from SDRMA for claim payment for District extraction expenses.

After some discussion President Sgarrella entertained a motion to approve accounts payable of \$172,000.00, invoices that were presented today, transfers and DWR invoices, from Bank of Stockton 1878 (General Account) into the Bank of Stockton 4201 (Checking Account), motion was seconded by Trustee Huston, VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Gill NOES: None ABSTAIN: None, ABSENT: None, motion carried. After some discussion President Sgarrella entertained a motion to approve the transfer of \$103,084.83, from Bank of Stockton 3167 (TW 21-1) TIMES, into the Bank of Stockton 1878 (General Account), motion was seconded by Trustee Huston, VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Gill NOES: None ABSTAIN: None ABSENT: None, motion carried.

Account Receivable: Assessment Call No. 33: \$538,240.97 (DWR).

Account Receivable: Mattos dba IOU Sheep Co., Lease: \$4,902.44.

Account Receivable: NOAA: \$16,476.68 (weather station utilities reimbursement 11/21-9/23, 10/23-7/24).

Account Payable: Retention due to Hanford ARC: \$28,089.08.

Special Project Invoices Pending Approval: \$116,163.70.

Mrs. Perla Tzintzun-Garibay explained to the Board that in the past, for about a year and a half ago, the Board had decided to have the districts fix assets listed on the Districts balance sheet. The auditor would like the fix assets removed from the Districts balance sheet. After some discussion President Sgarrella entertained a motion to approve removing the District's fix assets from the district's balance sheet, motion was seconded by Trustee Huston, VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Gill NOES: None ABSTAIN: None, ABSENT: None, motion carried.

**5. BOARD TO HEAR AN UPDATE ON ASSESSEMENT CALL NO. 33, BASED UPON OPERATION AND MAINTENANCE VALUATION ASSESSMENT ROLL DATED JULY 21, 1992.**

Mrs. Perla Tzintzun-Garibay reported to the Board that DWR's payment is being processed.

**6. EMPLOYEE WAGE REVIEW. TITLES: SUPERINTENDENT AND SECRETARY. THE BOARD WILL DISCUSS ITS CURRENT EMPLOYEE WAGES AND MAY AUTHORIZE CHANGES.**

Mr. Jesse Barton told the Board at the last meeting the Board did an employee valuation on Mr. Ricky Carter Jr., Mrs. Linda Carter and Mr. Dominic Calabro. Since then, Mr. Calabro has quit working for the District. The agenda item for today is whether are not the Board wants to grant any increases to Mr. Carter Jr. and Mrs. Carter wages.

After some discussion President Sgarrella entertained a motion to approve and authorize an increase by 5% to Mrs. Carter wage and a 5% increase to Mr. Carter Jr. with an added 2% making it a total of 7% increase for Mr. Carter Jr. prorated activity back to July 1<sup>st</sup>, 2024, motion was seconded by Trustee Gill, VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Gill NOES: None ABSTAIN: None ABSENT:



None, motion carried. The Board will attempt to make all future review and raises consistent with the fiscal year.

**7. BOARD TO HEAR AN UPDATE AND POSSIBLY APPROVE A MUTUAL AID AGREEMENT WITH ADJACENT DISTRICTS TO PROVIDE EMERGENCY SERVICES DURING HIGH -WATER EVENTS.**

Mr. Jesse Barton told the Board he had talked with River Delta Fire District (RDFD) Fire Chief Paul Cutino. Chief Cutino said he is still interested in participating in the mutual aid agreement with the District and he would send back the draft agreement with red lines in it. Mr. Barton has yet to receive it. If Mr. Barton does not hear from Chief Cutino by next month's meeting the matter will be removed from the agenda. Mr. Ricky Carter Jr. told the Board; he had stopped by the RDFD station and with Chief Cutino and Mr. Larry Gardiner, they told Mr. Carter Jr. they are interested in flood fight but no fire or medical services. Mr. Carter Jr. told them that Mr. David Julian would like to do some prescribed burning in the wet land project (tulles) on Twitchell. And they are invited to participate in the burning of the tulles.

**8. BOARD TO DISCUSS THE RISING COST OF THE ELECTRICITY USED FOR THE DISTRICT'S PUMPS.**

President Sgarrella handed out a copy of the PG&E bill. President Sgarrella reported to the Board that this month's PG&E bill is for \$15,371.79. The electric charges for June 28, 2024 to July 28, 2024, with demand charges of \$5,078.35 (33.04.2%), peak charges \$686.63. This month used 52,424.304000 kWh.

The time for the pumps has now been adjusted to the correct usage time for now. Mr. Ricky Carter Jr. had Mr. Steve Smith work on the wetland recycling pumps. Worked on risers and had the siphon turned off. Mr. David Julian told the Board he doesn't like using the recycling pumps. When using the recycling pumps Mr. Carter Jr. needs to keep the water level high enough in the District canal to be able to use the recycling pumps. If, Mr. Carter Jr. keeps the canal to high, he runs the risk of flooding farmers crops. The District can't control the seepage on island.

**9. BOARD TO HEAR AN UPDATE DISCUSS AND POSSIBLY APPROVE TERMINATING NOAA'S ELECTRICITY SERVICE.**

Mr. Jesse Barton told the Board that he and Mrs. Tzintzun-Garibay have been working with Ms. Tina Schiffbauer with NOAA and the payment department on the electrical invoices from the District to NOAA. Mr. Barton read an email from Ms. Schiffbauer. After some discussion Trustee Gill entertained a motion to approve giving NOAA until the next District meeting to pay the electrical invoices, if the District does not receive full payment, the District will turn the electricity off, motion was seconded by Trustee Huston, VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Gill NOES: None ABSTAIN: None ABSENT: None, motion carried.

**10. BOARD TO DISCUSS AND POSSIBLY ACT ON HIRING A NEW LABORER.**

Mr. Barton told the Board since Mr. Dominic Calabro quit the District, Mr. Ricky Carter Jr. has been looking for a replacement. Mr. Carter Jr. has already taken one person around the island who Mr. Carter Jr. got an application from. But this person is

not a good prospect. Mr. Carter Jr. has put the notice to hire a labor/equipment operator on Craigs-list. Using Indeed will cost \$35 per application, if you accept the application. After some discussion it was decided the Board wants Mr. Carter Jr. to find a couple of prospects. The Board may need to hold a special meeting with a closed session to interview these prospects. Mr. Barton suggested using a company that specializes in temp labor workers to fill in the labor need until someone is hired.

**11. BOARD TO HEAR AN UPDATE AND DISCUSS EXPLORING A SOLAR POWER ALTERNATIVE TO POWER THE RD 1601 PUMP STATION. THE BOARD MAY APPROVE ONE OR TWO BID PACKAGES FOR THIS PROJECT.**

Mr. Chris Neudeck went over with the Board the schedule for the solar array project. There will be a mandatory bid walk the week of August 26, 2024. The bid will go out to bid on September 3, 2024. The bid opening will be on Wednesday September 11, 2024.

Mr. Neudeck told the Board that Sacramento County wants a release (“not hold Sacramento County responsible for damages to the panels and its appurtenances due to flooding”) to Sacramento County regarding panels and flood plain. The county wants the District to sign a release form (from the Sacramento County), that releases the Sacramento County from any responsible for damages to the solar array and its appurtenances due to flooding. Mr. Neudeck also spoke to the Board about, the requirement to design PG&E transformer pad above base flood elevation (change order will be required with selected contractor). This change will require a change order later for this as well. Mr. Jesse Barton pointed out that the release has one problem, which is that it has DWR signing the release and not the District. Mr. Barton will make this correction and send it back to the County.

After some discussion Trustee Gill entertained a motion to give President Sgarrella authorization to sign the Sacramento County release form, for not to hold the Sacramento County responsible for damages to the District’s solar array panels and its appurtenances due to flooding, (regarding panels and flood plain) motion seconded by Trustee Huston VOTE: AYES: carried. President Sgarrella, Trustee Huston and Trustee Gill NOES: None ABSTAIN: None ABSENT: None, motion.

**12. BOARD TO DISCUSS THE POTENTIAL LOSS OF ITS EXCAVATOR, POSSIBLE REMEDIES, AND ACCEPTING THE INSURANCE COMPANY’S PAYOUT.**

Mr. Jesse Barton told the Board the DWR attorney he has been working with has gone on vacation. The attorney said his staff is on board with leaving the District’s sinking excavator where it is. Trustee Gill told the Board the DWR managers are also on board. Mr. Barton told the Board the District’s insurance company is willing to wait to close the claim. Mrs. Perla Tzintzun-Garibay told the Board the insurance company has paid the District in full.

Mr. Ricky Carter Jr. discussed his research for a new excavator. Mr. Carter Jr. told the Board that a 315 is too small for cleaning ditches. A 320 is bigger by 4,000 pounds. Mr. Carter Jr. told the Board a 313 is coming tomorrow for a demo. He will use it to clean up an area where the back wheel on the Kubota tractor broke off on the levee and try



using it on a ditch to see how it does on cleaning. President Sgarrella said may-be the Board should have Mr. Carter Jr. have some companies send out demos so he can decide what is needed. It was suggested nothing older than 2016 and remember the CA-Teir 4. Mr. Carter Jr. will bring back his finds to the Board at next month's meeting.

**13. BOARD TO DISCUSS AND POSSIBLY APPROVE A CONTRACT WITH DRONE OPERATORS TO APPLY HERBICIDE WHERE NEEDED ON DISTRICT FACILITIES.**

Mr. Ricky Carter Jr. reported to the Board he called Clean Lakes; they have not returned his calls. Mr. Carter Jr. had Blakenship come out and take water samples before he sprayed. Sprayed 100 gallons of herbicides using the recommendation from Grow West.

Mr. Jesse Barton suggested taking this item off the agenda and perhaps putting it back on the agenda next year.

**14. PROJECT FUNDING AGREEMENT TW-21-1.2, PROJECT FUNDING AGREEMENT FOR THE, PLANNING ENGINEERING, AND CONSTRUCTION OF THE TWITCHELL ISLAND WETLAND ENHANCEMENT AND RESTORATION PROJECT. (TIWERP) (EXPIRES 12/31/2027). THE BOARD WILL HEAR A STATUS UPDATE AND DISCUSS.**

Ms. Otome Lindsey gave the Board an update, she told the Board the project is moving forward. She is working with Mr. Eric Almaas with KSN on the rebid package. Stillwater Science is working on the planting plans. Also working on the legal description for the property making sure they are capturing the Sevenmile Slough footprint and making sure they do not get too close to the center of Center Island Road (aka. Middle Road, Old Ferry Road). And working on maps and legal descriptions. Waiting for a response from California Fish and Wildlife to the advance mitigation and the perspective that was submitted a couple of months ago. Ms. Lindsey told the Board she is hoping the project will go to construction next year. No action taken today.

**15. PROJECT FUNDING AGREEMENT TW-24-1.0-SP-PHASE 2 OF THE MULTI-BENEFIT PROJECT (EXPIRATION 12/31/2028). THE BOARD WILL HEAR A STATUS UPDATE AND DISCUSS.**

Mr. Chris Neudeck told the Board in the process of developing an agreement with GEI-Environmental (GEI) to assist KSN Inc. The District has worked with GEI in the past. He is preparing a draft scope of work.

Mr. Neudeck met with potential funding partner, Delta Conservancy with Campbell Ingram, Executive Office. Conservancy has exhausted all existing Bond Funds from 1, 1E and 84, looking to future Bond that is currently scheduled to be on November Ballot with \$29m for the Delta Conservancy as a good potential to assist the District.

DWR announced last week at the Delta Levees and Habitat Committee Meeting (DLHAC) that advances for this round of Special Project Grants were going to be 3 months out.

Attached to Mr. Neudeck's engineering report is a copy of "DRAFT" general schedule of activities prepared by KSN Inc., and exhibit A: Draft General Schedule of activities.

No action taken today.

**16. DWR AGREEMENT “SUBSIDENCE MITIGATION FUNDING AGREEMENT” (SMFA) (WETLAND DEVELOPMENT/SUBSIDENCE REVERSAL AND CARBON SEQUESTRATION PROJECT) (EAST END AND RICE PROJECT) (SMFA EXPIRES 12/31/2030). THE BOARD WILL HEAR A STATUS UPDATE AND AN UPDATE ON THE NEED FOR THE PROJECT EQUIPMENT.**

Mr. David Julian told the Board that he coordinated with Mr. Ricky Carter Jr. on working on the SMFA circulating pumps. He is learning how the circulating pumps work. At this time there are two guys harvesting tules at the east end. They will be using them for their 70-foot tule boat. Once the boat has been built, they will be sailing it from San Francisco to Hawaii. UC Berkely is applying for a grant to do research on what happens when wet lands burn. They will be burning 7 acres of wet lands. Mr. Julian’s coworker Tyler will be coordinating the project with the districts and fire departments. This may take place sometime next year. Mr. Julian reported to the Board on the rice project, the lease is going through DWR real estate process. Right now, it is getting an environmental review. The lease should be able to go out to bid in a couple of months. Mr. Julian asked the Board to hold off on getting rid of any of the farming equipment at this time. The new lessor may need the use of some of the equipment. No action taken.

**17. ENGINEERING REPORT: MR. Chris Neudeck**

**I. DWR System Wide Multi-Benefit Project Funding Scoop of Work.**

A. Mr. Chris Neudeck report to the Board on the progress of the project for activities aimed at addressing erosion-induced damages to the levee waterside slopes and levee roadways along Sevenmile Slough between levee stations 166+50 and 170+50 on Twitchell during the 2023 high water event that DWR is considering funding as part of an emergency. Mr. Neudeck told the Board everything is going along. Working with Mr. David Julian with DWR funding from the governor’s emergency funding. Received some environmental documents, a biologist came out and took a look. Working through the categorical exemption. Mr. Eric Almass with KSN is working on the schedule and will be out this week.

**II. Project Funding Agreement TW-24-1.0SP-Phase I-Setback Levee San Joaquin River.**

A. Look under item number 15.

**III. Delta Levee Subventions Program AB 360**

A. Mr. Chris Neudeck told the Board this year the Delta Levee Subventions Program is funded. Next year 2025-2026 only the work will be funded, staff will not be funded. We will have to see what the November elections will bring.

**IV. District Pump Station Solar Array**

A. Look under item number 11.

**18. SUPERINTENDENT REPORT: MR. RICKY CARTER JR.**

- Made daily rounds.
- Checked oil in pumps at pump station. Worked on the clock at the pump station.



- Talked with Mr. David Julian about the wetland project releasing too much water at C-1 canal. Shut down siphon in wetlands and started using the recirculating pumps. Replaced some of the boards.
- Continued mowing levee.
- District Kubota tractor's back wheel broke off. Called Mr. Juan Carlos to come help take it off and take to the wheel to Dolk Tractor to repair. Also, Dolk Tractor came out to fix the diesel tank that fell off after the tire broke off. After the tractor was fixed Mr. Ricky Carter Sr. drove the tractor back to the Chevron Point shop.
- Spreading spoils with District dozer along the District canals.
- Mr. Dominic Calabro backed into the Chevron Point shop roll up door with the District's 2016 Ford truck. Causing significant damage to the structure of the roll up door. Had Mr. Louie Lira with Lira's Welding come out and fix it.
- Met with Campbell's Tree Service to obtain a quote for the Wetland project.
- Had Mr. Steve Smith come out to work on the recirculating pump for the Wetland project.
- Called Clean Lakes, still no answer.
- Got quotes for new excavator.
- Sprayed one application using 100 gallons on C-1 canal and C-2 canal.
- Going to take September 5<sup>th</sup>, 6<sup>th</sup> and 9<sup>th</sup> off for wedding.


**19. ADJOURN REGULAR MEETING.**

The next regular meeting of the Board of Trustees will be called to order September 17, 2024, at 9:00 am, the regular meeting was adjourned at 11:04 am.




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Presiding Trustee of the Regular Meeting August 20, 2024, certifies the above minutes.




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Secretary