



Yuba County, California



BOARD MEETING AGENDA

**Reclamation District 784
1594 Broadway Street
Arboga, CA 95961-8821**

Meeting Description:

Reclamation District No. 784 Board of Trustee’s Board Meeting

Date: August 1, 2023 Time: 10:00 a.m. Location: Reclamation District 784 Office

This Meeting Will Be Accessible To The Public In Person or Via Zoom Meeting

Join Zoom Meeting (Copy and paste link into search field of an internet browser)

<https://us02web.zoom.us/j/81038854262?pwd=OTQwRDRvdFI5akVwcEdRK3RLSUJCUT09>

Meeting ID: 810 3885 4262

Passcode: 7842020

To participate via the audio only teleconference, dial into the meeting by calling:

1-253-215-8782 US

OR

1-301-715-8592 US

Enter Meeting ID: 810 3885 4262

Enter Passcode: 7842020 (You may be prompted to enter this twice)

1. Call to Order: Welcome to the Reclamation District 784 Board of Trustees Meeting.

Roll Call: Sarbdeep Atwal – RD784 Board President, David Read – RD784 Board Vice President, Joe Danna – RD784 Trustee, Jared Hastey – RD784 Trustee, Brent Hastey – RD784 Trustee, Kimberly Ford – RD784 Deputy Secretary of the Board, Patrick Meagher – RD784 Secretary of the Board, Tina Moore – RD784 (Interim) Field Superintendent, Sean Minard – RD784 Engineer, and Jesse Barton - RD784 Attorney.

2. Open Session:

3. 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.

Consent Items

4. Approve Meeting Minutes -

5. <i>Approve Checks and Warrants -</i>
6. <i>Adopt Resolution 2023-08-01 for Accepting DWR FSRP Grant Funds –</i>
<i>Discussion Items</i>
7. <i>Board to Consider Authorizing the General Manager to Negotiate, Sign, and Execute Land Transfer Documents for the Linear Pond 16 Service Road –</i>
8. <i>Board to Consider Executing an Attorney-Client Fee Contract from Somach, Simmons, & Dunn and Proceed with a Lawsuit against Cal-Trans for Delinquent Assessments –</i>
9. <i>Board to Receive the Final Budget Snapshot (For June 2023) –</i>
10. <i>Closed Session</i>
<i>A. Conference with Real Property Negotiators – Property: APN 016-060-037-000 Negotiating Party: RD784/General Manager Under Negotiation: Price and terms of sale</i>
11. <i>Field Manager’s Report -</i>
12. <i>Administrative Assistant’s Report -</i>
13. <i>General Manager’s Report -</i>
14. <i>Board Reports -</i>
15. <i>Adjournment -</i>
<i>The complete Board Agenda Meeting Material is available at the Reclamation District 784 Office, located at 1594 Broadway, Arboga, 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.</i>
<i>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 follows 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.</i>

Reclamation District 784
Regular Board Meeting Agenda Briefing
August 1, 2023

This Meeting Will Be Accessible To The Public In Person or Via Zoom Meeting

Join Zoom Meeting (Copy and paste link into search field of an internet browser)

<https://us02web.zoom.us/j/81038854262?pwd=OTQwRDRvdFI5akVwcEdRK3RLSUJCUT09>

Meeting ID: 810 3885 4262

Passcode: 7842020

1. Call to Order:
2. Open Session:
3. Public Comment:

Consent Items:

4. Approve Minutes:
5. Approve Checks and Warrants:
6. Adopt Resolution 2023-08-01 for Accepting DWR FSRP Grant Funds: The Board previously authorized participation in the DWR Flood System Repair Project grant funding program at the May 2, 2023 Board meeting. DWR is now requesting the adoption of a resolution to accept funding (amount still TBD) under cost-share provisions. The program will fund levee patrol road rehabilitation where needed.

Discussion Items:

7. Board to Consider Authorizing the General Manager to Negotiate, Sign, and Execute Land Transfer Documents for the Linear Pond 16 Service Road: Staff is requesting authorization to negotiate, sign, and execute upon review and approval of General Counsel all necessary documents to deed approximately 2,600 L.F. of District owned service road along Linear Pond 16 to the County of Yuba with an easement reserved for the District to continue regular O&M activities. Dedicating the land will enable the County to further pursue the completion of a future bike path. (See Map)
8. Board to Consider Executing an Attorney-Client Fee Contract from Somach, Simmons, & Dunn and Proceed with a Lawsuit against Cal-Trans for Delinquent Assessments: Caltrans currently owes the District over \$290,000 for past due

assessments which includes over \$82,000 in late fees and interest. The District sent the original assessment invoices for payment to District 3 in the fall of 2021 which became delinquent on December 10, 2021. The District received letters from Caltrans rejecting payment in April 2022 and June 2023. Staff is requesting authorization to execute an Attorney-Client Fee Contract from Somach, Simmons, & Dunn to represent RD784 and to proceed with a lawsuit against Cal-Trans for unpaid delinquent assessments, late fees, and penalties. (See Handout)

9. Board to Receive the Final Budget Snapshot (For June 2023):

10. Closed Session

A. Conference with Real Property Negotiators

Property: APN 016-060-037-000

Negotiating Party: RD784/General Manager.

Under Negotiation: Price and terms of sale

Exhibit E: RESOLUTION ACCEPTING FUNDS

Resolution No. 2023-08-01

Resolved by the Board of Trustees of the **Reclamation District 784**
(Governing Body, Board, Agency, or Other)

that pursuant and subject to all of the terms and provisions of the Flood System Repair Program, that the funds awarded to **Reclamation District 784** by the California Department of Water Resources for a State-Federal Flood Control System Modification Program project titled: **RD 784 Critical Seepage/Critical Erosion/Patrol Road Repair** are hereby accepted.

The General Manager, or designee of **Reclamation District 784**
(Title of Authorized LMA Representative)

is hereby authorized and directed to sign a Project Partnership Agreement and any amendment thereof with the California Department of Water Resources and to sign requests for disbursements to be made under this Project Partnership Agreement.

The General Manager, or designee of **Reclamation District 784**
(Title of Authorized LMA Representative)

is hereby authorized and directed to submit any required documents, invoices, and reports required by the Project Partnership Agreement.

Passed and adopted at a regular meeting of the Reclamation District 784 Board of Trustees
(Governing Body, Board, Agency, or Other)

of the **Reclamation District 784** on _____
(Date)

Authorized Signature _____

Printed Name _____

Title _____

Clerk/Secretary Signature _____

Printed Name _____



Paved Road Encroachment

Plumas Lake Phase 8 and 8B

River Oaks Blvd



SOMACH SIMMONS & DUNN
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW

500 CAPITOL MALL, SUITE 1000, SACRAMENTO, CA 95814
OFFICE: 916-446-7979 FAX: 916-446-8199
SOMACHLAW.COM

July 19, 2023

Via Electronic Mail Only

Mr. Patrick Meagher
General Manager
Reclamation District 784
1594 Broadway Street
Olivehurst, CA 95961
patrick@rd784.org

Re: Attorney-Client Fee Contract

Dear Mr. Meagher:

This document (agreement) is the written fee contract that California law requires lawyers to have with their clients, pursuant to California Business and Professions Code section 6148. Somach Simmons & Dunn, A Professional Corporation (“we” or “us”), will provide services to Reclamation District 784 (“District” or “you”) on the terms set forth below.

1. **CONDITIONS.** This agreement will not take effect, and we will have no obligation to provide legal services, until you return a signed copy of this agreement.
2. **SCOPE OF SERVICES.** You are hiring us as your attorneys, to represent or advise you in connection with representing the District in a lawsuit against The California Department of Transportation seeking payment of the District’s assessment imposed to fund internal drainage services and levee operation and maintenance activities pursuant to the Benefit Assessment Act of 1982. We will provide those legal services reasonably required and requested to represent and advise you on the described matter, and on other related matters that you subsequently request and we agree to undertake on your behalf. We will take reasonable steps to keep you informed of progress and to respond to your inquiries. We will communicate to the District through Jesse Barton or you, unless we are instructed otherwise. Alexis “Ali” Stevens will be the principal attorney in charge of your matter, and Kelly Doyle will assist. From time to

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ATTORNEY-CLIENT COMMUNICATION**

time other attorneys in this firm will support our efforts. Unless you and Somach Simmons & Dunn make a different agreement in writing, this agreement will govern all future services we may perform for you.

3. CLIENT'S DUTIES. You agree to cooperate with us and be reasonably available to confer with us upon request, to keep us informed of developments and to disclose to us all facts and circumstances of which you are aware which may bear upon our handling of the matter. You agree to provide us with such documents and information as you may possess relating to the matter, to abide by this agreement, to pay our bills on time, and to keep us advised of your address, telephone number, and whereabouts.
4. COORDINATION. We will coordinate the rendition of our services with the District's other counsel, Jesse Barton. We will take direction from you, as General Manager and Mr. Barton as General Counsel, unless we are instructed otherwise by the District. We will be entitled to assume that your and/or Mr. Barton's directions are the District's instructions.
5. LEGAL FEES AND BILLING PRACTICES. You agree to pay by the hour at our prevailing rates for time spent on your matter by our legal personnel. We record our time, and will bill you, to the nearest one-tenth hour. Our current hourly rates for legal personnel (and other billing rates) are set forth on the attached Rate Schedule. These rates are reviewed and adjusted periodically, but not more frequently than annually. We will send you a proposed revision to our rates before effectuating any adjustment. The revised schedule of rates will apply after each adjustment.

We will charge you for the time we spend on telephone calls relating to your matter, including calls with you, your general, special or cooperating counsel, opposing counsel, court personnel, experts, consultants, and witnesses. The legal personnel assigned to your matter will confer among themselves about the substantive legal, tactical, and strategic issues pertaining to the matter, and with consultants and other persons who may have information regarding your matter, as required. When they do confer, each of the legal personnel will charge for the time expended. Likewise, if more than one of our legal personnel attends a meeting, court hearing, or other proceeding, each will charge for the time spent. We will charge for waiting time in court and elsewhere and for travel time, both local and out of town.

6. COSTS AND OTHER CHARGES. We will incur various costs and expenses in performing legal services under this agreement. The cost of normal photocopying, long distance telephone calls, postage, and other small miscellaneous expenses as to which individual itemization is impractical are covered and included within our billing rates. All other costs, such as expert

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consultant and investigation fees, airfare, air charter, mileage at the IRS reimbursement rate, lodging, meals, deposition transcripts, document databasing if requested by you, filing fees, computerized legal research, unusual photocopying and staff overtime, if and to the extent required, are billed directly on a pass-through basis as a cost advanced by us. We generally do not pass through our secretarial overtime costs unless the overtime is required due to unanticipated time constraints or other urgencies that arise in the matter. In case of significant costs, such as, for example, fees to employ consultants, we will ask that you deposit an estimate of those costs with us.

7. **BILLING STATEMENTS.** Our billings are calculated and submitted on a monthly basis. The billings are accompanied by a computer-generated statement setting forth a description of the services performed, the date of the work, the amount of time spent, and the identity of the person performing the work. Each statement will be due and payable upon presentation, and overdue thirty (30) days after the date of billing. Your account is considered current when payment is made within thirty (30) days of the billing date. Late payments may require us to add an interest charge, which will be two percent (2%) above the reference rate of River City Bank. We will send the original monthly statement to you at the address above unless you instruct us otherwise.

If your account becomes delinquent, we have established collection procedures which may include stopping all legal services of a non-emergency nature. Contrary to our anticipation, if that situation should arise and exist for a period of sixty (60) days, we will ask you for, and you agree to execute, a stipulation allowing us to withdraw as your counsel of record.

8. **DISCHARGE AND WITHDRAWAL.** You may discharge us at any time, and without cause, by giving us written notice of termination. We may withdraw with your advance written consent, or at any time after having given you written notice and a reasonable period within which to retain the services of other counsel.

When our services conclude, all unpaid charges will become due and payable immediately. After our services conclude, we will, on your request, deliver your file to you, along with any funds or property of yours in our possession.

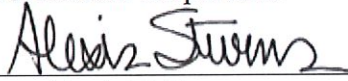
9. **DISCLAIMER OF GUARANTEE.** Nothing in this agreement and nothing in our statements to you will be construed as a promise or guarantee about the outcome of your matter. We make no such promises or guarantees. Our comments about the outcome of your matter are expressions of opinion only.
10. **COMMUNICATIONS.** We encourage you to contact us at any time you have any questions whatsoever concerning our representation of you. Although

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electronic mail is a convenient and cost-effective method of communicating, it should not be relied upon for time sensitive or mission critical items. Due to conditions beyond our control, Somach Simmons & Dunn cannot guarantee that electronic mail messages will be delivered on time, or at all.

11. EFFECTIVE DATE. This agreement will take effect when you have performed the conditions stated in paragraph 1, but its effective date will be retroactive to the date we first performed services. The date at the beginning of this agreement is for reference only. Even if this agreement does not take effect, you will be obligated to pay us the reasonable value of any services we may have performed for you.

SOMACH SIMMONS & DUNN
A Professional Corporation

By 
Alexis K. Stevens
Attorney

Encl. (Schedule of Rates)

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ATTORNEY-CLIENT COMMUNICATION**

Reclamation District 784
July 19, 2023
Page 5

I/We have read and understood the foregoing terms and those set forth on the attached Schedule of Rates and agree to them, as of the date Somach Simmons & Dunn, A Professional Corporation, first provided services. If more than one party signs below, we each agree to be liable, jointly and severally, for all obligations under this agreement.

RECLAMATION DISTRICT 784

By _____
Patrick Meagher, General Manager

Billing Contact (if different than addressee):

Name: Kimberly Ford (and Patrick Meagher)

Email: kim@rd784.org

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ATTORNEY-CLIENT COMMUNICATION**



SOMACH SIMMONS & DUNN
 A PROFESSIONAL CORPORATION
 ATTORNEYS AT LAW

500 CAPITOL MALL, SUITE 1000, SACRAMENTO, CA 95814
 OFFICE: 916-446-7979 FAX: 916-446-8199
 SOMACHLAW.COM

SCHEDULE OF RATES

KEY PERSONNEL:

Alexis K. Stevens \$420.00
 Kelly M. Doyle \$270.00

Shareholders	\$310.00 to \$570.00
Associates	\$250.00 to \$310.00
Of Counsels	\$430.00 to \$490.00
Paralegals and Law Clerks	\$160.00 to \$240.00

NOTE: The Schedule of Rates will be reviewed and may be modified. Clients will receive 30 days' notice of any modification in the Schedule of Rates. Rates for new attorneys will be forwarded to the client within a reasonable time after the new attorney begins work under this contract. All out-of-pocket costs and expenses will be billed to clients at our cost. An interest charge will be added to all bills that are unpaid in excess of 30 days.

(06/23.PUN)

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Maintenance and Projects Completed

Unit 1

1. Vegetation Abatement around gate structures.
2. Painted over graffiti on blocks.
3. Debris removal.

Unit 2A

1. Vegetation Abatement around gate structures.
2. Vegetation Abatement at PS #9.

Unit 2B

1. Pump Station # 2 backup generators exercised on 7/10 & 7/24.
2. Vegetation Abatement around gate structures.
3. Vegetation Abatement at Pump Station #6.

Unit 3A

1. Pump Station #6 Backup generators exercised on 7/10 & 7/24.
2. Vegetation Abatement around gate structures.
3. Vegetation Abatement at Pump Station #2.

Unit 4

1. Vegetation Abatement for fire break.
2. Burn Levee slope L/M 4.00-5.56.
3. Drag vegetation L/S - L/M 0.00 -2.50 & 4.00 -5.60.
4. Vegetation Abatement around gate structures.
5. Set Blocks L S - L/M 3.62-3.65.

Units 3B/ 5 / 6 (Horseshoe Levee)

1. Checked waterside flap gates weekly.
2. Vegetation Abatement around all head walls.
3. Cleared beaver obstruction in Unit 5 at L/M 2.47.

Unit 7

1. Vegetation Abatement around gate structures.
2. Debris removal.

Unit 8

1. Vegetation Abatement around gate structures.

Unit 9

1. Pump Station #3 Backup generator exercised on 7/10 & 7/24.
2. Vegetation Abatement around gate structures.
3. Vegetation Abatement at Pump Station #3.
4. Vegetation Abatement along block line at L/M 4.00.
5. Mowed L/S service road L/M 1.00-5.50.
6. Sprayed Unit 9 L/S service road L/M 3.00-4.50.
7. New AB gravel L/S service road L/M 1.50-5.00.

Goldfields 200-year Levee

1. Vegetation Abatement around gate structures.
2. Repaired gate on Brophy entrance, (Sheriff's Report Number T23000299).

Drainage Laterals and Detention Basins.

1. Vegetation Abatement along lateral 14.
2. Vegetation Abatement / trim trees lateral 15 (N).
3. Vegetation Abatement Ella Basin (N&S) block line.
4. Vegetation Abatement / cut sucker trees Chestnut Basin service road.
5. Vegetation Abatement / cut sucker trees lateral 5 (E&W).
6. Vegetation Abatement Wheeler Basin service road.
7. Vegetation Abatement / cut sucker trees at Cal Trans Basin.
8. Vegetation Abatement / cut sucker trees along lateral 23 / PS #9 outfall.
9. Vegetation Abatement / cut sucker trees pond 8 (N).
10. Mowed Wheeler Basin (S).
11. Cut sucker trees out of pond 20.
12. Cut sucker trees at Chestnut Basin along service road.
13. Cleared beaver obstructions out of Lateral 16.
14. Sprayed Blackberries Lateral 13 (N).
15. Sprayed lateral 5 & 16 service road.
16. Painted block line on Ella Basin (N).

Shop, Office, Fleet Vehicles, and Equipment

1. Shop generator was exercised on 7/10 & 7/24.
2. Shop yard debris removal.
3. Installed new drive shaft & new tires on Rhino Flex 15 mower.
4. Installed new toilet in shop restroom.
5. Installed new soap dispensers' shop & office.

Safety / Training

1. Administered weekly safety meetings.

Pesticide: (Wilco ground squirrel bait, Kaput D Rodentex)

Safety Topic: (ATV Four Wheeler, Welding & Cutting , Two Man Auger & Wildlife Safety Procedures).

Miscellaneous

1. Regularly check the District, all Pump Stations and Yuba College Flood Fight Coalition storage site for damage or issues.
2. Vegetation Abatement Pump Station's 4, 5, 7, & 10.

Administrative Assistant Monthly Report

August 1, 2023

Accounting:

1. Budget Updates
2. Reconciliations
3. AP Reports and Check Processing for Vendors & Clients
4. Payroll Calculations and Submittal and JOB Costing
5. Checks, Warrants and Deposits
6. Green Sheet Reconciliations with Gracey @ County – Ongoing
7. Board Packets – Monthly Board Meeting – Assembling and Attendance
8. Reimbursement Program for Developers and TRLIA - Tracking and Meetings
9. QuickBooks Benefit Assessment Tracking Transition – Ongoing
10. Audit Preparation, Meetings with Accountant, Calls with Auditor, and Drop Off Documents- Pending

Clerical/Office:

1. Impact Fees & Plan Check Fees
 - A. Plumas Lake Unit 8 – JAS Land Fund – Encroachment Application
2. Permit Clearance Request Sign Offs
 - A. Lennar – River Oaks North Village 2
 - B. KB Homes – Cobblestone Phase 5 & 7
 - C. Cresleigh Homes – Plumas Lake Village 2
 - D. Richmond Homes – Thoroughbred Acres
3. Lennar Bond Release Letters

Human Resources:

1. Field Crew Applicant Interviews

Contract Management:

1. 2022-2023 FMAP Grant – On-Going
2. YWA/DWR IRWMP Grant – On-Going
3. YWA Boundary Grant - Grant Extended
4. TRLIA Goldfields – Maintenance Billing - On-Going
5. Olivehurst Pump Station – Maintenance Billing – On-Going – New Contract Renewal - Pending
6. Chestnut Pond Watershed Improvements – Billing – On-Going
7. Ray Morgan – Copier/Fax Contract Lease – Meetings and Implementation Calls

Regulatory Compliance:

1. Managing PWC 100 Projects online with Department of Industrial Relations
2. Research & Compilation of General Liability and Worker's Compensation Programs

Contacts:

Gracey Copelin @ Yuba County – YCDS, Mark Fowler @ Atteberry Searle, Elisa @ Paychex, Jesse Barton @ Gallery & Barton, Jolie Turk @ YC Treasurer, Jason Little @ DWR, Patrick Soper @ LWA, Eric @ Alliant Networking, Jennifer Jensen @ Auditor's, Kyle Close – Permit Runner, Russ Powell @ EPS, Andrea Chapman – Sage/Master Builder, Veronica Cobian – ACWA, and Leon Ellis – Ray Morgan.

Administration:

1. Meetings: 07.12 RD784 Board meeting, 07.18 TESCO SCADA training, Ray Morgan (copy machine), Staff Meetings, and Rotary.
2. Approved employee time off requests and task scheduling.
3. Bond Release letters to Lennar Homes of California, Inc, - River Oaks Detention Basin and North Outfall Pipe.
4. Liability and Workman's Comp Insurance Applications (SDRMA and ACWA).
5. Responded to USACE 408 Permission Section inquiry – National Register of Historic Places.
6. Field applicant interviews.
7. RFP for New Fleet Service Truck.
8. Plan Reviews/Impact Fee Program:
 - A. PG & E Gas Casing removal project at Island Avenue, Levee Unit 2.
 - B. Trull RV & Boat Storage – 4131 Hazel St. – MHM completed a 3rd review and provided new comments for outstanding items which were forwarded to the owner on May 16. On June 14, 2023, the owner paid the District a review fee overage plus another deposit to complete a 4th review.
 - C. TRLIA Climate Resiliency Project.
 - D. Local DRAFT O & M manual review.

Projects:

1. Pump Station 5, 7, and 9 SCADA improvements – Tesco Controls
2. TRLIA/RD784 land transfer reviews - Working on Cal-Trans Detention Basin.
3. Lindhurst Avenue/ Chestnut Pond drainage improvements (County Project).
4. Urban levee boundary adjustments – MHM/Yuba LAFCO (MHM addressing first comments).
5. USACE Utility encroachment correction coordination continues.

Regulatory Compliance:

1. Monthly pesticide spray use report submitted on-line to the County.
2. Weekly Safety Meetings.

Announcements:

1. The USACE will be inspecting the RD784 Urban Levee System (Plumas Lake Basin) sometime in FY 2023-24.
2. The next regular RD784 Board meeting is scheduled for Tuesday, September 5 (The day after the Labor Day Holiday)

SPECIAL BOARD MEETING MINUTES RECLAMATION DISTRICT 784

1594 Broadway Street
Arboga, CA 95961-8821

Meeting Description: Reclamation District No. 784 Board of Trustee’s Special Board Meeting
Due to COVID-19 Pandemic this Meeting was held Via Teleconference and in Person

Date: July 12, 2023 **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.	10:05am	10:55am	50 Min.

1. Call to Order

A. Roll Call: Board President – Sarbdeep Atwal- Present, Trustee - Joe Danna - Present, Board Vice-President - David Read - Present, Trustee - Jared Hastey - Present, Trustee – Brent Hastey – Present, Board Secretary - Patrick Meagher - Present, Deputy Board Secretary - Kimberly Ford, Present, (Interim) Field Superintendent – Tina Moore - Present, Attorney - Jesse Barton, Present and Engineer - Sean Minard -Present.

2. Open Session:

3. 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.

Consent Items:

4. Approve Board Meeting Minutes –

David Read moved to approve the Board Meeting Minutes. Joe Danna seconded the motion. Motion Carried. **Vote: 5 Ayes (Atwal, Read, Danna, J. Hastey, and B. Hastey), 0 Nays, 0 Absent, and 0 Abstain.**

5. Approve Checks and Warrants –

David Read moved to approve the Checks and Warrants. Joe Danna seconded the motion. Motion Carried. **Vote: 5 Ayes (Atwal, Read, Danna, J. Hastey, and B. Hastey), 0 Nays, 0 Absent, and 0 Abstain.**

6. Board to Consider Participation in the 2023-2024 FMAP Program and Adopting Resolution 2023-07-01 Authorizing a Proposal for Funding from DWR –

DWR is accepting Plan Solicitation Packages from LMA’s to participate in the next funding program. Although funding has not yet been approved through the California Budget Act, DWR assumes that FMAP will continue to be funded. The program will fund various maintenance activities and improvements throughout the Urban and Rural levee

systems including vegetation management, rodent control, patrol road rehabilitation, repairs, and miscellaneous engineering reports. The funding amount is still T.B.D. David Read moved to approve the participation in the 2023-2024 FMAP Program and to adopt Resolution 2023-07-01 authorizing a proposal for funding from DWR. Joe Danna seconded the motion. Motion Carried. **Vote: 5 Ayes (Atwal, Read, Danna, J. Hastey, and B. Hastey), 0 Nays, 0 Absent, and 0 Abstain.**

7. Board to Consider Authorizing the GM to Sign and Submit a Notice of Exemption for Routine Maintenance of District Levees –

The 2023-2023 DWR FMAP program requires a Notice of Exemption to be filed with the State Office of Planning and Research to satisfy CEQA requirements. David Read moved to approve authorizing the GM to sign and submit a Notice of Exemption for routine maintenance of District levees. Joe Danna seconded the motion. Motion Carried. **Vote: 5 Ayes (Atwal, Read, Danna, J. Hastey, and B. Hastey), 0 Nays, 0 Absent, and 0 Abstain.**

8. Board to Consider County of Yuba Funding Request Letter for USDA Wildlife Specialist Services for FY 2023-2024 –

The Yuba County Agricultural Department has maintained an agreement with the USDA Wildlife Services for over 30 years. The contract provides for a wildlife service specialist (AKA the County Trapper) to administer non-domestic animal damage control within the County. For the past several years, the District has utilized this service, primarily for the control of beavers. The Yuba County Weights and Measures Department is requesting \$3,000.00 to continue service in the District for FY 2023-24. David Read moved to approve the County of Yuba Funding Request Letter for USDA Wildlife Specialist Service for FY 2023-2024. Joe Danna seconded the motion. Motion Carried. **Vote: 5 Ayes (Atwal, Read, Danna, J. Hastey, and B. Hastey), 0 Nays, 0 Absent, and 0 Abstain.**

Persons Attending

- 1. Sarbdeep Atwal – RD784 Board President**
- 2. David Read – RD784 Board Vice-President**
- 3. Joe Danna – RD784 Board Trustee**
- 4. Jared Hastey – RD784 Board Trustee**
- 5. Brent Hastey – RD784 Board Trustee**
- 6. Patrick Meagher – RD784 Secretary of the Board**
- 7. Kimberly Ford – RD784 Deputy Secretary of the Board**
- 8. Tina Moore – (Interim) Field Superintendent**
- 9. Jesse Barton – RD784 Attorney**
- 10. Sean Minard – RD784 Engineer**

Items for Discussion and Possible Actions:

9. Board to Review Board Election Timelines –

Board member seats for Jared Hastey and Brent Hastey are up for election this year. Nominations will be accepted from August 23, 2023 through 5:00 pm on September 14, 2023. If the number of nominees does not exceed the number of trustees and no petition for election is presented to the Board, then no election need be held, and the Yuba County Board of Supervisors will be asked to appoint the nominees to a four-year term. For 2023,

Election Day will be Tuesday, November 7, 2023, and will only be held if there are more nominees than trustee positions.

10. Board to Receive Information on an ACWA Letter in Support of the Newsom Administration's Proposed Infrastructure Package to Accelerate Critical Water Infrastructure Projects –

At the direction of the State Legislative Committee, ACWA prepared a letter of support for the Newsom Administration's Infrastructure Package to accelerate critical water infrastructure projects. Local agencies were also encouraged to join the letter by providing signatory and logo information. Because this package could benefit local flood related infrastructure improvements, staff provided the signatory information and the District's logo in order to meet the June 9 deadline.

11. Board to Consider Approving an Amended Budget for FY 2022-2023 to Adjust for Forecasted Assessment Revenue –

When the budget for FY 2022/2023 was approved, it included estimated assessment revenue available at the time in the amount of \$3,130,083.88. In May 2023, LWA provided an updated forecasted assessment collection in the amount of \$3,494,210.29 which reflects new development captured in the FY 2022/2023 assessment roll submitted to the County. Brent Hastey moved to approve the 2022-2023 Amended Budget. Joe Danna seconded the motion. Motion Carried. **Vote: 5 Ayes (Atwal, Read, Danna, J. Hastey, and B. Hastey), 0 Nays, 0 Absent, and 0 Abstain.**

12. Board to Consider Adopting the 2023-2024 FY Budget –

Jared Hastey moved to approve the 2023-2024 FY Budget. Sarbdeep Atwal seconded the motion. Motion Carried. **Vote: 5 Ayes (Atwal, Read, Danna, J. Hastey, and B. Hastey), 0 Nays, 0 Absent, and 0 Abstain.**

13. Closed Session:

A. Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9. One case.

No Reportable Action.

14. Field Manager's Report:

Field Manager's Report

July 12, 2023

Maintenance and Projects Completed

Unit 1

1. Mowed crown and ramps.
2. Weedeated the main entrance to Shad road & under Highway 70 bridge.
3. Weedeated firebreak L/S, L/M 0.45-1.00.
4. Sprayed the crown and ramps.
5. Painted graffiti on blocks.
6. Weedeated gate structures.

Unit 2A

1. Mowed service road and weedeated a firebreak L,M 0.00-1.00.

2. Sprayed L,S service road L/M 0.00-1.00.
3. Weedeated inside & outside of pump station.
4. Weedeated gate structures.

Unit 2B

1. Pump Station # 2 backup generators exercised on 6/12 & 6/26.
2. Sprayed Unit 2B crowns.
3. Sprayed V-Ditch.
4. Sprayed PS 2 outfall.
5. Weedeated gate structures.

Unit 3A

1. Pump Station #6 Backup generators exercised on 6/12 & 6/26.
2. Mowed L/S flats.
3. Weedeated firebreak along iron fence.
4. Weedeated all gate structures.

Unit 4

1. Prepped fire break (weedeated, and mowed)
2. Burned L/S Levee LM 4.85-5.50.
3. Weedeated gate structures.

Units 3B/ 5 / 6 (Horseshoe Levee)

1. Checked waterside flap gates weekly.
2. Weedeated around all head walls.

Unit 7

1. Mowed levee crown and ramps LM 0.00-3.60.
2. Mowed V-Ditch.
3. Weedeated firebreak L/S, L/M, 0.2-0.7.
4. Weedeated gate structures.

Unit 8

1. Sprayed and mowed along the V-Ditch.
2. Mowed L/S lot East of County Rd 512.
3. Mowed L/S flat West of P/S 8.

Unit 9

1. Pump Station #3 Backup generator exercised on 6/12 & 6/26.
2. Pump Efficiency Testing on pump 3.
3. Mowed L/S service road.

4. New AB gravel L/S service road (1.50-4.25).

Goldfields 200-year Levee

1. Mowed levee crown, ramps, flats, and service road.

Drainage Laterals and Detention Basins.

1. Weedeated Lateral 9,10,11,12,13(N),14 FRB,15(N) &(S), 19.
2. Weedeated Lateral 15 (N) Bingham.
3. Weedeated Cal Trans Basin.
4. Cut sucker trees out of Pond 16.
5. Weedeated front lot to Wheeler Basin.
6. Trimmed low hanging branches and mowed service road at Chestnut Basin.
7. Mowed Lat 15 (S) Algodon service road.
8. Cleared beaver dam obstructions out of Lateral 16 and 20.
9. Sheep and goat grazing at River Oaks Detention Basin, Wheeler Basin, North and South Ella Basin, Island Basin, Lateral 16 and pond 16 pond 18.
10. Sprayed Blackberries Lateral 8, 15 N, 17.

Shop, Office, Fleet Vehicles, and Equipment

1. Shop-generator was exercised on 6/12, 6/26.
2. Dump trailer repainted.
3. Repaired starter on 2017 service truck at Bill's electric.
4. Replace two tires on Flex 15 mower (Les Schwab)
5. Serviced the 2017 service truck (oil, oil filter, & air filter).

Safety / Training

1. Administered weekly safety meetings,
Pesticide (Rat X, Gopher Getter, Giant Destroyer, & Agri Dex)
Safety Topic (Hazardous Materials Safe Practice, Equal Employment Opportunity
, Reducing the exposer of Disease Carrying –Ticks).

Miscellaneous

1. Regularly checked for damage 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. Replace glass globe and cage at PS 7.
3. Implemented (Reducing the exposer of Disease Carrying –Ticks) into the injury & illness prevention program.
4. Placed No Parking Do Not Block Gate signs at PS 10 Murphy Road gate.
5. Trimmed low hanging branches Pump Station 5.

15. Administrative Assistant's Report:

**Administrative Assistant Monthly Report
July 12, 2023**

Accounting:

1. Budget Update
2. Reconciliations
3. AP Reports and Check Processing for Vendors & Clients
4. Payroll Calculations and Submittal and JOB Costing
5. Checks, Warrants and Deposits
6. Green Sheet Reconciliations with Gracey @ County – Ongoing
7. Board Packets – Monthly Board Meeting – Assembling and Attendance
8. Reimbursement Program for Developers and TRLIA - Tracking and Meetings
9. QuickBooks Benefit Assessment Tracking Transition – Ongoing
10. Audit Preparation, Meetings with Accountant, Calls with Auditor, and Drop Off Documents- Pending
11. New 2023-2024 Budget Preparation

Clerical/Office:

1. Impact Fees & Plan Check Fees
 - A. Lennar – Northpointe Village 2
 - B. 3421 Fourth Street Plumas Lake – Oleg Kovalev
 - C. 1201 Murphy Road – Sergio Zermeno
2. Permit Clearance Request Sign Offs
 - A. Lennar – River Oaks North Village 2
 - B. KB Homes – Cobblestone Phase 7
 - C. Cresleigh Homes – Plumas Lake Village 2

Human Resources:

1. Insurance Benefit Enrollment & Direct Deposit for New Hire – Jordan Hammett
2. Benefit Transfer of Retirement – Jess McLaughlin

Contract Management:

1. 2022-2023 FMAP Grant – On-Going
2. YWA/DWR IRWMP Grant – On-Going
3. YWA Boundary Grant - Grant Extended
4. TRLIA Goldfields – Maintenance Billing - On-Going
5. Olivehurst Pump Station – Maintenance Billing – On-Going – New Contract Renewal - Pending
6. Chestnut Pond Watershed Improvements – Billing – On-Going
7. Ray Morgan – Copier/Fax Contract Renewal Lease – Meetings and Proposals

Regulatory Compliance:

1. Managing PWC 100 Projects
2. County of Yuba – Proposed Budget Request for 2023-2024

Contacts:

Gracey Copelin @ Yuba County – YCDS, Mark Fowler @ Atteberry Searle, Elisa @ Paychex, Jesse Barton @ Gallery & Barton, Jolie Turk @ YC Treasurer, Jason Little @ DWR, Patrick Soper @ LWA, Eric @ Alliant Networking, Jennifer Jensen @ Auditor's, Kyle Close – Permit Runner, Russ Powell @ EPS, Andrea Chapman – Sage/Master Builder, Veronica Cobian – ACWA, and Leon Ellis – Ray Morgan.

16. General Manager's Report:**General Manager's Report**

July 12, 2023

Administration:

1. Meetings: 06/06 TRLIA Board Meeting, 06/12 FR RFMP, 06/15 RD784 Special Board Meeting, 06.21 CCVFCA, 06.23 CVFPB, Staff Meetings, and Rotary.
2. Approved employee time off requests and task scheduling.
3. Applicant interviews.
4. Mid-Year Employee Evaluations
5. Plan Reviews/Impact Fee Program:
 - A. Ag Building – 1201 Murphy Rd.
 - B. New Residence - 3421 Fourth St., Arboga
 - C. Trull RV & Boat Storage – 4131 Hazel St. – MHM completed a 3rd review and provided new comments for outstanding items which were forwarded to the owner on May 16. On June 14, 2023, the owner paid the District a review fee overage plus another deposit to complete a 4th review.
 - D. TRLIA Climate Resiliency Project.
 - E. Local DRAFT O & M manual review.

Projects:

1. Pump Station 5, 7, and 9 SCADA improvements – Tesco Controls
2. Pump Station #3 pump efficiency testing.
3. TRLIA/RD784 land transfer reviews - Working on Cal-Trans Detention Basin.
4. Lindhurst Avenue/ Chestnut Pond drainage improvements (County Project).
5. Urban levee boundary adjustments – MHM/Yuba LAFCO (MHM addressing first comments).
6. USACE Utility encroachment correction coordination continues.

Regulatory Compliance:

1. Monthly pesticide spray use report submitted on-line to the County.
2. Weekly Safety Meetings.

17. Meeting Adjourned:

The Board Meeting was adjourned at 10:55am.

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.

Sarbdeep Atwal, President

Kimberly Ford, Deputy Board Secretary