

BOARD MEETING MINUTES			RECLAMATION DISTRICT 784		
1594 Broadway Street					
Arboga, CA 95961-8821					
Meeting Description: Reclamation District No. 784 Board of Trustee's Board Meeting Due to COVID-19 Pandemic this Meeting was held Via Teleconference					
Date: June 2, 2020 Time: 10:00am Location: Reclamation District 784 Office					
Scheduled Time			Actual Time		
Start	Stop	Total Hours	Start	Stop	Total Hours
10:00am	12:30pm	2.5 Hrs.	10:02am	11:28am	1Hr 26min
1. Call to Order					
A. Roll Call: Board President - Rick Brown - Present, Trustee - Joe Danna - Present, Board Vice-President - David Read - Present, Trustee - Sarbdeep Atwal - Present, Trustee – Jared Hastey – Present, Board Secretary – Patrick Meagher - Present, Deputy Board Secretary - Kimberly Ford, Present, Field Superintendent – Jess McLaughlin – Present, Attorney – Jesse Barton, Present and Engineer - Sean Minard, Present.					
2. Closed Session:					
A. Conference with Legal Counsel – Anticipated Litigation, Significant Exposure to Litigation Pursuant to Paragraph (2) of Subdivision (d) of Section 54956.9. One Case - Deposition Subpoena Received Concerning Oroville Dam Matters. – No Reportable Action Taken.					
3. Open Session:					
4. Approve Meeting Minutes –					
Joe Danna moved to approve the Board Meeting Minutes. David Read seconded the motion. Motion Carried. Vote: 5 Ayes (Brown, Read, Danna, Atwal, and Hastey), 0 Nays, 0 Absent, and 0 Abstain.					
5. Approve Checks and Warrants –					
David Read moved to approve the Checks and Warrants. Sarbdeep Atwal seconded the motion. Motion Carried. Vote: 5 Ayes (Brown, Read, Danna, Atwal, and Hastey), 0 Nays, 0 Absent, and 0 Abstain.					
6. Public Communication: Any person may speak on any topic provided it is within the jurisdiction of the Reclamation District 784. If a person wishes to speak on any agenda item in particular, that person may speak now, or if that person wishes to withhold comment until Board consideration of the item, please inform the Board at this time what agenda item the speaker wishes to address and the Board will solicit additional comment when that agenda item is called. The time allotted for receiving public comment will be limited to no more than five minutes per each individual or group.					
Persons Attending					
1. Rick Brown – RD784 Board President					
2. David Read – RD784 Board Vice-President					

3. Sarbdeep Atwal – RD784 Board Trustee
4. Joe Danna – RD784 Board Trustee
5. Jared Hastey – RD784 Board Trustee
6. Patrick Meagher – RD784 Secretary of the Board
7. Kimberly Ford – RD784 Deputy Secretary of the Board
8. Jess McLaughlin – RD784 Field Superintendent
9. Sean Minard – RD784 Engineer
10. Jesse Barton – RD784 Attorney
11. Ellen Martin - EPS
12. Megan Jonsson - LWA
13. Jennifer Jensen – Jensen Smith CPA
14. Ben Taggert
<i>Items for Discussion and Possible Actions:</i>
<p>7. Board to Discuss and Possibly Accept the Transfer of APN 022-010-005 from the County – Yuba County Public Works recently informed staff that the parcel where RD784 Pump Station 6 is located west of Highway 70 in-between Feather River Blvd. and the Unit 3A Bear River Levee, also identified as Lot 18 on Tract Map 93-560. Staff recommends signing the County provided Certificate of Acceptance which will be followed by the recorded deed. Jared Hastey moved to accept the transfer of property. David Read seconded the motion. Vote: 5 Ayes (Brown, Read, Danna, Atwal, and Hastey), 0 Nays, 0 Absent, and 0 Abstain.</p>
<p>8. Board to Receive Information on the RD784 FY 2018-2019 Audit – Audit Presentation was given by Auditor Jennifer Jensen of Jensen Smith CPA. Joe Danna moved to accept the FY 2018-2019 Financial Audit. David Read seconded the motion. Motion Carried. Vote: 5 Ayes (Brown, Read, Danna, Atwal, and Hastey), 0 Nays, 0 Absent, and 0 Abstain.</p>
<p>9. Board to Consider Adopting the Annual Drainage Impact Fee Inflator – EPS has calculated the annual inflator for the District’s Impact fee program. The inflator is the average of the San Francisco and the 20 city Construction Cost Index. Once adopted by the District Board, the technical memo is forwarded to the Yuba County Board of Supervisors for formal adoption. The average increase was 2.81%. Ellen Martin of EPS gave a presentation on the Annual Drainage Impact Fee Inflator. David Read moved to approve the inflator. Sarbdeep Atwal seconded the motion. Vote: 5 Ayes (Brown, Read, Danna, Atwal, and Hastey), 0 Nays, 0 Absent, and 0 Abstain.</p>
<p>10. Board to Receive Information on the Proposed 2020-2021 RD784 Assessment Escalation Evaluation and Consider Adopting and Escalation Rate – <i>(Ref: July 10, 2019 LWA Final Engineer’s Report for RD784)</i> During the 218 Process, the assessment engineer determined that an appropriate escalation factor is reflective of construction labor and materials used for the services provided. Therefore, beginning in FY 2020/2021, the maximum authorized assessment rate will be subject to an annual inflationary escalator pursuant to Government Code 53739(b) based on the annual change in the San Francisco Construction Cost Index (CCI) and the change in the 20-City CCI with Base Year 1913 = 100, published by the Engineering News-Record (ENR), subject to a minimum of 0 percent and a maximum of 4 percent in any given year. The RD784</p>

Board may elect to levy the assessment up to the maximum authorized assessment rate in any given year, based on an annual budget analysis. Based on the ratio of the ENR-20-City (CCI) for May 2020 compared to May 2019, LWA has calculated that for FY 2020/2021, RD784 could select an escalation rate between 0% and 2.81%.

Ellen Martin of EPS gave a presentation on the Proposed 2020-2021 RD784 Assessment Escalation Evaluation and Adoption of the Escalation Rate. Joe Danna moved to approve the Escalation Rate of 2.81%. Sarbdeep Atwal seconded the motion. Motion Carried.

Vote: 5 Ayes (Brown, Read, Danna, Atwal, and Hastey), 0 Nays, 0 Absent, and 0 Abstain.

11. Board to Receive Bid Results and Consider Awarding a Contract for Levee Patrol Road Improvements –

On May 21, a total of 4 bids were received. Bid results are as follows for bid schedules A – D which includes improvements on the Unit 1 and 2A patrol roads and ramps plus the ramps only in Unit 9:

Contractor	Bid Schedule A – D Total
Lund Construction	\$519,956.00
Escherman Construction	\$521,533.00
R & R Horn Construction	\$578,300.00
Steelhead Construction	\$970,777.00

Task 7 outlined in the 2019-2020 Flood Maintenance Assistance Program (FMAP) grant allows up to a \$227,771 budget for levee patrol road improvements. In order to stay within the current FMAP Task 7 budget and the current RD784 annual budget to supplement the difference, staff recommends awarding the contract to Lund Construction as low bidder, but for only Bid Schedules A – C which includes the rehabilitation of all patrol roads and ramps in Units 1 and 2A only for a contract award totaling **\$428,616.00**. Joe Danna moved to approve the Lund Construction Bid of \$428,616.00. David Read seconded the motion. Motion Carried. **Vote: 5 Ayes (Brown, Read, Danna, Atwal, and Hastey), 0 Nays, 0 Absent, and 0 Abstain.**

12. Board to Receive an Update on the Horseshoe Levee Pipe Replacement Projects in Unit 3B, Levee Mile 4.66 and Unit 5, Levee Mile 2.04 –

So far, MHM Engineering has submitted the permit applications to the Central Valley Flood Protection Board for both pipe locations. YWA has confirmed receipt of the District grant application letter for the Unit 3B LM 4.66 pipe replacement, which is currently in the process of internal review, and is on the YWA June 2 Project Operations and Development Committee agenda for possible approval.

13. Board to Consider Authorizing Staff to Provide Information to the CCVFCA and Downey Brand LLP for an Impending Case Against Cal-Trans for Failure to Pay Assessments Throughout the Northern California Region –

Staff received an email from Downey Brand LLP that was sent to multiple Northern California LMA's which explains how Cal Trans is a very reluctant payor of assessments for flood control benefits, despite local government following the proper process to assess Cal Trans for that benefit. The CCVFCA has a unique opportunity to bring Cal Trans to court for failure to pay these assessments, all at no cost to the Association or its members.

Joe Danna moved to approve to participate in the case. Jared Hastey seconded the motion. Motion Carried. **Vote: 5 Ayes (Brown, Read, Danna, Atwal, and Hastey), 0 Nays, 0 Absent, and 0 Abstain.**

14. Board to Consider Delaying Delinquency Notices to Property Owners from previous Assessments due to COVID-19 Hardships –

Jared Hastey made a motion to table this item until next month. Joe Danna seconded the motion. Motion Carried. **Vote: 5 Ayes (Brown, Read, Danna, Atwal, and Hastey), 0 Nays, 0 Absent, and 0 Abstain.**

15. Board to Receive Information on District Participation in the Annual Golden State Risk Management Authority's Risk Management Accreditation Program –

The RMAP demonstrates the District's importance on safety, compliance policies, and procedures. This year, the District will receive the maximum award of 10% of the annual contribution, which equates to \$6,511.00 when the check is issued in mid-June.

16. Board to Receive an Update on IRWM Grant Application –

From October - December 2019, staff worked with Integrated Regional Water Management (IRWM) consultants to submit a grant application to DWR for possible funding of SCADA system components at pump stations 5, 7, and 9. On April 29, staff received an email from IRWM that stated DWR has recommended full funding to multiple Yuba County area government agencies including RD784. A grant agreement in the amount of approximately \$360,000 is anticipated to be executed sometime within the next 3 to 6 months.

17. Board to Consider Allowing the Linda Fire Protection District and Wheatland Fire Authority to Use Levee Unit 4 for Burning Training –

Fire Chief Heggstrom of the Linda Fire Protection District and Fire Chief Paquette with the Wheatland Fire Authority have both expressed interest in using the RD784 Levee Unit 4 along the Western Interceptor Canal for burn training operations. The RD784 field crew burns the land and waterside slopes of Levee Unit 4 starting at Levee Mile 4.00 – 5.89 annually sometime during the months of June – August. Staff recommended allowing both fire departments to assist with this year's burning operations. David Read moved to allow the Fire Departments to assist with the burning operations. Jared Hastey seconded the motion. Motion Carried. **Vote: 5 Ayes (Brown, Read, Danna, Atwal, and Hastey), 0 Nays, 0 Absent, and 0 Abstain.**

18. Board to Receive an Update on Impact Fees Owed for Rio Del Oro Villages

a. –

In the summer of 2019, Yuba County Public Works issued a grading permit to the Developer for Rio Del Oro Villages 17-20. The issuance of a grading permit is one of the "Triggers" which require the payment of RD784 Impact Fees which were never collected. In July 2019, the RD784 Board granted staff authority to negotiate an MOU to defer payment of impact fees for the Rio El Oro Villages 17-20 until improvement plans or final maps are approved, or until a storm drainage system is installed, whichever comes first. At that time, a letter was sent addressed to Axle and Jens Karlshoej who were at the time, affiliated with Dansk California Corporation. On January 17, 2020, staff contacted Eric Anderson, the developer's advisor to follow-up. The impact fee certifications and proposed DRAFT deferral agreement were sent to Mr. Anderson for his client's review. On January 24, Mr. Anderson informed staff that Dansk California Corporation

has dissolved and said the Karlshoej's are in the process of creating a new entity name which will require international coordination.

Update: On May 13, Staff reached out to Mr. Anderson to request an update on the project. The response received was that moving forward with development this year is not prudent in the current environment and that the project is currently forecasted to resume sometime in the spring of 2021. Staff reminded Mr. Anderson that the Draft drainage impact fee template provided was based on the current 2019 impact fee rates and that any subsequent agreement after the June 2 Board meeting will be based on the rates then in effect. On May 26, Mr. Anderson contacted staff and made a request to finalize a deferral agreement in time to be executed at the June 2 Board meeting if not too late. On May 27, after conferring with the District engineer and counsel, staff provided an updated draft agreement to Mr. Anderson which required updated property title information by May 28 in order to be finalized in time for the Board meeting. Mr. Anderson received the updated agreement but said after discussing with the developer, they cannot move forward with an agreement at this time because of outstanding property title issues that have yet to be resolved and understand when they do eventually move forward, they will be obligated to pay based on rates then in effect.

19. Board to Consider Budget Snapshot –

Monthly Budget snapshot through May 31, 2020 was presented to the Board.

20. Field Manager's Report:

Field Manager's Report
June 2, 2020

Maintenance and Projects Completed

Unit 1

1. Weedeated fire breaks landside from Island to Riverside.
2. Vegetation Abatement unit 1 Lot @ Riverside and block line.
3. Unit 1, LM 1.5 mowing flats.
4. Vegetation abatement unit 1 block line from Shad Rd. to Caltrans basin.
5. Unit 1, LM 1.0 set two stanchions.

Unit 2A

1. Sprayed ramps in unit 2a.
2. Vegetation abatement unit 2a block line from Island gate to Riverside gate.
3. Unit 2a, LM 1.0 reset two blocks.
4. Unit 2a, mowing of complete unit.

Unit 2B

1. Pump Station 2
 - Backup generator exercised on 5/4 and 5/18.
 - Vegetation abatement inside and surrounding the pump station (firebreak and slopes).
 - Sprayed around pump station.

2. P/S 2 outfall beaver dam removal.
3. P/S 2 outfall mowing.
4. Unit 2 W/S crown mowing.
5. Mowing 12.6-11.5 L/S Unit 2b.
6. Replace damaged Levee paddle markers.
7. Replace and reset concrete traffic box adjacent to P/S 2.

Unit 3A

1. PS #6
 - Backup generators exercised on 5/4 and 5/18.
 - Vegetation abatement inside and surrounding the pump station.
2. Mowing of the entire unit.

Unit 4

1. Unit 4 Vegetation abatement around gates structures.
2. L/M 6.0 demo of fence poles, t posts and backfilling of holes.
3. Mowing of the entire unit.
4. Inspection of existing cracks along unit 4. No action necessary.
5. Unit 4, two blocks reset at Olivehurst pump station service road.

Units 3B/ 5 / 6 (Horseshoe Levee)

1. Pre-Storm checks around all rural levee units and checked all waterside flap gates.
2. Mowed levee crown, ramps, and toe.

Unit 7

1. Weedeated for fire break behind mobile home park.
2. Unit 7 Landside hinge mowing.
3. Unit 7, LM 2.6 remove two pickup loads of debris.

Unit 8

1. Mowing of entire unit.
2. Sprayed ramps and gates.

Unit 9

1. Pump Station #3
2. The backup diesel generator was exercised on 5/4 and 5/18.
3. Unit 9, 4.0 set two blocks.
4. Repair one section of pipe fence unit 9 L/M 1.60.
5. Place blocks unit 9 to prevent travel.
6. Veg. abatement at Anderson gate.
7. Sprayed ramps unit 9.
8. Reopened the Country Club access for the public.
9. Unit 9 LM 4.0 - 5.6 crown mowing.

10. Unit 9 land side LM 3.0 - 4.7 mowing.
11. Unit 9 land side flat LM 3.0 - 1.25 mowing.
12. Replace damaged Levee paddle markers.

Drainage Laterals and Detention Basins

1. Pre and post storm checks around the entire internal drainage system completed.
2. Vegetation abatement at Ella detention basin block line and gates.
3. Vegetation Abatement Wheeler detention basin block line and gates.
4. Pond 20 service road mowing.
5. Lateral 9 vegetation abatement.
6. Lateral 13 North service road to Wheeler basin vegetation abatement.
7. Lateral 15 North vegetation abatement island road.
8. Lateral 15 South service road mowing.
9. Lateral 16 fire house lot mowing and weedeating.
10. Mall ditch vegetation abatement.
11. Lateral 5 service road mowing.
12. Lateral 15 North repair sinkholes along Arboga Rd.
13. Lateral 15 North mowing and vegetation abatement along Arboga Rd.
14. Lateral 5 South, East side service road on River Oaks Blvd. vegetation abatement.
15. Chestnut cyclone fence repair due to being cut.
16. Lateral 5 fire break behind fences at River Oaks Blvd.
17. Sprayed lateral 13 Johnson grass.
18. Vegetation abatement for Cal trans Basin.
19. Pond 16 vegetation abatement for fire break behind houses.
20. Pond 16 at Micky Gate - repaired pole used for culvert clearing.
21. Lateral 16 vegetation abatement.
22. Lateral 14 vegetation abatement along Feather River Blvd.
23. Firebreak behind the motel adjacent to the Cal Trans basin.
24. Mowed Chestnut basin.
25. Vegetation abatement at pond 16 block line.
26. Pond 18 fire break and weedeating around AT&T building.
27. Lateral 15 South Algodon canal, vegetation abatement around gate structure.
28. Mall ditch vegetation abatement.

Shop, Office, Fleet Vehicles, and Equipment

1. Shop generator was exercised on 5/4 and 5/18.
2. Fabricated mounts for extra yard lighting.
3. Vehicles and equipment serviced and/or repaired, as necessary.

Safety / Training

1. Administered weekly safety meetings and misc. SDS sheet reviews.

Miscellaneous

1. Regularly checked and looked for damages or issues around the District including all RD784 Pump Stations, Levee Units, Olivehurst Pump Station, and Yuba College Flood Fight Coalition supplies storage site.
2. FRAQMD inspection for generators - Pass.
3. Replaced faded or damaged danger signage at the Olivehurst pump station, P/S 4, P/S 9, and P/S 10.

21. Administrative Assistant's Report:

**Administrative Assistant Monthly Report
June 2, 2020**

Accounting:

1. Budget Update
2. Reconciliations
3. Payroll Calculations and Submittal
4. Goldfields Billing to TRLIA- Still Pending Payment
5. Olivehurst Pump Station Billing to YCPW- Pending

Clerical/Office:

1. Impact Fees –River Oaks South Villages 2 and 3.
2. Wal-Mart Gas Facility
3. Plumas Lake Self Storage
4. Thoroughbred Acres
5. Woodside Village/Bluffs
6. Permit Clearance Request Sign Offs
 - A. Cresleigh Homes
 - B. Lennar Homes
 - C. Premier Pools
 - D. Hawkins Exteriors
7. Scanning & Receiving Assessment Payments, then sending to Megan@ LWA

Contract Management:

1. 2018-2019 FMAP OMRR&R Agreement – Received Payment- Pending amended 2nd half of Contract 40K.
2. 2019-2020 FMAP OMRR&R Agreement – Progressive Billing
3. 2020-2021 FMAP OMRR&R Agreement – In Process
4. DMP Agreement – Received Payments, Still Pending 2 Payments and Retention Payment.
5. Gregory Livestock
6. Olivehurst Pump Station Contract Renewal – Pending Counter Signature.

Regulatory Compliance:

1. GSRMA Estimated Payroll Questionnaire – Submitted
2. GSRMA Actual Payroll Questionnaire - Submitted
3. State Controller's Office - Government Compensation Report – Re-Submitted

4. Lincoln Financial Annual Census Surveys- Completed
5. Brown Act Webinar – Completed with Certificate

Projects:

1. Audit 2018-2019 – Pending Jennifer Jensen Including Developer Fees & Credits
2. Streamline ADA Compliant Website – Attended webinars. Up & Running.

Contacts:

Daniel @ Paychex, Liz @ GSRMA, Jesse Barton @ Gallery & Barton, Sean Minard @ MHM, Jolie Turk @ YC Treasurer's, Luke and Wesley@ Alliant, Jason Little @ DWR, Kyle Sanchez @ MHM, Tiffany Shacklett @ HMS, Sloane Dell'Orto and Chris Evans @ Streamline, Syada Ara @ DWR, Megan Jonsson @ LWA, Jennifer Jensen @ Jensen Smith CPA's, Wesley and Jason @Alliant Networking.

22. General Manager's Report:

General Manager's Report
June 2, 2020

Administration:

1. Approved employee time off requests and task scheduling.
2. Meetings (Via Teleconference or Webinars) - [FY 2018/2019 Audit Discussions, Project Follow-Ups with MHM, Weekly USACE Inspection Meetings, CCVFCA Sub-Committee for SSJDD Assessment District Feasibility Study, CVFPBCC meeting, Quarterly IRWM, and Weekly TRLIA Goldfields Construction Meetings]
3. Impact Fee Program
 - A. River Oaks South Villages 2 & 3.
 - B. Plumas Lake Self Storage
 - C. Thoroughbred Acres
 - D. Wal*Mart Improvements
 - E. Rio-Del Oro (Developer waiting until spring 2021)

Project Management:

1. USACE corrections (Ongoing)
2. 2019-2020 FMAP Task 7 Levee Patrol Road Rehabilitation Units 1, 2A, & 9 – Coordinate Bid Process with MHM
3. IRWMP grant application work [For SCADA improvements at PS 5, 7, and 9, Backhoe Replacement]
4. YWA grant application work [Unit 3B, LM 4.66 Pipe Replacement]
5. FY 2018/2019 Audit
6. Urban Levee Patrol Road Rehabilitation Bid Process with MHM for Units 1, 2A, and 9
7. Urban Pipe video inspection RFP coordination with MHM
8. Steel Walkway in Unit 5 at LM 2.47

9. FMAP Contracts – Grant for Fiscal Year 2018/2019 (Billing), 2019/2020, and 2020/2021.
10. Relief well studies – Blackburn Consulting
11. New desktop computer in the Board room.

Regulatory Compliance:

1. Monthly pesticide spray use report submitted on-line to the County.
2. Participated in a Brown Act Webinar provided through GSRMA.
3. Updated SDS (Safety Data Sheets) and MSDS (Material Safety Data Sheets) binder.
4. Updated compliance programs (Ongoing)
5. Training: Weekly Safety Meetings.

23. Meeting Adjourned:

Meeting was adjourned at 11:28am.

The complete Board Agenda Meeting Material is available at the Reclamation District 784 Office, located at 1594 Broadway, Arboğa, CA 95961. Any disclosable public record related to an open session item on the agenda and has been distributed to all or a majority of the Board Members less than 72 hours prior to the meeting, and is available for public inspection during normal business hours.

If you have a disability and need disability-related modifications or accommodations to participate in this meeting, please contact the Office Manager of the Reclamation District 784 at (530) 742-0520 or fax (530) 742-3021. All requests should be made at least 24 hours prior to the start of the meeting. This is in compliance with Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132) and the federal rules and regulations adopted in implementation thereof.

Rick Brown, President

Kimberly Ford, Deputy Board Secretary