

Reclamation District No. 1607

VAN SICKLE ISLAND-SOLANO COUNTY, CALIFORNIA

**Minutes of Board of Trustees Reclamation District 1607
October 14, 2023 at 9am At the Montezuma Slough Clubhouse
Van Sickle Island.**

A Meeting of the Board of Trustees was called to order by President Gerald Dinelli at 9:13am. Other board members present were Kevin Confetti, Edmund Linscheid and Steve Thomas. Also present were Secretary Chris Lanzafame, Rich Nave Jr, Eric McConn, Andrew Cain, Matt Stretch, Mike Linscheid and Derren Gewant.

Mr. Dinelli asked to approve minutes of the minutes of August 14, 2023 and a motion was made and seconded and approved unanimously. (Confetti, Linscheid)

Mr. Lanzafame reviewed the current financial situation as presented by the financial statements that are attached to these minutes. Since we just received the final bill from Dutra for the levee material delivery, we have just enough money to cover that bill and any other expenses incurred and additional work will have to be funded with delayed payments. Cash flow will be extremely tight through the end of the year and Mr. Lanzafame encouraged each club to pay the most recent call 245 early. Director Thomas asked if Dutra was responsible to move the rest of material that was stockpiled into place on the levee. Mr. Lanzafame said that Dutra was not obligated to make final placement as the last piles of rock and dirt were placed as close as they could be done with the equipment that Dutra had on the levee. The balance of material would need to be placed as soon as a contractor willing to work with delayed payment can be found.

Mr. Lanzafame explained that the material that was able to be placed in the two breeches was holding quite well and that it had been compacted several times. There are some small seepage sites that were expected and they will continue to be monitored and compacted more in the future as money and equipment become available. We are still waiting for FEMA obligation and the only new development is that we were told to post a Final Public Notice that Mr. Lanzafame posted on the district web site and main gate on October 2. Mr. Lanzafame said that representatives from the Army Corps and the Waterboards visited the work site while Dutra was working and seemed pleased that we were working within the scope of our RGP5 permit.

Item 5. Pumping Discussion:

The issue of getting to shoot level was discussed for a long time. Mr. Lanzafame stated that we were 1.56 feet above shoot level and that at the time of the meeting all three of our electric pumps were not operational due to inadequate power. Two of the pumps were not getting enough power to the pump panel, and the Honker pump was waiting for a new meter to be installed. The old one had failed and caused the meter panel to need replacement. There were delays in PGE responding to the installation and they committed to install the new meter on Tuesday October 17th. Power to the other two pumps would be evaluated and hopefully corrected on Tuesday as well. In the meantime, the possibility of renting two SRCD 12-inch diesel pumps was discussed. The diesel pumps would cost between \$250-\$300 per day depending on the price of diesel and would pump up to 3000 gallons per minute compared to \$190 average and 5000-6000 for our electric pumps. Mr. Lanzafame had submitted some rough estimates and costs of various configurations of electric and diesel pumps and potential costs. After a lengthy discussion of whether we should approve the use of rented diesel pumps it was apparent that the Board was split on whether we should rent diesel pumps or even pump at all. Mr. Lanzafame who can only make a recommendation and does not vote suggested that we hold off on pumping until later in the season once our levees are repaired. Mr. Linscheid felt that we should forego any pumping for now. Mr. Dinelli felt that we shouldn't be pumping but since so many club owners can not access their hunting blinds to drain them that we should do something to help them out. Board member Confetti made a motion that the district spend up to \$30,000 for pumping and evaluate it after a couple weeks to assess the efficiency of the pumping. The motion was seconded by Mr. Thomas and the motion was passed 3 to 1 with Mr. Linscheid as the dissenting vote. A discussion ensued about where to place the diesel pumps and it was decided that placing them on Roaring River Road would be the best option if SRCD can work out the details with the agencies that use that road.

Item 6: Skipped until contractor prices can be submitted for repairing the Honker Levee. The need to get equipment to the Sacramento levee will soon be possible as the water behind the sheet pile wall is dropping enough.

Item 7: Spinner proposal: There were no members of Spinner Island present to discuss their proposal however the board discussed it anyway. Mr. Lanzafame stated that the proposal and previously filed Tort claim that was served to him were attached to the supporting documents on the website and were emailed to all landowners and to Spinner representatives. Mr. Lanzafame stated that the tort claim was not filed in court and he did not believe that an immediate response was required. Mr. Lanzafame began to explain his interpretation of the long-time dispute over road issues with Spinner Island. In 2012 a road lease agreement was reached with Spinner over their use of the road with a set of guidelines that needed to be followed. Mr. Lanzafame explained that they have ignored the terms of driving over that levee when it was wet or not safe to do so causing damage to the levee. Mr.

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Lanzafame also brought up another issue that is unresolved as to where the physical boundary is between Spinner and Concord. Deeds and legal descriptions are hard to translate into stakes in the ground that show where the boundaries actually are. Mr. Lanzafame stated that a few years ago John Sweeney and Chris Rand of Spinner both claimed that they had hired a surveyor who discovered that the boundary of the District and Spinner was approximately in the center of the lower levee between two islands. Most of us previously assumed the boundary is to the east of the levee or in the center of the canal to the east. Mr. Lanzafame suggested that we reach out to Spinner to find a licensed surveyor to research and share the cost to stake out the boundary to resolve the dispute. Mr. Lanzafame pointed out that he had reached out to Spinner manager Pat Drudge via email with no response. In response to the Spinner Island proposal on the agenda, Mr. Lanzafame's interpretations of the requests as explained as below.

1: The district has never had an obligation to undertake maintenance for the purpose of making an all-year road on the levee from the main gate to Spinner Island. At times the gas company has maintained a gravel road on the levee and through the Grillat property the upper levee has been restricted to vehicle traffic only during the dry months when it is safe to do so.

2: Water hyacinth is a water borne plant that only grows in bodies of water. When the water levels dry out the plants usually go away. Since Spinner never completely dries their ponds, hyacinth will never go away.

3. If they are referring to the upper levee between Concord and Spinner, the damage was caused by unauthorized driving over that levee during winter months and during the flood in trucks and street vehicles despite requests from the district to use ATV's only. Mr. Lanzafame suggested to Spinner previously that they were welcome to contribute financially to the upgrade of this levee under the supervision and permits held by the district.

4 and 5. The width of the lower levee between Spinner and the district is on soft peat and will not support raising the height to 7 feet without significant costs and encroachment. Mr. Lanzafame suggested that without knowing where the actual boundary lies, there is no way to know who owns the road for sure so any discussions about ownership and use can not take place without knowing exactly where the boundary is.

6: Spinner should allow the use of their upper levee to access the Sacramento levee when it is the only way to make emergency repairs as is the case right now.

The board discussed how they could not respond without Spinner Island present at the meeting to better explain their concerns and demands. After much discussion, both Matt Stretch and Mike Linscheid suggested that the district and Spinner needed to share the cost of having a licensed surveyor determine the actual boundary between our two islands so that further discussion of these critical issues could take place. Mr. Stretch suggested that someone not from the Concord Club reach out to the Spinner manager to open a dialog with Spinner about sharing the cost of a survey and to calm tensions between our two islands and to discuss these topics. A motion was made by President Dinelli and seconded by Ed Linscheid to have Kevin Confetti write a letter to reach out to Spinner regarding the survey.

Item 8 Assessment increases: Mr. Lanzafame explained the process of raising assessments and presented a proposal of a recommended engineering firm, SCI Consulting Group that could put together a necessary report and election required for an increase. The company's president, John Bliss would be willing to make a presentation to our board and members at our next meeting. Mr. Confetti said it has been way too long and that we have not been able to keep up with inflation. Mr. Confetti made a suggestion that we put this item on the next meeting agenda. It was agreed that we should set up a special meeting when SCI can explain their proposal to us in person.

Item 9 Changing the lock code: Mr. Lanzafame was instructed by President Dinelli to change the lock code and notify the landowners of the new code.

Adjournment 12:03 pm motion Dinelli, Second Confetti.

Thank you to the Montezuma Club and Rich Jr and Tom Nave for the use of their clubhouse.

Approved 12/6/2023