

Reclamation District No. 2140
211 Main Street
Hamilton City, California 95951

Board of Trustees
Minutes of Meeting Held April 15, 2016

CALL TO ORDER:

The regular meeting of the Board of Trustees of Reclamation District No. 2140 (RD 2140) held on April 15, 2016, at the Hamilton City Community Services District office was called to order at 9:00 a.m. by Board President LeeAnn Grigsby-Puente.

Board Members present: LeeAnn Grigsby-Puente, Walt Stile and Dawit Zeleke.

Board Members absent: None

District representatives: Bill Paris, Legal Counsel; Tom Anderson, Interim Secretary

GUESTS: Jose Puente, General Manager Hamilton City Community Services District (HCCSD); Erik Nagy, Principal Engineer, MBK; and Dan James, Hamilton City Fire Chief.

PUBLIC COMMENT: None

MINUTES:

Board member Walt Stile made a motion to approve the minutes for the meeting held March 18, 2016, as written. The motion was seconded by Board member Dawit Zeleke and it passed by a unanimous vote.

CORRESPONDENCE:

1. Miscellaneous correspondence – no action required nor taken.
2. Erik Nagy reported he received a letter from Floyd Pederson, dated March 16, 2016, regarding the drainage pump on his property that is used to pump storm water collected from Hamilton City. A formal response to Mr. Pederson's letter will be prepared.

OLD BUSINESS:

1. Status report of the project:
 - a. Erik Nagy reported that last submittal for Phase 1 construction was received April 13th. Approval is likely April 15th followed by the 48-hour notice to proceed. Mr. Nagy reported that construction crews are placing protective fencing and survey stakes. Elderberry bushes are being identified and protected with netting and signs. He spoke with Kim Floyd regarding the groundbreaking ceremony scheduled for May 7th. The U.S. Army Corps of Engineers (COE) indicated they are willingly to take the lead on the ceremonies and will pay for most of the costs. Invitations are being sent to

various federal, state and local officials (current and former) as well as certain individuals who have contributed to the effort leading up to construction.

- b. Erik Nagy reported no significant change in activities under the Phase 1 restoration. He stated that we are still on track for a June 1, 2016 determination for the bidding process. Mr. Nagy reported that it may be necessary to have a third-party facilitate the on-site presence of Mechoopda tribal representatives during various phases of the project. This could add to the costs.
 - c. Erik Nagy briefly mentioned the Phase 2 process since it was not agendaized. He noted the U.S. COE will allow rights-of-entry for transplanting elderberry bushes and spoke about a strategy for separating portions of the Phase 2 work. Future agendas will include updates on the Phase 2 component.
2. Erik Nagy reviewed the outcome of the informal study session held at the HCCSD office on April 5th. In attendance were Erik Nagy, Seth Wurzel and Megan Jonsson of Larsen Wurzel & Associates, Inc. (LWA), Kim Floyd, Bill Paris, Walt Stile, Jose Puente and Tom Anderson. The benefit assessment methodology proposed by LWA is significantly more detailed than what was done previously. It includes the specific uses for each parcel as well as a degree of protection based on the potential flood water depth. The next informal study session will be by teleconference on April 21st when LWA will provide a preview of how the assessment roll could appear. After review and comment by the group, this information will be presented to the full Board at a special meeting scheduled for May 6th. If then approved by the Board the next steps will be to have the timelines for the benefit assessment election approved at the next regularly scheduled meeting on May 20th. It is also anticipated that a “pre-election” public meeting will be held May 26th to give the general public/landowners the opportunity to learn about the proposal before the ballots are mailed out.
 3. Updates on levee repair were deferred until New Business items 1 and 2.

NEW BUSINESS:

1. Jose Puente reported that during the levee repair effort, staff from Cal-Fire expressed a desire to hold a training exercise on chain saw use at the GunHill property. Mr. Puente also spoke with Chief James who likewise expressed interest in this type of training for the Hamilton City Fire Department. The issue of liability to RD 2140 was discussed, however this could be addressed under a formal agreement. Another concern is assuring coordination of the training exercises to avoid conflicts with construction activities.

A motion to allow the training, provided the RD 2140 liability is mitigated and construction activities are not inhibited, was made by Zeleke with a second by Stile. The motion was approved by a unanimous vote.

2. The Board discussed the removal of materials placed during the levee repair effort on District-owned property. Mr. Nagy advised that the U.S. COE would like the materials removed by April 30th. Mr. Puente reported that he spoke with a representative from Cal-Fire who indicated they would not be able to begin until May 10th. Board member Zeleke suggested The Nature Conservancy (TNC) possibly could assist before May 10th, however he could not make any commitments on TNC's behalf.

A motion to have Cal-Fire remove the materials, provided they can begin by May 10th, was made by Zeleke with a second by Stile. The motion was approved by a unanimous vote.

3. The Board discussed options to remove orchard trees on district-owned property. One option, which could generate revenue, is to ask for bids from professional wood cutters. Concerns expressed were how the work is to be done and the degree of brush removal/clean up. The U.S. COE may have their concerns as well. Discussion on this item will be continued at the next regularly scheduled Board meeting.
4. The Board considered the need to establish fire breaks on District-owned property. Chief James reviewed the needs for fire breaks and suggested that leaving the existing field roads would minimize the additional work that is needed. Chief James identified that areas that should have additional work done, e.g. disking. Chief James also noted that a "volunteer hay field" could pose a problem and he contacted a someone who could remove the hay. The Chief would like the fire breaks to be established by May 15th. The Board considered their options and the associated costs.

A motion to establish the fire breaks at a cost not to exceed \$500.00 was made by Grigsby-Puente with a second by Stile. The motion was approved by a unanimous vote.

5. The Board discussed entering into an agreement with HCCSD to use non-clerical staff assist RD 2140. Board President Grigsby-Puente recused herself from the discussion as she is married to HCCSD General Manager Jose Puente. Mr. Paris outlined the background and the need for having additional assistance, as was demonstrated during the levee repair effort. The Board directed Mr. Paris to move forward with a draft agreement.
6. The Board discussed entering into an agreement with HCCSD to use equipment owned by HCCSD. Mr. Paris explained that this would essentially be a "standing

- rental agreement". The Board directed Mr. Paris to move forward with a draft agreement.
7. The Board reviewed the budget sheets for fiscal year 2016-2017 prepared by the County Department of Finance (DOF), including the A-87 cost allocation table. Questions arose as to why there are A-87 allocations for County Counsel (\$1,210) and the County Administrative Officer (\$130). Interim Secretary Anderson will contact the DOF for an explanation and request that the RD 2140 allocation for these functions be removed.

REVIEW of FINANCIAL ACTIVITEIS:

1. The Board reviewed the Director's report from the County Department of Finance (DOF) for the period ending 3/31/2016.

REPORTS:

1. **Board:** LeeAnn Grigsby-Puente reported the RD 2140 sign to be attached to the HCCSD building is ready. It will not be placed on the HCCSD building until the facilities use agreement with HCCSD is finalized.
2. **Secretary:** No report.
3. **Legal Counsel:** No report.

Board member Dawit Zeleke left the meeting the meeting at 10:40 a.m.

PAYMENT OF RD 2140 BILLS:

Interim Secretary Anderson presented a list of claims for payment (bills) submitted to the County Department of Finance for the period 3/15/2016 to 4/11/2016 and totaling \$14,664.09. Board member Walt Stile made a motion to approve payment of the bills. Board President LeeAnn Grigsby-Puente seconded the motion and it carried unanimously among the Board members present.

ADJOURNMENT: 10:43 a.m.

The next regular Board Meeting will be held Friday, May 20, 2016, at the HCCSD office at 211 Main Street, beginning at 9:00 a.m.

Respectively submitted,

Arthur T. (Tom) Anderson
Interim Secretary