

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

Board of Trustees
Minutes of Meeting Held May 20, 2016

CALL TO ORDER:

The regular meeting of the Board of Trustees of Reclamation District No. 2140 (RD 2140) held on May 20, 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 and Walt Stile.

Board Members absent: Dawit Zeleke.

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

GUESTS: Erik Nagy, Principal Engineer, MBK (by telephone); Ryan Luster (TNC); Adrian Frediani (TNC by telephone) 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 April 15, 2016, as written. The motion was seconded by Board President LeeAnn Grigsby-Puente and it passed by a unanimous vote among the board members present.

CORRESPONDENCE:

1. Notice of correction as to property tax assessment roll from the county Department of Finance.
2. Miscellaneous correspondence – no action required nor taken.

OLD BUSINESS:

1. Status report of the project:
 - a. Erik Nagy reported that a cultural resources site was discovered north of County Road 23. The site was safeguarded (including a 100-foot buffer). Additional survey work is needed which may enable a smaller buffer. It has also been determined that the area at the south side of the Gunhill property, where the contractor intends to “harvest” borrow material, is also a cultural resource area. While clearing along the existing J-Levee north boundary, previously unidentified Elderberry bushes were found on the water side. The best option appears to leave those portions of the existing levee to avoid disturbing the bushes. Construction barriers placed on the Bains property along the road (under a temporary easement) apparently has caused some inconvenience to Mr. Bains’ operations. This issue is being worked out to accommodate both Mr. Bains and RD 2140. The P.G.&E. work has not been

completed. Mr. Nagy has contacted P.G.&E. to resolve this issue. The contractor has asked to be allowed to work from 6:00 am to 6:00 pm, Monday through Saturday.

- b. Erik Nagy reported he met the U.S. Army Corps of Engineers (U.S. COE) on May 16th. No determination has been received from the Small Business Administration whether this phase could be advertised as “unrestricted”, meaning any interested person could submit a proposal. Mr. Nagy commented that this delay is unacceptable and he will press to get a determination so the contract can be awarded.
 - c. Under Phase 2 Construction, Mr. Nagy noted the U.S. COE had been working with “interim” hydraulic drainage models which indicate the need to upgrade the culvert at State Route 32. Updates to the model show the upgrade may not be necessary. If so, this will reduce the amount and complexity of cooperation with Cal-Trans and should result in a cost savings. One drainage alternative at the slough is to have an open channel with gravity flow (as opposed to the current lift pump). With an open channel, the area could serve as a detention basin. This should relieve the private land owner from the current drainage costs, nor would it pass the drainage obligation to RD 2140. The transplanting of Elderberry bushes under Phase 2 will be split “take packages”. Mr. Nagy reported that the U.S. COE project cost is \$2.5 million less than the “902 limit”. [Note: Section 902 of the Water Resources Development Act, or WRDA, of 1986 defines the maximum amount that a project may cost. “The maximum project cost includes the authorized cost (adjusted for inflation), the current cost of any studies, modifications, and action authorized by WRDA ’86 or any later law, and 20 percent of the authorized cost (without adjustment for inflation). The cost of modifications required by law is to be kept separate and added to other allowable costs. These three components equal the maximum project cost allowed by section 902.”] Mr. Luster noted that Congressman Garamendi may have information to address the 902 issue and increase the limit to \$54.5 million with a 20% buffer. Congressman Garamendi hopes to add language in the Energy and Water Bill to increase the limit in Federal fiscal year 2017, although it may be too late to accomplish that. Board member Stile asked about moving the P.G.&E. gas line. Mr. Nagy responded that, relative to the 902 limit, it is hoped to minimize the relocation costs.
2. Erik Nagy provided an update on the development of the engineer’s report, including a review of the informal study session held May 13th. Mr. Nagy confirmed the assessment methodology proposed by Larsen Wurzel & Associates, Inc. (LWA) is adequate although some fine tuning and “ground verification” may be needed. The goal is to have information to the Board for review and authorization with a submission deadline of August 10th for the assessment to be included in the FY 2016-2017 property tax bill.

3. The Board review the budget for FY 2016-2017. Interim Secretary Anderson noted that the Department of Finance agreed to remove the A-87 cost allocation for County Counsel (\$1,210) but not the cost for the County Administrative Officer (\$130). Upon a motion by Board Member Stile and a second by President Grigsby-Puente, the board approved the budget and ordered it posted for final adoption in June. The motion passed by a unanimous vote among the board members present.

NEW BUSINESS:

1. A discussion was held regarding an agreement with the Mechoopda Tribe for monitoring activities and burial treatment plan. Mr. Nagy reported that the U.S. COE is to provide training to the contractor personnel that is satisfactory to Tribal issues. As to Tribal monitoring, it may be practical to hire a third-party firm to limit the costs to RD 2140. Far Western Anthropological Research Group, Inc. of Davis, California is current under contract with U.S. COE. If RD 2140 retains Far Western's services it could limit its costs for these activities. Mr. Nagy suggested that this be considered contingent on the approval of a burial treatment plan with the Mechoopda Tribe.

Action on this item was tabled until the special meeting scheduled for May 26th.

2. A discussion was held regarding entering into a license agreement with the levee construction contractor to use existing irrigation wells on RD 2140 property. Mr. Nagy stated that the contractor wants to use the well to have water for dust suppression. The agreement would allow the use of the well but RD 2140 will not provide power or assure the well is suitable for the contractor's intended use.

A motion to enter into the agreement was made by Board Member Stile and seconded by Board President Grigsby-Puente. The motion was approved by a unanimous vote of the Board Members present.

3. The Board discussed entering into an agreement with the Hamilton City Community Services District for use of its general manager and staff.

A motion to enter into the agreement was made by Board Member Stile and seconded by Board President Grigsby-Puente. The motion was approved by a unanimous vote of the Board Members present.

4. The Board discussed entering into an agreement with the Hamilton City Community Services District for use of its equipment.

A motion to enter into the agreement was made by Board Member Stile and seconded by Board President Grigsby-Puente. The motion was approved by a unanimous vote of the Board Members present.

5. The Board considered Board Resolution 2016-02, transfer of \$63,000.00 to the Professional Services (03230) and \$3,000.00 to Maintenance – Structures & Improvements (03180) from unanticipated revenues (52875).

A motion to adopt the resolution was made by Board Member Stile and seconded by Board President Grigsby-Puente. The motion was approved by a unanimous vote of the Board Members present.

REVIEW of FINANCIAL ACTIVITEIS:

1. The Board reviewed the Director's report from the County Department of Finance (DOF) for the period ending 4/30/2016.

REPORTS:

1. **Board:** LeeAnn Grigsby-Puente will review public relations consulting options.
2. **Secretary:** No report.
3. **Legal Counsel:** No report.

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 4/16/2016 to 5/19/2016 and totaling \$50,857.33. 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: 10:42 a.m.

The next regular Board Meeting will be held Friday, June 17, 2016, at the HCCSD office at 211 Main Street, beginning at 9:00 a.m.

Respectively submitted,

Arthur T. (Tom) Anderson
Interim Secretary