

# RECLAMATION DISTRICT NO. 108

## Minutes of the Regular Meeting

### Of the Board of Trustees

September 15, 2016

President Durst called the Regular Meeting of the Board of Trustees to order at 8:30 a.m. on Thursday, September 15, 2016 at Reclamation District No. 108 headquarters, Wilkins Slough, Colusa County, California.

**Trustees Present:** Fritz Durst, Jon Leonard, Roger Cornwell, Sean Doherty and Hilary Reinhard

**Trustees Absent:** None

<b>Others Present:</b>	Lewis Bair, General Manager	Fred Durst, Landowner
	Bryan Busch, Asst. Manager	Rob Meyer, Landowner
	Gary Marler, Superintendent	Don Huff Jr., Landowner
	Kevin O'Brien, Legal Counsel	Don Huff III, Landowner
	Sean Filippini, Downey Brand-Phone	Barry O'Regan Engineer
	Eileen Diepenbrock, Attorney-Phone	David Alves, Landowner Rep.
	Cathy Busch, Executive Secretary	John Louden, Supervisor Colusa Co
	Beverly Walls, Bookkeeper	Deke Dormer, Landowner
	Steve Beckley, PR Consultant	Vincent Andreotti, Landowner
	John Segale, Public Relations	Kim Gallagher, Landowner

**Agenda** – It was moved by Trustee Cornwell to approve the Agenda as submitted. Trustee Doherty seconded. Vote: Approved 5 - 0.

#### Open Forum

President Durst welcomed the public to the meeting. Manager Bair reported that the District will receive relief from the Bureau of Reclamation (USBR) for 8,000 acre-feet of Project Water cost by about \$352,000 for 2016. USBR will be using this water to help produce fish food for smelt by diverting water into the Colusa Basin Drain, through the Bypass and back into the River with high nutrient water, and will also provide more flow in the River to help balance salinity in the Delta.

Manager Bair reported that the District has water available for pre-irrigations and rice decomposition (decomp) through October 31 under the District's Water Contract. There are no guarantees that water will be available after November 1 since it falls under the District's junior water licenses and is subject to Term 91. He recommended that Water Users plan to take water in October if they want assurances to do pre-irrigations and/or decomp. Manager Bair reviewed the District's new water rate structure and decomp rates for 2016 (flood only approximately \$9.60 and flood and maintenance approximately \$19.20). These rates will adjust based on the measured water put on the field. There is concern that based on how tight the River is currently being

managed that there could be a water shortage if all October demand falls at the end of the month. President Durst urged that Water Users start water as early as possible in October.

Manager Bair reported that the Board held a Workshop to review the workload of District management and staff. Larry Mandleburg helped the Board create the blue board to determine current and future issues and projects, and prioritize their importance. It was the Board's recommendation that two management positions be hired. Action will be taken at the Board meeting today after landowners have had an opportunity to comment. Landowners commented that they do not see the issues facing the Districts decreasing and actually see more regulations coming. Landowner Andreotti commented that there are a lot of water diverters along the River that benefit from the District's participation in current issues. President Durst agreed and encouraged water diverters to join the Sacramento River Settlement Contractors for a more united voice.

The Public Forum ended at 9:20 a.m.

## **ADMINISTRATION**

**Public Participation:** There were no further comments from the Public at this time.

**Consent Agenda** – It was moved by Trustee Cornwell to approve the consent agenda, including the Minutes of the Board Meeting held on August 18, 2016 and Special Board Workshop held on August 17. Trustee Reinhard seconded. Vote: Approved 5 - 0.

**Accounts Payable** – It was moved by Trustee Doherty to approve the accounts payable: Maintenance Fund in the amount of \$1,248,829 and on-line payments issued in August and September to be ratified in the amount of \$90,706; and Irrigation Fund in the amount of \$736,203 and payments in August and September to be ratified in the amount of \$105.70. Trustee Reinhard seconded. Vote: Approved 5 – 0.

**Review and Amend the Maintenance and Irrigation Budgets** – Manager Bair reviewed the proposed amendments to the Maintenance Fund Budget. (Actual and Budget Report Attached hereto and made a part hereof). There was discussion on the estimated cost for Phase 8 Bay Delta for 2016. It was the consensus of the Board to increase Phase 8 Bay Delta to \$100,000. It was moved by Trustee Cornwell to approve the proposed adjustments to the 2016 Maintenance Fund Budget including Phase 8 Bay Delta to \$100,000. Trustee Reinhard seconded. Vote: Approved 5 – 0.

Manager Bair reviewed the 2016 Irrigation Budget and the proposed amendment to increase USBR Water Charges to \$1.322 million. It was moved by Trustee Cornwell to approve the USBR Water Charges to \$1.322 to the 2016 Irrigation Budget. Trustee Leonard seconded. Vote: Approved 5 – 0.

## **BUSINESS ITEMS**

1. **Operations Report** – Superintendent Marler reported on District-wide operations. Staff have installed the pilings for the Rough & Ready trash rack and are currently waiting for fabrication of the screens. The levees have been dragged and are ready for levee inspection. It is planned to install a toe road along Landowner Perez' property with material from Westervelt. Approximately 9,000 yards of material are being stored in preparation of the toe-road project. The Department of Fish & Game has requested permission to setup a fish trap in the Colusa Basin Drain just south of Countyline Road. This would be the same structure installed in 2013.

2. **District Staffing** – After further discussion, it was moved by Trustee Cornwell to direct Manager Bair to hire two management positions, one to replace the Assistant Manager and one as a support person. Trustee Doherty seconded. Vote: 5 – 0 approved.

### **3. Project Reports**

**KLOG** – Attorney Sean Filippini, Downey Brand entered the meeting via conference call. The Board went into Closed Session at 10:20 a.m. to conference with legal counsel regarding one anticipated litigations (Knights Landing Outfall Gate Project (KLOG)) pursuant to subdivision (b) of section 54956.9. The Board came out of Closed Session at 11:20 a.m. and President Durst announced that the following action was taken: It was moved by Trustee Reinhard to retain Downey Brand to hire a private investigator to investigate the KLOG Project. Trustee Cornwell seconded. Vote: Trustees Reinhard and Conrwell, and President Durst voting yes; Trustees Doherty and Leonard voting no. Motion passed 3 – 2. Attorney Filippini ended his conference call at approximately 11:30 a.m.

**Wallace Weir Project** - Manager Bair reported that Wallace Weir Project was on time and moving forward. The Project should be substantially completed by November 6. A Press event for the Project has been scheduled for October 6.

4. **El Dorado Bend Pumping Plant Maintenance Project** – Attorney Eileen Diepenbrock, Attorney entered the meeting via conference call. The Board went into Closed Session at 11:30 a.m. to conference with legal counsel regarding one anticipated litigations (El Dorado Pumping Plant Maintenance Project) pursuant to subdivision (b) of section 54956.9. The Board came out

of Closed Session at 12:45 p.m. and President Durst announced that the following action was taken: the Board authorized the filing against River Garden Farms to collect against an outstanding invoice. Attorney Diepenbrock ended her conference call at 12:45 p.m.

## **INFORMATION REPORTS**

**Attorney's Report** – Attorney O'Brien reported that he had nothing further to report.

**NCWA Report** – Trustee Cornwell reported that on October 4 a meeting has been setup with the South Delta Growers to determine how we can work together. The NCWA monthly meeting is scheduled for tomorrow at the Conway Office.

**Sites JPA** – President Durst gave a status report of the Sites Reservoir. He said that the first project meeting was held and only 3 people showed up.

**Communications Consultant** – Mr. Steve Beckley gave a report on current communication efforts. Mr. John Segal reported that a press event has been setup for the Wallace Weir Project. Also a tour with the LA Times will be setup sometime in October or November.

**Assistant Manager's Report** – Assistant Manager Busch thanked the Board for the opportunity he had working with the District and reported that this would be his last meeting and that his new job starts October 3.

**Manager's Report** – Manager Bair reported that he was thinking of taking an extended seven-week vacation next summer and if approved he would like to start planning for it.

**Media Training** – At the Board's request, Mr. John Segal put on a media training for the Board.

## **ADJOURNMENT**

There being no comments from the public and no further business to come before the board, the meeting was adjourned at approximately 3:00 p.m.

Respectfully Submitted



Lewis Bair  
Manager