

RECLAMATION DISTRICT NO. 108
Minutes of the Regular Board Meeting of Trustees
September 17, 2019

President Durst called the Regular Meeting of the Board of Trustees to order at 8:30 a.m. on Thursday, September 17th, 2019 at Reclamation District No. 108 headquarters, Wilkins Slough, Colusa County, California.

Trustees Present: Roger Cornwell, Sean Doherty, Fritz Durst and Todd Miller

Trustees Absent: Hilary Reinhard

Others Present:

Lewis Bair, General Manager	Anne Zwald, Office Administrator
Meegan Nagy, Deputy Manager	Beverly Walls, Bookkeeper
Gary Marler, Operations Manager	Jordon Navarrot, RD108 Staff
Kevin O'Brien, Legal Counsel	Steve Beckley, Landowner
Candy Dormer, Landowner /	Deke Dormer, Water User
Blair Voelz, Water User	Matt & Nadine High
Les Carter, River Garden Farms	

Agenda:

M/S/C: Cornwell/Doherty: To approve agenda as presented.

AYES/NOES: Cornwell, Doherty, Durst, Miller / NONE

OPEN FORUM

- **District Elections** – Office Administrator Anne Zwald reported to the Board that the closing date to file a candidate petition was September 13th and four (Roger Cornwell, Sean Doherty, Fritz Durst and Starr West) were turned in for the three open seats. The next step is to send in the Election Board names to get nominated by the Colusa County Board of Supervisors. Will also need to update the roll to determine how many votes each landowner receives. Reclamation Law states that each acre of land receives one vote per open seat. By October 6th, need to have public notifications to newspapers to run for once a week for four weeks. Ballots will be mailed out between October 8th – 25th and must be mailed back by November 5th by 5:00 p.m. Votes will be counted on November 6th. At the October meeting, the Board needs to decide whether or not to allow Tract 6 acres to be counted in the election.
- **Extension of Irrigation Service** – Manager Bair reported that at the Special Landowner Meeting some additional information was requested and Legal Counsel which would not be available at this meeting. Trustee Reinhard had also requested that a vote not be made today as she would not be able to make it. The next discussion of this item was scheduled for the October Board Meeting when Legal Counsel's input would be available.
- **Washington D.C. Trip** – The DC trip was the first time that water agencies, landowners and NGO partners travelled as a partnership to help promote fish food and floodplain programs, asking for money to be added to the WIIN Act for these programs.

Public Participation: No further public participation at this time.

The Open Forum ended around 9:16 a.m.

ADMINISTRATION

Consent Agenda:

M/S/C: Miller/Doherty: To approve Minutes of the Regular Board Meeting from August 15, 2019 as well as District Summary of Investment Accounts and Maintenance and Irrigation Fund Reports.

AYES/NOES: Cornwell, Doherty, Durst, Miller / NONE

Accounts Payable: Maintenance Fund in the amount of \$502,361.41; checks issued in August in the amount of \$233,129.82; online payments to be ratified issued in August in the amount of \$11,563.19; on-line electronic payments to be ratified issued in August in the amount of \$7,668.40, and transfers between River City Bank account and the Money Market Fund in the amount of \$250,000.00. Irrigation Fund in the amount of \$648,758.55; checks issues in August in the amount of \$608,750.90; checks to be ratified issued in July of \$547.068 and on-line electronic payments issued in July to be ratified in the amount of \$39,459.97.

M/S/C: Doherty/Cornwell: To approve accounts payable as stated above.

AYES/NOES: Cornwell, Doherty, Durst, Miller / NONE

BUSINESS ITEMS

1. **Operation and Maintenance Report:** In addition to his report attached (Attachment 1 of 1 for 09.17.2019 RD108 Minutes), Superintendent Marler reported they are unable to open the steel gates at Jacob Point for inspection. Deputy Manager Nagy is going to talk to DWR and the CORPS to develop a plan on how to proceed. Superintendent Marler also brought up the Erosion policy for a final say. It was determined by the Board that they will leave it as is. President Durst requested that the language in the Rules and Regulation change from "his" to "their" as the District doesn't have only men landowners and water users.

2. **Consider Authorization for Manger to install storage shed on District property:** Manager Bair brought to the Board the request to install a storage shed for his RV. He proposed to the Board that the shed get installed alongside the house. This would require removal of the hedge as well as relocating the propone tank. Manager Bair would pay for the shed as well as the installation of it, but is asking the board to provide the labor and cost of hedge removal, fence extension, gravel, water spicket, septic hook up, electrical plug outlet and relocating the propane tank. Manager Bair proposed that the shed would be the property of the District.

M/S/C: Cornwell/Doherty: To approve Manager Bair to install an RV shed in the location stated above as well as the work preformed by the District at the cost of the District.

AYES/NOES: Cornwell, Doherty, Durst, Miller / NONE

3. **PWRPA Update:** Jordon Navarrot reported to the Board that he was appointed to the BROCC, Board Risk Oversight Committee, to take Deputy Manager Vanderwaal 's place. The Sycamore Slough Solar Plant Ownership Agreement is on hold to until after SAGE does their evaluation of expansion. The District has signed a contract with SAGE Renewalables to look at connecting loads at El Dorado, Sycamore and Rough & Ready and give the District a recommendation on photovoltaic expansion including consideration of floating solar. The District will revisit the possibility of an ownership agreement depending on SAGE's recommendation.

Jordon Navarrot reported that PWRPA has completed their audit with an unqualified opinion. The Board has adopted a new year-end reconciliation method allocating their login resource cost to customers. This will save RD108 about \$1,000 a year.

4. **Review and Consider Adding a Flexible Spending Account to District's Suite of Benefits:** Deputy Manager Vanderwaal presented to the Board a Flexible Spending Account (FSA) option as the District's current health care provider doesn't offer a Health Spending Account (HSA). An FSA is split into two different categories: a medical FSA and a dependent care FSA. They are both similar to HSA's as they are pre-taxed; money from an employee's paycheck is set aside before taxes and are able to be used towards medical bills, dental vision as well as helping out with anything for a dependent that would prevent the employee from being at work. There is a onetime set up fee of \$150 dollars and a monthly administrative fee of \$50 dollars minimum or \$4/employee. The risk to the District is that at the beginning of the enrollment period, the District must front the total amount up the \$2,700 that the employee chooses to take for the employee to start to be able to use as needed. By law, the amount that the employee chooses will be taken out of their wages evenly each month over the year to pay back the District. If the employee quits before the District gets the money back, the District is out the money the employee already used. The risk to the employee is that there is a limited rollover of 2 months or \$500 dollars and anything past that point that is not used goes back to the District. Deputy Manager Vanderwaal informed the Board that after talking to the District Staff, about 12 would be interested in enrolling in this option.

M/S/C: Cornwell/Miller: To delegate decision making of this benefit back to Manager of District No. 108.

AYES/NOES: Cornwell, Doherty, Durst, Miller / NONE

INFORMATION REPORTS

1. **NCWA Report:** Trustee Cornwell reported to the Board that on October 17th NCWA is hosting the Annual Partner social event at Matchbook Winery. The Water Leaders Program is also accepting applications for the 2020 year.

2. **Sites Reservoir:** President Durst reported to the Board that Sites Reservoir Committee has a meeting tomorrow, September 18th. The Reservoir Committee chairman is Doug Hedrick from San Bernardino Valley Municipal Water District and his goal for the end of the meeting is to have a project description for size, diversion rates and the facilities the project is going to provide. Next Thursday, a group from the committee are going to meet with Chuck Bohnum to go over project permitting.

3. **Public Relations Report:** Steve Beckley reported to the Board that he continues to send water article emails out to the landowners via Office Admin Zwald. Facebook continues to grow each month. The top post has been melon harvest, tomato harvest and T & P's vine training. Grand Island and Pierce High School repost receive a positive response. Ag Alert did a story on the Market Street Project Spawning Gravel Project.

4. **Deputy Manager's Report:**

Deputy Manager Vanderwaal reported to the Board:

- **Water Use Efficiency Project** – Have requested to amend the incidental take permit on the Giant Gardner Snake to allow installation during the snake's dormant period.

- **SGMA Updates** - Colusa GSA is having a public workshop at Veterans Hall tonight, September 17th, 6 p.m. to 8 p.m. to talk about management areas. Yolo GSA are continuing to finish their GSP and are going to be holding workshops in their management areas this fall.
- **Rio Vista Side Channel** – RD108 hosted a construction meeting to lay out the work phases. The Project currently has equipment operators from multiple Districts.

Deputy Manager Nagy reported to the Board:

- **Mid-Upper Sacramento Regional Flood Management Plan** – Scope will be submitted to DWR this week. The regions are putting in more money than DWR has so it is unclear how much funding we will receive. A team has been on working the Regional Conservation Investment Strategy for the past year and have finally received the Mitigation Credit Agreement guidelines. There have been discussions in the RCIS Steering Committee about how to respond to the guidelines. The team put together detailed comments that they do not agree with in the guidelines. Deputy Manager Nagy and Barry O'Regan drafted a letter explaining why RD 108 will not recommend the landowners to go forward with the guidelines due to them being too expensive and not meeting the intent of AB 2087, but that RD108 is willing and ready to work to come to agreement on a program that does meet the intent of the legislation.
- **California Central Valley Flood Control Association** – Larry Mandleberg facilitated another strategic planning session and worked on two more objectives. One more session will be conducted and then the plan will be presented at the board meeting in December. Hoping to get the strategic plan adopted to help with more member involvement.
- **CAL OES** – Met earlier this week and submitted a claim for about \$34,000 thousand dollars from the 2019 floods. Still need to submit to FEMA claims for power charges.
- **Emergency Grant** – Colusa Unified Command Exercise Emergency Respond Grant is scheduled for Nov. 7th at the RD108 office.
- **Corps Inspection** – A routine inspection is scheduled for this Fall/Winter. The crew is trying to do as much preparation as possible before the routine inspection. Two slips on the back levee were approved for PL 84-99, but because of the lateness into this flood season, they will not get fixed until next year.
- **FMAP** – Looking at the basic maintenance performed this year, RD108 will not use the entire funding agreement granted and therefore Deputy Manager Nagy is looking to see what else the program covers. Still waiting to hear how the \$10.8 million dollars will be divided for next year.

5. Manager Bair's Report:

- **KLOG** – Manager Bair report that the federal grant is obtained but still waiting on the state one. Work for next summer is still on schedule with completion fall of 2020.
- **Voluntary Agreements** – Manager Bair reported to the Board that things are coming to a point where the Board needs to review with management the direction the VA's are going as well as the work load that is going to be anticipated and money movement.
- **SRWSLD** – Manager Bair wanted to inform the Board that Sac. River West Side Levee District did not get anyone interested to fill Tom Ellis' seat on the Board. They have an empty seat and will need to appoint someone.

6. **Attorney's Report:** The Board went into CLOSED Session at 11:43 a.m. to conference with Legal Counsel - existing litigation (Paragraph (1) of subdivision (d) of Section 54956.9): California Water Fix SWRCB proceedings; Glenn Colusa Irrigation Dist. et al. v. DWR et al., Sacramento Superior Court Case NO. 34-2017-80002673. The Board came out of CLOSED Session at 12:00 p.m. and no action was taken in closed session.

President Durst recessed the meeting at 12:00 p.m. for lunch.

ADJOURNMENT

There being no further comments from the public and no further business to come before the board, the meeting was adjourned around 12:30 p.m.

Respectfully Submitted



Lewis Bair

General Manager

**Reclamation District No. 108
September O & M Report
September 19, 2019**

General Maintenance

We continue to replace pipes, risers and repair rat holes. Rat holes are nearly a daily occurrence throughout the District. Graded the majority of the Back-Levee road top. We are starting to inventory drains for cleaning this winter.

Repaired a pipe leak for Dunnigan Water District.

We continue to bait rodents in all areas, we are currently doing a lot of back-filling of holes in areas where we believe we have achieved some control.

Last meeting, I reported that Pump #1 at Sycamore Pumping Plant was vibrating and we would be removing it for repairs. Removal is taking place this week; Davis Machine Shop will be providing the repairs.

We are still waiting on final approval from Colusa County One-Stop on a start date for flood clean-up employees.

Dragging of levee slopes in all Districts was completed last week.

Fall Levee Inspections for the Back Levee are scheduled for October 2nd.

Jacobs Point

108 staff cleared debris, mud and primrose from the inlet boxes of the Jacobs Point structure. We placed large steel panels into the board slots to hold water and mud from entering while we dewatered, removed silt and cleaned the gate structures. We utilized hydraulic jacks, porta powers, chain hoists and an excavator simultaneously to try and free the gate panels to open with negative results. We have asked Davis Machine Shop to make an evaluation to determine what other methods, if any, might be available. We are waiting for water levels to drop before scheduling their inspection.

Erosion Policy

Any further direction from the Board as to Erosion and damage to District facilities-. At the last meeting I shared the only reference I could locate as to erosion and/or damage in the Rules & Regulations under Rule 16 – Liability of Irrigators – *Every water user and landowner shall be jointly and severally responsible to the District for all damage to District works by his neglect or careless or malicious acts, such repairs will be made at his expense by the District.*

