

RECLAMATION DISTRICT NO. 108

Minutes of the Regular Board Meeting

December 20, 2018

President Durst called the Regular Meeting of the Board of Trustees to order at 8:30 a.m. on Friday, December 20, 2018 at Reclamation District No. 108 headquarters, Wilkins Slough, Colusa County, California.

Trustees Present: Fritz Durst, Sean Doherty, Todd Miller and Hilary Reinhard

Trustees Absent: Roger Cornwell

Others Present:

Lewis Bair, General Manager	Gary Marler, Operations Manager
William Vanderwaal, Deputy Manager	Anne Zwald, Secretary
Meegan Nagy, Deputy Manager	Kevin O'Brien, Legal Counsel
Carrie Schroeder, Smith & Newell	Beverly Walls, Bookkeeper
Cathy Busch, Executive Secretary	Fred Durst, Landowner
Don Huff, Landowner	Steve Beckley, Landowner
Mark Repetto, Landowner	

Agenda – It was moved by Trustee Miller to approve the agenda as submitted. Trustee Reinhard seconded. Approved 4 – 0.

Open Forum – President Durst welcomed guests to the Open Forum. Manager Bair reported on Winter Water Deliveries.

Manager Bair reported that the State Water Board hearing was held on Dec. 12th and was mostly for the San Joaquin tributaries which included three rivers: Stanislaus, Tuolumne, and the Merced. The plan was to negotiate voluntary agreements and then ask the State Board to combined the San Joaquin and Sacramento Valley Tributaries into a new environmental document to be approved by the middle of 2019. Unfortunately, the San Joaquin was unable to reach VA's on the majority of their tributaries which led to the State Board adopting the unimpaired flow approach for the San Joaquin Tributaries and setting up a schedule for Sacramento Valley Tributaries to be submitted by March.

The Public Forum ended around 9:15 a.m.

ADMINISTRATION

Public Participation: There was no Public Participation at this time.

Consent Agenda – It was moved by Trustee Miller to approve the consent agenda, including the Minutes of the Regular Board Meeting held on November 15, 2018. Trustee Reinhard seconded. Vote: Approved 4 - 0.

Accounts Payable – It was moved by Trustee Doherty to approve the accounts payable: Maintenance Fund in the amount of \$616,574.11; checks issued in November to be ratified in the amount of \$212,937.12; online payments to be ratified issued in November in the amount of \$9,038.06; on-line electronic payments issued in November in the amount of \$14,856.18, and transfers between River City Bank account and the Money Market Fund in the amount of \$265,000. Irrigation Fund in the amount of \$92,144.40 and on-line electronic payments were ratified in the amount of \$4,308.49. Trustee Miller seconded. Approved 4 – 0.

On-line Payment Vendors - It was moved by Trustee Doherty to add the following vendors to the on-line payment program: Reading Oil, Employee Relations and Alliant Network Service. Trustee Reinhard seconded. Approved 4 – 0.

2017 Audit Report – Carrie Schroeder of Smith & Newell presented the 2017 Audit Report. She pointed out a few highlights to bring to the Board’s attention throughout the report. The first page stating that the report is a clean and unqualified opinion which is the highest level possible for this type of report. Revenue in the maintenance fund was down due largely to the execution of fewer external projects. Capital assets increased largely because of the office remodel/addition. Something to note in the irrigation fund is that total expenses are higher than total revenue.

The Board went into CLOSED Session at 9:30 a.m. to conference with CPA. The Board came out of Closed Session at 9:38 a.m. and President Durst announced no action was taken. It was moved by Trustee Reinhard to accept the Audit Report for 2017 as presented by Carrie Schroeder of Smith & Newell. Trustee Miller seconded. Approved 4 – 0.

BUSINESS ITEMS

1. **Operations Report** – Superintendent Marler reported on District-wide maintenance. He reported that they replaced as many pipes, risers and gates as possible before Term 91 ended. Staff cleaned drains in Tract 6 for the past month and raked Division 3 Canal to remove Sago Pondweed. The pondweed has spread to a point where it is restricting water flow and lift pumps downstream are beginning to cavitate. Staff is looking at chemical control options for the next water season. Staff completed the tear down of Pump #3 from Poundstone Pumping Plant and are waiting for the shaft and bearing inspection by Davis Machine Shop. Davis Machine Shop will be rebuilding the pump bell (tail shaft bearings and impeller). Divers inspected the remaining pumps at both Wilkins and Poundstone Pumping Plants. Wilkins Pump #1 is showing significant wear of the tail bearing. Wilkins Pump #6 is currently at CPM in Chico for repairs of a complete overhaul. Staff graded Blacktop Road and removed a beaver dam between Field 70 and 81F. Staff locked up all District gates on 11/29/18. Dunnigan water operations are still running smoothly.

2. **Resolution No. 18-06 in the matter to approve amendment 1 of the Colusa Groundwater Authority Joint Powers Agreement** – Deputy Manager Vanderwaal provided highlights on the Colusa Groundwater

Authority before talking about the resolution. The Basin Boundary Modification was approved by DWR, which pulls everything west of RD 1004 in Colusa County into the Colusa Sub Basin. DWR reported at the Yolo WRA Technical Team Meeting that the scoring for basin prioritizing was revised.

Resolution No. 18-06 amends the JPA's current language regarding the use of the County of Colusa as the fiscal agent for Colusa GSA and will authorize the GSA to seek other banking/financial services beside the County of Colusa. It was moved by Trustee Doherty to adopt **RESOLUTION NO. 18-06**. Trustee Miller seconded. Approved 4-0.

3. 2019 Preliminary Financial Budgets for Maintenance, Irrigation and Projects and 2018 Actual Costs – Manager Bair reported no proposed changes since the review at the Nov. Board Meeting and wanted to highlight the postponement of the rate increase in the Irrigation fund and that the Maintenance budget assumes that voluntary agreements go through. The Budget also includes KLOG, but due to timing, it might not go through this year. It was moved by Trustee Miller to approve the 2019 Preliminary Budgets. Trustee Reinhard seconded. Approved 4-0.

4. Resolution No. 18-08 in matter to approve Notice of Exemption for Hydroelectric Power Generation – Deputy Manager Vanderwaal explained that in 2015 legislation was passed to authorize RD108 to participate in hydroelectric power generation projects. In that legislation, there is a sunset clause for this authority. In order to remove the clause, it has to go through a LAFCO process and then a legislative process. The first step in the LAFCO process is the CEQA Notice of Exemption. This resolution is to approve the exemption notice to move forward. It was moved by Trustee Reinhard to adopt **RESOLUTION NO. 18-08**. Trustee Doherty seconded. Approved 4-0.

5. Name Jordon Navarrot as Alternative Board Member to the PWRPA Board – Deputy Manager Vanderwaal reported that after reviewing with Manager Bair their workloads, they feel getting Jordon involved would be a good idea as PWRPA involves water operations. With the addition of Dunnigan Water District, Deputy Manager Vanderwaal needs to attend the TCCA Board Meetings which fall on the same day as the PWRPA meetings. It was moved by Trustee Doherty to have Jordon Navarrot as an Alternative Board Member to the PWRPA Board for RD108. Trustee Reinhard seconded. Approved 4-0.

6. Resolution No. 18-07 in matter to approve authorization to Deputy Manager to negotiate and execute a Funding Agreement for the Flood Maintenance Assistance Program (FMAP) – Deputy Manager Nagy asked that the Board does not adopt this resolution because the program guidelines came out last night and the new deadline for funding is January 25, after the next Board Meeting. Deputy Manager Nagy wants to read through the guidelines and get together with Counsel to make sure that the resolution matches and follows FMAP guidelines more accurately.

7. Personnel:

(a). Review and Adopt the Employee Handbook – Executive Secretary Cathy presented changes to the Board from the last review of the Employee Handbook. A couple of items that were pointed out are as follow:

- Vacation time: Manager Bair sometimes gives out vacation time in lieu of compensation/raise. President Durst wanted wording to be, "The manager or board president has the authority to authorize additional compensation or vacation time with the approval of the personal committee."

- Medical Coverage: If paper work is not turned in on time, coverage will not start when eligible and will not be back dated. Coverage will start the 1st of the month following when all paper work is turned in and completed.

- Workers Comp and Health Insurance: Will offer the same amount of time as family leave. After that time, Board will need to make the decision if medical is carried out after 12 weeks while out on workers comp.

- Fire Arms: The Board was concerned that the wording of this section sounds too much like it is addressing the public and not just employees. This section will be reworded and presented to the Board at the January Board Meeting.

-District Housing: Housing for Watermen was brought up and the Board decided to continue the discussion further at the January Board Meeting.

It was moved by Trustee Doherty to adopt the Employee Handbook with the exception of leaving out the Fire Arms Policy until verbiage is redrafted. Trustee Reinhard seconded. Approved 4-0.

(b). Wage Adjustment – Manager Bair reported that after meeting with the personal committee, they came up with a recommendation that over the next two years (2019 & 2020) watermen wages would be increased from being below a maintenance worker to being twenty-five cents higher than a maintenance worker. President Durst would like it brought up to Gary to have some specific performance goals and measurable indicators that can be relied on for performance evaluations. It was moved by Trustee Doherty to accept the wage scales for the 2019 year. Trustee Reinhard seconded. Approved 4-0.

INFORMATION REPORTS

1. **NCWA Report** – Trustee Bair reported that on January 16th NCWA is holding a strategic session at Lundberg Family Farms and on March 1st is their Annual Meeting. President Durst would like a letter sent to the NCWA Board to thank them for their leadership with regards to the VSA process and to show them RD108's support with what they are doing. Manager Bair suggested that the letter respond and acknowledge to what their goals and objectives are.

2. **Sites JPA** – President Durst reported that a Sites Landowner Meeting was held on Monday, December 14th. The District will participate with Phase 2019 at a level of 4,000 AF and have until mid-February to sign the Project Agreement. Authorization to sign will need to be approved at the January 2019 Board Meeting.

3. **Attorney's Report** – The Board went into CLOSED Session at 11:07 a.m. to conference with Legal Counsel – existing litigation (Paragraph (1) of subdivision (d) of Section 54956.9. Natural Resources Defense Council et al v. Zinke.

Conference with Legal Counsel – Anticipated Litigation. Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 (CalWaterFix Comments, Settlement Contracts, NRDC, SWRCB

Settlement Process and Voluntary Agreement, KLOG). The Board came out of Closed Session at 11:48 a.m. and President Durst announced no action was taken.

4. General Manager Compensation – President Durst wanted to thank Lewis for the work that he has done this year. It was moved by Trustee Reinhard to give General Manager Bair 15.2% of his salary as a bonus based on the quality and quantity of his performance in 2018. Trustee Doherty seconded it. Approved 4-0.

It was moved by Trustee Reinhard to raise General Manager Bair’s salary from 2018 by 3.03% for the 2019 year. Trustee Miller seconded it. Approved 4-0.

5. Public Relations Consultant – Steve Beckley reported that he is trying to make the RD108 Facebook page more like a community featuring the area and the people involved.

6. Deputy Managers’ Report:

- **Flood Control Project Update** – Deputy Manager Nagy reported that she is still waiting to hear back from the Emergency Response Grant on the final funding agreement. The draft RCIS is being resubmitted for another completeness review by CA Department of Fish and Wildlife. FEMA came out with proposed changes to the NFIP for Agricultural Structures and review comments will be due by January 21st.

- **Project Updates** – Deputy Manager Vanderwaal reported that Tehama RCD has approached CSU Chico and looks like RD108 will get reimbursed for work on Rio Vista in February/March time frame. Water Use Efficiency Grants are a couple weeks out for the 401 permits. Project Reports were in the meeting package for review.

7. Manager’s Report – Manager Bair had nothing further to report at this time.

RECESS

The Board recessed for lunch at 12:10 p.m.

ADJOURNMENT

There being no further comments from the public and no further business to come before the board, the meeting was adjourned at 12:59 p.m.

Respectfully Submitted

Lewis Bair
Manager