

**MINUTES OF SPECIAL MEETING OF THE
BOARD OF DIRECTORS OF THE
LOWER SAN JOAQUIN LEVEE DISTRICT
TUESDAY MORNING, MAY 10, 2022**

Pursuant to the Call of the Chairman, a Regular Meeting of the Board of Directors of the Lower San Joaquin Levee District was held in the office of the San Luis Canal Company, at 11704 W. Henry Miller Avenue, Dos Palos, Merced County, California, on Tuesday, May 10, 2022, at the hour of 8:30 A.M.

CALL TO ORDER

Chairman Roy Catania presided over the meeting and called it to order, with the following Directors present in the board room: Sean Howard, Case Vlot, and Aldo Sansoni. The following staff was present in the board room: Legal Counsel Lauren Layne, Secretary-Manager Reggie Hill, Assistant Secretary-Manager Shane Swartz, and Superintendent Jody McClellon. Guests in attendance in the board room were Gustavo Carranza, Steve Shehadey, and Sal Rodriguez.

Chairman Catania declared that a quorum was present.

PLEDGE OF ALLEGIANCE

Director Sansoni led those in attendance in the pledge of allegiance.

BOARD MINUTES

A motion by Director Howard and seconded by Director Sansoni, the Minutes of the Special Meeting of the Board, held on April 26, 2022, were unanimously approved as presented.

LEGAL COUNSEL'S REPORT

Legislation Updates: Attorney Layne reported on public agency legislation updates. Further discussed bills in legislative now are AB-2449 revisions to the Brown Act reducing the requirements for telephonic meetings. New requirements coming out in the next couple of years to ease requirements for telephonic meetings.

Atty. Layne reported further information on AB-2201 in the legislation of Ground Water

Extraction Permit, where the State imposes the county government and GSA's that they require permits for pulling groundwater extractions and monitoring.

Atty. Layne reported having further discussion on proposed legislation on AB-2313 in regards to educating current judges on water issues and studies.

Atty. Layne reported a discussion on the proposed bill AB-2108, which reported to amend water laws and water rights systems.

Atty. Layne reported AB-2895 in the legislation of water permits, licenses, and water transfers. It authorizes the State Water Board to push forward temporally water rights applications quicker in certain areas but still must pass all required application steps.

Atty. Layne reported still waiting to see if the Fresno County Board of Supervisors will appoint Steve Shehadey for the vacant Levee Board seat.

SUPERINTENDENT'S REPORT

Superintendent McClellon stated spraying near gates and the center levee continue. Also, stated that the district's rodent abatement program is back active since maintenance worker Ron is back at work from his at-home injury to his hand.

Superintendent McClellon shared that he received some hardpan dirt that had been ripped up by a local farmer and the farmer was going to donate it to the district. The district would haul to different needed locations.

Superintendent McClellon stated during the shop yard clean-up that they offloaded 35,500 lbs. of scrap iron, metal, and old gearboxes that were laying around the grounds of the Levee District maintenance yard. Proceeds from the recycled metal will be deposited into the general operating fund.

Superintendent McClellon reported the difficulties of trying to acquire a pick-up truck for spraying the levees. Price Ford did say they could accommodate with a special order F150 within 3 to 4-

month deliveries. After further discussion, director Sansoni made a motion was presented to purchase an F150 4x4 drive pick-up truck at \$50,000 under purchased by the Secretary Manager, and then seconded by director Howard, the Board unanimously voted to accept the motion.

Superintendent McClellon reported more gates over the weekend near the Merced refuge and near the bifurcation were cut over the weekend. Still have issues keeping people out during the weekends. Further discussion ensued regarding state and county law enforcement responses, and the need to keep trying to engage the county supervisors in the impacted county areas about this matter, along with other operational issues of concern.

Further discussion on notifying the local law enforcement on ideas of patrolling and keeping people off the levee roads. S-M will look into available grant money for patrolling levees.

SECRETARY-MANAGER'S REPORT

DWR/SJRRP Meeting: Currently, we have a meeting scheduled for May 18th to include Rob Tull, Scott Jacobson, and Daryl Chism to further evaluate DWR's new plan to modify the structure.

S-M Hill discussed future arrangements for compensating former employees that have retired from the levee district as consultants. It has been proposed to pay the past Superintendent Darrell Chism is to be paid as a consultant to the Levee District as a range pay up to \$100.00 an hour for consulting. Following a discussion on the consultant agreement presented, a motion by Director Sansoni and seconded by Director Howard, the Board unanimously voted to accept Darrell Chism consulting's agreement for service for 2022-2023.

Asst S-M Swartz presented the renewal office agreement from HMRD that has a CPI rate of 8.1% increase for 2022-2023, current rent of \$1278.00 to \$1,371.00, to include the usage of the HMRD board room and copy machine. Following a discussion on the consultant agreement presented, a motion by Director Sansoni, and seconded by Director Vlot, the Board unanimously voted to accept the rent

increase for office space usage.

S-M Hill stated CA Central Valley Flood Board states they are soon to have a response to the letter sent by the levee district in 2015 regarding the deauthorization of the levee district through the Army Corp.

S-M Hill states that the Central Valley Flood Protection Plan is out for public comments and feedback needs to be submitted on June 6, 2022.

S-M Hill stated that there is a DWR Flood Fight training on May 17, 2022, at HMRD.

Asst S-M Swartz presented the results of the independent audit for 24 months ending on June 30, 2019. Following a discussion on the audit results presented, on a motion by Director Howard and seconded by Director Vlot, the Board unanimously voted to accept the biannual audit ending June 30, 2019.

Asst S-M Swartz presented two quote packages for the upcoming biannual audit out of six solicited. This quote would be for three different biannual audits; 2019-2021, 2021-2023, and 2023-2025. Following a discussion on the audit results presented, on a motion by Director Vlot and seconded by Director Howard, the Board unanimously voted to accept Bryant Jolley CPA Group.

Check Register: There were no checks issued on the Levee District's account at Wells Fargo Bank since last month's meeting.

No new reports on land subsidence.

Director Sansoni presented an issue and wanted to get a letter of importance to the Merced Board of Supervisors regarding the current issues in the district. Asst S-M Swartz stated he would send a letter and try to schedule a meeting with them.

Director Catania directed staff in looking for grant monies to support the levee district and wait on approaching a Prop 218 at this time.

PUBLIC COMMENT

No public comment.

CLAIMS FOR PAYMENT

Following a discussion on the claims presented, on a motion by Director Sansoni and seconded by Director Vlot, the following presented claims were unanimously acknowledged and accepted for payment:

Aetna (medical insurance)	\$10,347.87	MCR Regional Waste Mgt.	59.01
CoPower (dental, life)	604.12	NAPA Auto Parts	433.91
A T & T Mobility	107.78	Office Supply Express	608.37
Baker Manock & Jensen PC	2,604.79	Pacific Gas & Electric Co. (structures)	991.85
Bonds & Son Septic Service	370.00	Pacific Gas & Electric Co. (office)	59.98
Cal.net	69.95	Swartz, Shane	3,316.27
Frontier Communications	59.79	Streamline (website)	300.00
George M. Lowry	150.00	Stocking & Cozzi Ins. Agency	100,906.00
Gilton Waste Management	250.44	Summers Engineering, Inc.	2,302.60
Henry Miller R.D. (office / room rent)	1,268.00	Tee-Dee-Us Automotive	603.14
Henry Miller R.D. (postage)	28.15	Vause Part Source	290.73
Henry Miller R.D. (office / propane)	148.98	Verizon	366.28
J S West Propane Gas	2,612.42	Windecker, Inc.	3,286.15
Kellogg's Supply	281.42	Yonkers & Johnson, Inc.	<u>319.20</u>
Manuel's Tire Service	19.20	TOTAL	\$ 139,610.02

ADJOURNMENT

There being no further business, the Chairman declared the meeting adjourned at 10:05 A.M.

Reggie N. Hill, Secretary-Manager