MINUTES

Minutes of the Board of Trustees Reclamation District No. 537

October 4, 2022

Pursuant to the foregoing consent and the notice thereof, duly and regularly posted and given to all members of the Board of Trustees, and by-laws of said District, a regular meeting of the Board of Trustees of Reclamation District No. 537 was called to order by President William Mattos on Tuesday October 4, 2022, at 9:03 am in-person and via Teams online meeting.

**Call to Order**

1. Meeting attendance/introductions

Meeting was attended by Trustees William Mattos, Dan Ramos, Tom Ramos, Ross Peabody, and Ray Yeung. Also in attendance were the following RD staff and consultants: Dustin Dumars, Rebecca Smith, Tina Anderson, and Nichole Leonard. William Anthony Mattos and Jim Nolan also attended the meeting.

1. Approval of agenda

Trustee Thomas Ramos made a motion to approve the agenda, Trustee Yeung seconded the motion, and the motion passed 4-0-1 (Trustee Mattos was absent from the meeting at the time of the vote).

1. Review and consider findings related to remote meetings pursuant to AB 361

Trustee Ray Yeung made a motion to consider and adopt the findings pursuant to AB 361, Trustee Dan Ramos seconded, and the motion passed 5-0-0.

1. Approval of minutes of the Regular Board meeting on August 2, 2022 and the Special Board Meeting on September 9, 2002

Trustee Dan Ramos made a motion to approve the minutes, Trustee Ray Yeung seconded, and the motion passed 5-0-0.

# Public Comment on Non-Agenda Items District

No members of the public attended the meeting.

# Business/Action Items

1. Report on District Finances

Dustin Dumars presented financial information including the budget and balance sheet. Trustee Mattos reported that the masticating on the levee had been completed. Trustee Mattos reported Clearwater was reviewing the Title 23 requirements for the erosion repair and he would call them today to ensure the work is completed before October 15th.

1. Engineers' Report and Updates (MBK)
   1. Interior Drainage Update

Trustee Mattos reported that spraying and mowing of the canal was authorized by the biologist and SAFCA.

* 1. Pump Station Update

Ms. Anderson reported that the switch gear and one other part for the pump station is on back order so the pump station won’t be completed until January or February.

Ms. Anderson will schedule a meeting with DWR regarding the pump station to coordinate the transfer of responsibility for operation of the pump station and interim requirements until it completed and turned over to the District.

* 1. DWR Inspection

Ms. Anderson reported she did not yet have the date the inspection would take place, but she expects it will occur around the 27th of October.

* 1. AB 156 Reporting

Ms. Anderson reported she had completed the AB 156 reporting that former manager Kyle Lang had been filing.

* 1. FMAP Update

The District has plans to use the remaining FMAP funding for vegetation control including goat grazing and spraying. Ms. Anderson suggested that any remaining funding could be used for vegetation control in the area that was formerly part of RD 827 before consolidation. Ms. Anderson will coordinate with Mr. Dumars regarding FMAP invoices.

1. SAFCA amendment (detention basin – remove drip tape and plant a cover crop)

Trustee Mattos reported that the Amendment to the SAFCA agreement has been executed. The Amendment included an additional $400,000 in funding to return the detention basin to viable agricultural land. The rain delayed the planting and removal of the drip tape, the District is preparing the soil to be planted with a cover crop, which has been approved by SAFCA. Trustee Mattos reported that DWR will pay for discing next year.

The District received three proposals for the planting and has selected one proposal for the work.

1. CEQA filing approval for work by Sutter Land Management (Riverby Ranches)

Ms. Anderson explained that when a landowner has a pipe replacement project requiring a CEQA Notice of Exemption (NOE), the landowner has requested that the District be the lead agency filing the CEQA NOE. She reported that Riverby Ranches was coordinating with the Central Valley Flood Protection Board. Ms. Anderson disclosed that Riverby Ranches is a client of MBK Engineers, but neither Ms. Anderson nor Ric Reinhardt work directly with them.

Trustee Dan Ramos moved to approve the CEQA filing, Trustee Mattos seconded, and the motion passed 5-0-0.

1. WSAFCA Update

Trustee Thomas Ramos reported the West Sacramento project has been extended through 2030. WSAFCA signed a participation agreement with USACE and the CVFPB for the West Sacramento Federal Levee Improvement project. Work should be in the spring.

# Informational Items

1. Manager's Report/Maintenance Update

General Manager Kyle Lang has resigned; his last day was September 30th.

1. Additional informational items/Trustee comments

Jim Nolan presented three invoices for work done for the former Reclamation Districts 785 and 827 including two subpoenas for records and an eminent domain lawsuit from the State. Trustee Mattos asked if the services were performed prior to the consolidation of the Districts. Mr. Nolan report that the consolidation was in progress at the time he provided the invoices to Manager Kyle Lang. He also emailed a letter to Trustee Peabody detailing the work on July 10, 2021. Mr. Nolan said that the invoices didn’t contain duplicate work, that the subpoena work was split between the two RDs. Mr. Nolan also stated that he didn’t bill ~$14,000 dollars of work so he would not reduce the amount of the invoices as he already had reduced the amount he was billing.

Trustee Mattos stated they would review the backup provided and would discuss the invoices at the next meeting.

Ms. Smith reported that the State is pursuing an eminent domain issue, but she had not seen the document and does not yet have the details.

Trustee Mattos reported that the District had received the Sacramento International Airport report on the jet fuel line running through the District. The report will be kept on file in the District’s records.

Trustee Dan Ramos stated for the record that the District will coordinate with former Manager Kyle Lang to move the District’s records to a storage unit until the Corporation Yard is complete and records can be stored there.

Trustee Mattos suggested the District move their PO box from Woodland to West Sacramento. Ms. Anderson said she would assist in preparing a change of address notice for the State.

Trustee Dan Ramos has taken over the task of managing the District’s website.

1. Manager’s Resignation/Consideration of New Manager

Trustee Mattos asked Ms. Smith if a closed session was required for the discussion considering a new manager. Ms. Smith said they could hold the discussion in open or closed session, but that they could not approve a salary in closed session.

The Board decided not to hold the discussion in closed session.

Trustee Dan Ramos stated they were considering hiring William Anthony Mattos and disclosed that he is Trustee Mattos’ son. Trustee Mattos was not present during the the discussion and abstained from voting

Trustee Dan Ramos stated that he had interviewed Mr. William Anthony Mattos. Mr. Mattos stated he was pleased to be considered for the position and more than willing to work with and for the Board. Trustee Peabody proposed that the Board bring Mr. Mattos on for a six-month interim period and then formalize and make the position long term if the board is happy with his services. Trustee Dan Ramos suggested a monthly salary of $2,500. Trustee Thomas Ramos moved to engage the services of Mr. Mattos, effective immediately. Trustee Yeung seconded, and the motion carried 4-0-1. Trustee Mattos abstained from the vote.

# Adjourn

Trustee Dan Ramos adjourned the meeting at 10:44 am.