

# RECLAMATION DISTRICT NO. 108

## Minutes of the Regular Board Meeting

January 17, 2019

Vice President Cornwell called the Regular Meeting of the Board of Trustees to order at 8:37 a.m. on Thursday, January 17, 2019 at Reclamation District No. 108 headquarters, Wilkins Slough, Colusa County, California.

**Trustees Present:** Roger Cornwell, Sean Doherty, Todd Miller and Hilary Reinhard

**Trustees Absent:** Fritz Durst

**Others Present:**

Lewis Bair, General Manager

William Vanderwaal, Deputy Manager

Meegan Nagy, Deputy Manager

Gary Marler, Operations Manager

Steve Beckley, Landowner

John Loudon, Colusa County

Anne Zwald, Secretary

Kevin O'Brien, Legal Counsel

Beverly Walls, Bookkeeper

Cathy Busch, Executive Secretary

Kim Gallagher, Landowner

**Agenda:**

M/S/C: Miller/Reinhard: approve agenda with the exception of removing Board Election to Feb.

AYES/NOES: Cornwell, Doherty, Miller, Reinhard / NONE

**Open Forum:** Vice President Cornwell welcomed guests to the Open Forum and wished them a Happy New Year.

Deputy Manager Vanderwaal reported that the Colusa Groundwater Authority is holding a Public Meeting on Thursday Evening, January 31<sup>st</sup> at 6 p.m. at the Colusa Indian Community Events Center by the Casino in Colusa to discuss the Prop 218 process. Encouraging Landowners to attend and learn about the process.

Manager Bair reported that March 1<sup>st</sup> is the NCWA Annual Meeting. Pointed out that the Board has decided not to raise irrigation rates again and wanted an awareness with the landowners that, depending how the voluntary agreements turn out, there could be a substantial increase in next year's water rates. Manager Bair also reported that the State Water Resources Control Board has set up a deadline of March 1<sup>st</sup> for the Sacramento Valley to submit formal documentation of their Voluntary Agreements.

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

The Open Forum ended around 9:04 a.m.

### ADMINISTRATION

**Consent Agenda:**

M/S/C: Miller/Doherty: to approve both Minutes of the Regular Board Meeting on Dec. 20, 2018 and the Minutes of the Sites Landowner Meeting on Dec. 14, 2018.

AYES/NOES: Cornwell, Doherty, Miller, Reinhard / NONE

**Accounts Payable:** Maintenance Fund in the amount of \$612,806.72; checks issued in December to be ratified in the amount of \$365,681.12; online payments to be ratified issued in January in the amount of \$18,288.87; on-line electronic payments issued in January in the amount of \$8,996.57, and transfers between River City Bank account and the Money Market Fund in the amount of \$225,000. Irrigation Fund in the amount of \$53,998.83 and on-line electronic payments were ratified in the amount of \$4,195.39.

M/S/C: Doherty/Miller: to approve accounts payable as stated above.

AYES/NOES: Cornwell, Doherty, Miller, Reinhard / NONE

## BUSINESS ITEMS

1. **Operations Report** – Superintendent Marler reported that, in addition to his report attached, a new windshield with a wiper blade was purchased for the side by side Utility Vehicle and the Bureau has plans to replace the water meters at Wilkins Slough.

2. **Adopt New Verbiage for Fire Arms Policy for Employee Handbook** – Executive Secretary Cathy presented new wording for the Fire Arms Policy. After discussion, it was determined that the wording wouldn't apply to geographical boundaries but rather be simply staff while on duty.

M/S/C: Reinhard/Miller: to adopt new Fire Arm Policy verbiage with legal counsel approval.

AYES/NOES: Cornwell, Doherty, Miller, Reinhard / NONE

3. **Resolution 19-01 in the matter of Authorizing a Proposal for funding from the Department of Water Resources and Designating a Representative to Execute the Agreement and any Amendments thereto, for the Flood Maintenance Assistance Program (FMAP)** – Deputy Manager Nagy gave a summary of the guidelines required for the funding for the FMAP. A key eligibility criterion is that if a district is under \$10,000 a levee mile, they are eligible for a 75% cost share of levee maintenance. The program will also issue an additional \$20,000 if a District has a SWIF in place. As well as another \$20,000 if a District has an adequate assessment. RD108 meets all of the three criteria mentioned above. Deputy Manager Nagy gave a breakdown of cost for different levee maintenance that will be presented for the Funding Program. This grant money will go towards the Back Levee that RD108 maintains.

M/S/C: Doherty/Reinhard: to adopt Resolution 19-01 as presented.

AYES/NOES: Cornwell, Doherty, Miller, Reinhard / NONE

4. **Officer Elections** – Due to President Durst being absent, it was decided to defer Officer Election to the February meeting.

5. **Authorization to Sign Agreement for Sites Participation of Phase 2019** – Deputy Manager Vanderwaal reported that the participation agreement will need to be signed on February 15<sup>th</sup>. It is still being reviewed by Downey Brand. Asking for Board to approve General Manager Bair or Deputy Manager Vanderwaal to sign the agreement for Sites Phase 2019.

M/S/C: Doherty/Miller: for G.M Bair or D.M. Vanderwaal to sign Sites Participation of Phase 2019 on February 15<sup>th</sup> pending legal counsel approval of agreement.

AYES/NOES: Cornwell, Doherty, Miller, Reinhard / NONE

6. Consider adopting 2019 Budget – Manager Bair reported that there were two main deliverables for the finance committee: System Rental and the 5-Year Budgets. System Rental is the amount that the irrigation fund pays the maintenance fund to provide all of O&M. The 5-Year Budgets biggest expense adjustment will be the Sites payments. Presented two options of bottom line dollar in regards to whether or not there are voluntary agreements and if they involve Tract 6.

M/S/C: Doherty/Reinhard: to adopt 2019 Budget.

AYES/NOES: Cornwell, Doherty, Miller, Reinhard / NONE

7. Tract 6 Pilot Project: Central Valley Habitat Exchange Habitat Assessment – Due to weather conditions, Dan Kaiser of EDF was unable to make it. Will be rescheduling for another month.

#### INFORMATION REPORTS

1. Public Relations Report - Steve Beckley reported that he is continuing to cover the areas of high water. Both Facebook and Twitter are continuing to grow followers. Andreotti Barn fell over and the post has gotten a lot of hits. Focusing on RD108 as a community is going really well and will continue with the response towards it. Officer Natalie Corona's procession is tomorrow and all the schools, entire community and much of the surrounding counties will be there. That is a big community posting to show our support and love for the family as well as the law enforcement community.

2. NCWA Report – Vice President Cornwell reported that on January 16<sup>th</sup> NCWA held a strategic planning session from 1p.m. to 4p.m. with lots of talks of the Voluntary Agreements. Working hard to set up Tours to support Voluntary Agreements. March 1<sup>st</sup> is their Annual Meeting at Sierra Nevada in Chico, CA from 8:30 a.m. to 3p.m.

3. Sites JPA – Deputy Manager Vanderwaal noted there was nothing further to report.

4. Deputy Managers' Report:

- Hydropower sunset Clause Update – Deputy Manager Vanderwaal reported that the CEQA Notice of Exemption has been posted in both Colusa and Yolo County. Once the allotted time for their posting has passed, he will take it to LAFCO to get on their March agenda for approval.

- Dunnigan WD Transition Update – Deputy Manager Vanderwaal reported that the transition is going smoothly. He will sit down with Anne and Donita to touch base to make sure still on schedule for Donita's retirement end of February.

- Yolo GSA – Deputy Manager Vanderwaal reported that Trustee Cornwell has been elected both GSA and WRA President.

- Mid-Upper Sacramento RFMP Update – Deputy Manager Nagy reported primary efforts continue for the RCIS. Received notice from CDFW that the RCIS is complete and the public review period may begin. DWR is going to issue a request for proposals with the Mid Sacramento Valley RCIS area (Colusa & Sutter Counties) for mitigation credit agreements. DWR approved accessing \$50,000 out of our MUSR FRMP contingency to continue supporting regional efforts. Staff met with DWR for Tisdale Bypass management which RD 1500 will lead.

- **Emergency Response Grant Update** – Deputy Manager Nagy reported that she is working on reviewing the Funding Agreement draft from DWR and will send it over to Scott Shapiro for review once complete.

5. **Manager's Report** – Manager Bair shared the existing groundwater wheeling agreement for Board information. It is ready if a landowner would like to utilize it. The District has submitted final forms for KLOG funding to the Bureau. Wallace Weir received an Engineering Award being presented in February.

6. **Attorney's Report** – The Board went into CLOSED Session at 10:24 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 and Vice President Cornwell announced no action was taken.

#### ADJOURNMENT

There being no further comments from the public and no further business to come before the board, the meeting was adjourned at 10:40 a.m.

Respectfully Submitted



Lewis Bair  
Manager

**RESOLUTION NO. 19-01  
OF THE  
BOARD OF TRUSTEES OF  
RECLAMATION DISTRICT NO. 108**

**IN THE MATTER OF: Authorizing a Proposal for funding from the  
Department of Water Resources and Designating a Representative to Execute  
the Agreement and any Amendments thereto, for the Flood Maintenance  
Assistance Program**

**WHEREAS**, the Reclamation District No. 108 is a California Public Agency with responsibility for flood maintenance of the Project facilities;

**WHEREAS** the Reclamation District No. 108 acknowledges that it must submit a new operations, maintenance, repair, rehabilitation, and replacement agreement with the Central Valley Flood Protection Board prior to the receipt of Flood Maintenance Assistance Program funds;

**WHEREAS**, the Reclamation District No. 108 is authorized to enter into an agreement with the Department of Water Resources and the State of California;

**NOW, THEREFORE, BE IT RESOLVED** by the Trustees of the Reclamation District No. 108 as follows:

1. That pursuant and subject to all of the terms and conditions of the Budget Act of 2018 (Stats. 2018, ch. 29), the Reclamation District No. 108 authorize the Deputy Manager, or General Manager, to execute the funding agreement, with Counsel approval, with the Department of Water Resources and any amendments thereto.
2. That the Deputy Manager, or General Manager, shall prepare the necessary data, make investigations, and take other such actions as necessary and appropriate to obtain funding for the Flood Maintenance Assistance Program.

**Passed and Adopted** by the Board of Trustees of Reclamation District No. 108 on the 17<sup>th</sup> day of January 2019.

AYES: 4  
NOES: 0  
ABSTAIN: 0  
ABSENT: 1

  
Lewis Bair, Secretary

## CERTIFICATION OF DISTRICT SECRETARY

I, Lewis Bair, hereby certify that I am, and at all times mentioned herein was, the duly-elected, qualified and acting Secretary of Reclamation District No. 108, organized and existing under and by virtue of the laws of the State of California; the foregoing is a full, true and correct copy of a Resolution duly adopted at a Regular Meeting of the District's Board of Trustees held on January 17, 2019, a quorum of the members of the Board of Trustees being present and voting in favor of the Resolution as specified above; and the Resolution has not been modified, altered, or amended.

  
Lewis Bair, Secretary

Reclamation District No. 108  
January O & M Report  
January 17, 2019

General Maintenance

Manufactured and installed walkways for field irrigation gates. Manufactured and installed diffusers on drain pipes. Repaired and painted some pipe and risers. Replaced pipe and risers. Repaired washout on the 10P2 Extension. We also continue to clean drains throughout the District.

Water deliveries will end on 1/15/19.

Removed most of the rodent bait stations from the Back Levee for the winter.

Crews are adding square bar extensions and hard facing them to the grousers of our levee slope dragging track.

Poundstone Pumping Plant Pump #3 remains at Davis Machine Shop, all repairs to the pump by District staff have been completed.

Wilkins Pump #6 remains at CPM in Chico for repairs, they are scheduled to be completed by the end of February. The spare bell repair for Wilkins is also scheduled to be completed at the same time.

We continue to have ongoing issues with water users placing earthen dams in front of our drain inlets. This causes the field to overflow during heavy rain events causing damage to our ditch banks and washing out roads. When these dams are removed all of the soil washes into the drain sump and pipe which reduces flow capacity and fills our drains with silt.

We took delivery our side by side Utility Vehicle on Friday, January 11<sup>th</sup>. We also received our new Flail Mower the week of January 7<sup>th</sup>.

I have ordered the two replacement pickups. Geweke Ford was the low bidder on the F-150 at \$22,467.97 and Hoblit was low bidder on the F-250 at \$29,916.46.

The Sacramento River was expected to rise above monitor stage on Thursday evening January 10<sup>th</sup>. It never reached monitor stage, however, we conducted a daytime patrol on Friday January 11<sup>th</sup>.

Dunnigan Water District operations continue to go well, the valves for the pumping plant have arrived and are scheduled to be replaced shortly.