MINUTES

Minutes of the Board of Trustees Reclamation District No. 537

December 9, 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, December 9, 2021, at 9:13 am in-person and via Teams online meeting.

**Call to Order**

# Meeting attendance

Meeting was attended by Trustees William Mattos, Dan Ramos, Thomas Ramos, and Ray Yeung. Trustee Ross Peabody was absent. Also in attendance were the following RD staff and consultants: Kyle Lang, Dustin Dumars, Rebecca Smith, Tina Anderson, and Nichole Leonard. One member of the public, Richard Yeung attended the meeting.

# Approval of agenda

Trustee Dan Ramos moved to approve the agenda, Ray Yeung seconded, and the motion carried 4-0-1.

# Review and consider findings related to remote meetings pursuant to AB 361

Ms. Smith recommended that the Board adopt the findings of AB 361 regarding the ability of Trustees to remotely attend public meetings and reported they would need to adopt the finding every thirty days. Trustee Dan Ramos made a motion to approve the findings under the Governor’s Directive. Trustee Tom Ramos seconded, and the motion carried 4-0-1.

# Approval of minutes of the Board Meeting on October 12, 2021

Trustee Dan Ramos moved to approve the minutes. Trustee Yeung seconded, and the motion carried 4-0-1.

**Public Comment on Non-Agenda Items**

# Public Comment on Non-Agenda Items

No public comments were made.

# Report on District 2021 Election

There were four candidates for the two officer positions expiring at the end of December: Dan Ramos, Ray Yeung, Rich Yeung, and Thomas Kane. The votes were counted, and Dan Ramos and Ray Yeung won the officer elections.

# Report on District Finances

Dustin Dumars presented financial statements, including the receipt of FMAP funds and SAFCA reimbursement #7. Trustee Mattos will follow up on the 2019-2020 arrearage due from the State Lands Commission from the consolidation of RD 827. The State Lands Commission has been presented with the LAFCO documents showing the consolidation of RD 827 with RD 537.

Trustee Mattos proposed purchasing herbicides with the remaining FMAP funds. Trustee Dan Ramos made the motion, Trustee Yeung seconded, and the motion carried 4-0-1.

**District Business/Action Items**

# Engineers Report and Updates (MBK):

* 1. Lower Elkhorn Setback Levee Update

Construction is proceeding and will continue. Ms. Anderson reported that the old levee will not be degraded until the new levee is Certified, at which time the levee will be turned over to the District.

* 1. Pump Station Update

Contractors have made progress on the pump station and construction will continue unless the weather gets too wet. The original plan was to have Forgen install the pipe extensions, but DWR may contract the work to GSE who is also doing the pumpstation work.

* 1. Interior Drainage Ditch Update

The drainage ditch is wrapped up. There was some rilling from the rains, but that has been fixed and the slopes have been hydroseeded.

* + 1. Detention Basin Management

DWR is still considering turning over the management of the detention basin to the District. Trustee Mattos inquired about an interim agreement so the District can manage the vegetation in the meantime. Ms. Anderson will reach out to DWR regarding a temporary agreement.

* 1. CAMU Update

Ms. Anderson reported PG&E requested updated plans.

Mr. Rich Yeung inquired about the current state of drainage. Ms. Anderson reported that Forgen is required to provide the same pumping capacity, if needed, as the 3 pumps can provide. She will follow-up with DWR to confirm Forgen has a plan in place should the rains increase.

Ms. Anderson also reported that MBK is preparing a letter of justification regarding the cost of the Corporation Yard. Trustee Dan Ramos mentioned that the District did not propose or design the Corporation Yard building, but offered the Board’s assistance with the letter, stating the District appreciates the project and is conscientious of budget concerns and wouldn’t want to waste any funds.

Trustee Mattos requested confirmation that the water tank and associated cost are required. Mr. Rich Yeung confirmed that Yolo County and the Fire Chief require the Corp Yard to have fire suppression capability.

* 1. FMAP Update

Ms. Anderson reported the SWIF for RD 537 is almost complete, and that once the SWIF is complete, any remaining funds might be able to be moved to other tasks such as O&M. Ms. Anderson will update the work plan and request to move the funds within the FMAP budget after the SWIF is completed.

Regarding SWIF compliance, Trustee Mattos asked if Ms. Anderson would attend a meeting and assist the District in explaining permit compliance to landowners. Ms. Anderson agreed and inquired about the District’s preferred strategy regarding enforcement action with the CVFPB and assisting landowners with the permit process. Trustee Mattos says the District will facilitate a meeting and send notices to invite the landowners after the holiday season. He stated that working with landowners and educating them about the effort needed to bring their encroachments into required compliance is the best way to proceed. Mr. Rich Yeung offered the firehouse as a location for the meeting. Trustee Dan Ramos suggested working with landowners in groups to save costs on inspections. Ms. Anderson suggested identifying Unacceptable encroachment locations prior to the meeting in the case that encroachment owners already have inspection reports or performed corrective actions.

# Review and consider acceptance of drainage easement

Ms. Smith presented the revised easement form and reported that once the easement is formally accepted by the Board, it can be signed. Trustee Mattos made a motion to accept the easement. Trustee Dan Ramos abstained from voting. Trustee Ray Yeung seconded, and the motion carried 4-0-1.

# WSAFCA Update

Trustee Tom Ramos reported that Congress has passed the bipartisan infrastructure bill containing funding for flood related projects for the Army Corps of Engineers. The Corps is working on a flood plan budget with the potential for funds for new construction projects.

# Discussion & Action Related to Vegetation Contract

Trustee Dan Ramos reported a DWR site located in the former RD 827 area. The area is overgrown and requires significant vegetation control. Ms. Anderson reported that DWR is responsible for maintenance for the site, and that FMAP or other funding should be used to perform the work. The vegetation maintenance portion of the work will exceed $25,000 and will need to bid, it would have to take place next fiscal year. Ms. Anderson will follow up with DWR regarding the FMAP funding for next year and include that additional effort in the work plan for the upcoming fiscal year.

**Informational Items**

# Update on Oroville Lawsuit Subpoena

Ms. Smith reported the lawsuit is in settlement discussions, but there are no action items for the District.

# Board member training reminders

Ms. Smith listed the trainings the Board officers are required to complete every two years: Form 700, ethics, and harassment prevention training. Ms. Smith will send links for the online trainings for these items to the Board members.

# Manager’s Report

Manager Lang reported that that the PGE bills that might have been submitted for reimbursement had there been significant overage, were very similar to previous bills, and currently there is no need to submit any overage for reimbursement.

Mr. Lang received a quote from Emerald Site Services for removal of the large tree that had fallen on the south river road. Trustee Mattos suggested getting a second quote from David Cox, in addition to the one from Emerald Site Services for the removal of the downed tree and debris scattered on both sides of the river road.

Delivery of the shipping container from Yolo County is still pending. The District still has some flood fight supplies in storage.

Clearwater completed stump removal on the District’s levee.

Mr. Lang presented the proposal from Chem-Weed for rodent control, which the Trustees found acceptable.

# Additional informational items/Trustee comments

Ms. Smith suggested preparing an inventory of easements for the District with Ms. Anderson, in order to identify gaps and have easements transferred if necessary.

# Adjourn

Trustee Mattos adjourned the meeting at 11:00 a.m.