**MINUTES**

Minutes of the Board of Trustees Reclamation District No. 537

February 11, 2021

Pursuant to the foregoing consent and the notice thereof, duly and regularly posted and given to all members of the Board of Trustees, and by-laws of said District, a regular meeting of the Board of Trustees of Reclamation District No. 537 was called to order by President William Mattos on Thursday, February 11, 2021, at 9:02 am via Teams online meeting.

# Meeting Attendance:

Meeting attended by Trustees William Mattos, Thomas Ramos, Ross Peabody, Dan Ramos and Ray Yeung. Attendees included the following staff and RD 537 consultants: Manager Kyle Lang, Ric Reinhardt, Tina Anderson, Nichole Leonard, Dustin Dumars, and Rebecca Smith. Also in attendance were David Pesavento, Dan Tibbitts, and Thomas Kane.

# Approval of Agenda:

Trustee Mattos made the motion to approve the agenda as presented. Trustee Yeung seconded the motion, vote carried 5-0-0.

# Approval of minutes of the Board meeting of December 10, 2021and February 8, 2021:

Trustee Mattos made the motion to approve both the December 10, 2021 and February 8, 2021 minutes. Trustee Yeung seconded the motion, vote carried 5-0-0.

# District Finances:

Mr. Dumars presented informational items (attached). Trustee Mattos moved to accept the District’s pending financial items. Trustee Yeung seconded the motion, vote carried 5-0-0.

# Public Comment:

No public comments.

# MBK Updates:

## Lower Elkhorn Setback Levee Update

David Pesavento, DWR, was in attendance to provide an update on the setback levee. Due to good weather, Forgen is still working on the levees. Significant coordination with PG&E is required for this project. There have been several road blocks with PG&E that DWR is working through. MHM is monitoring the required settlement prior to beginning construction of the pump station. AT&T will need to relocate the fiber optic line running along the toe of the existing levee. The fiber optic cable is an important part of the State’s infrastructure and care will be taken to avoid damage to the line until the new line is installed and the old conduits can be sealed.

## Pump Station Update

GSE won the pump station contract. Pending settlement being reached, GSE will break ground on June 1, 2021. Sukut will complete interior drainage work this summer.

## Interior Drainage Ditch Update

SAFCA, on behalf of DWR, is building drainage and consolidating three pump stations to ensure drainage throughout construction. Dan Tibbitts, SAFCA, advised by farming consultant Dave Sills, presented a Proposal to Rehabilitate Detention Pond for Future Farming (Proposal) and requested that the Board enter into a contract with SAFCA to rehabilitate the detention basin in preparation for future agriculture. Due to the time sensitivity of taking over maintenance, Mr. Tibbitts requested that

the Board delegate authority to a subcommittee to negotiate and execute an amended agreement with SAFCA. Trustee Mattos made the motion to delegate the authority to review the Proposal and execute an amended contract with SAFCA to trustees Mattos and Yeung and General Manager Kyle lang. Trustee Yeung seconded the motion and the vote carried 5-0-0.

## CAMU Update

No valid bids were received for the Corporation Yard building. The entire Corporation Yard, including the building, will be bid as one project. Geosyntec prepared 30% designs.

The Corp Yard team is reviewing the schedule and working with SAFCA on the amendment to their agreement. Trustee D. Ramos and Peabody were given authority at a prior meeting to work on all aspects of the Corporation Yard, including the contract amendment.

## FMAP Update

The District’s completion report was submitted to DWR. The District will need to return funds to the State. Once the return funds are processed, the District will request a funding advance, likely in April or May. The FMAP agreement for 2021 is $183,300, of which $40,000 is for the SWIF and the remainder is for O&M and administration. Kyle Lang and Tina Anderson are working on the maintenance plan for the spring and summer and will present it to the board at the next meeting.

# Update on Oroville Lawsuit Subpoena:

Downey Brand has reviewed the materials and is waiting for a response from DWR. There is nothing new to report.

# Appoint authorized signers for First Northern Bank Account:

Trustee T. Ramos is currently the signer for the District and reviews and approves payments. Trustee T. Ramos motioned to add Trustees D. Ramos and Trustee Peabody as additional signers. Trustee Yeung seconded and the vote carried 5-0-0.

# RD 827 and RD 785 Billing from Jim Nolan:

Jim Nolan will send invoices ahead of April meeting.

# Discuss Letter to Landowners Regarding BMP Drainage Plan:

General Manager Kyle Lang drafted a letter to the landowners outlining Best Management Practices regarding drainage issues. The Board and Rebecca Smith have reviewed the letter. Trustee Mattos suggested a cover letter stating the changes relative to new construction. Trustee Mattos motioned to approve the letter. Trustee T. Ramos seconded the motion and the vote carried 5-0-0.

# Manager’s Report:

* 1. Emerald Site Services cleared the vegetation around the pumps. Emerald submitted a proposal for $8,500 to remove fallen trees on the levee in the spring.
  2. Clearwater removed water hyacinth and debris buildup from the old RD 785 pump and screen
  3. Kyle Lang is working with the insurance company regarding damage to the levee from an auto accident.
  4. The County received a request to abandon a road in the northern end of the district. They sent a letter to the RD to see if there were any concerns over road is being abandoned; the road is unused. No concerns were raised by the board members.

# Informational Items:

* 1. The District’s LOI has been approved by the local USACE branch, approval by USACE headquarters is pending.
  2. FMAP funding is currently available; it is unknown whether the program will be continued in the future.
  3. Rebecca Smith will coordinate the ethics training required for filing Form 700

1. Adjourn:

Trustee Mattos adjourned the meeting at 10:27am.