

**Minutes of Meeting of  
Reclamation District 828  
Held on January 19, 2023**

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The meeting of the Board of Trustees of Reclamation District 828 was held at 3121 West March Lane, Suite 100, and called to order at 1:30 p.m. on January 19, 2023.

**Item No. 1:** Call to Order. The meeting was called to order at 1:34 p.m. Present were Trustee Deby Provost, and Trustee Paul Marsh. Also present were Chris Neudeck, District Engineer, Andy Pinasco, District Secretary, Appointee Ron Edwards, Dominick Gulli, member of the public, Tobias Stockler, Notary Public, and Chris Elias, SJAFCA Executive Director.

**Item No. 2:** Public Comment. Mr. Gulli made comment regarding the condition of the Interstate 5 underpass on the Smith Canal. Mr. Gulli provided written correspondence from 2013 and 2019 to the Trustees regarding a demand that Caltrans comply with its permit obligations. Mr. Elias provided an update on the Smith Canal Gate Project. Mr. Elias also announced that a public member position on the SJAFCA Board is available and that SJAFCA is accepting applications from non-elected individuals for the position with a deadline of submission on February 1, 2023.

**Item No. 3:** Oath of Office. Mr. Stockler administered the Oath of Office to appointee Ron Edwards.

**Item No. 4:** Trustee President. Trustee Provost was unanimously elected Trustee President on a motion by Trustee Marsh, seconded by Trustee Edwards.

**Item No. 5:** Approval of Minutes. Mr. Pinasco reviewed the draft minutes of the October 20, 2022, and November 28, 2022, meetings with the Trustees. The minutes of the October 20, 2022, and November 28, 2022, meetings were approved by the Trustees a motion by Trustee Marsh, seconded by President Provost.

**Item No. 6:** Financial Report. Mr. Pinasco reviewed the written financial report provided to the Trustees at the meeting. President Provost requested that Mr. Pinasco provide a more detailed report of legal costs charged to the District at the next regular meeting. The financial report was accepted unanimously by the Trustees present on a motion by Trustee Marsh, seconded by President Provost.

**Item No. 7:** Insurance. Mr. Pinasco reported that the District's insurance expires on April 30, 2023, which will occur prior to the next regular meeting. Mr. Pinasco explained that the District is currently covered under a special group insurance product and has limited ability to leave the group, however, the District's broker, Dohrmann Insurance, has indicated that it will try and obtain multiple quotes for consideration. Mr. Pinasco requested that the Trustees delegate authority to President Provost, or in President Provost's absence, any Trustee, to review and approve an insurance proposal to be

ratified at the next regular meeting. The Trustees present unanimously delegated authority to President Provost, or in President Provost's absence, any Trustee, to review and approve an insurance proposal to be ratified at the next regular meeting on a motion by Trustee Marsh, seconded by President Provost.

**Item No. 8:** Audit. Mr. Pinasco briefly reviewed the Audit for the year ending June 30, 2022, submitted by Schwartz, Giannini, and Lantsbeger with the Trustees. The District's Audit for the year ending June 30, 2022, was unanimously accepted by the Trustees present on a motion by Trustee Marsh, seconded by President Provost.

**Item No. 9:** Engineers' Report; request for direction. Mr. Neudeck provided a written and oral report to the Trustees. He reported on the Governor's proclamation of emergency and its impact to San Joaquin County relief efforts. Mr. Neudeck then discussed the underpass at Interstate 5 on the Smith Canal, explaining that the District is cooperating with Reclamation District 1614 to work with Caltrans to perform repairs on both sides of the Interstate 5 underpass.

The Trustees then alerted Mr. Neudeck to digging on the levee near the Buena Vista pump station. Mr. Neudeck responded that he would have one of his inspectors review the site and report back to him. In the event he determines the District will need to take action, he would inform President Provost and request that a special meeting be called to take action.

**Item No. 10:** Flood Insurance. President Provost expressed concerns regarding flood maps that seem to exclude portions of the District even after the Smith Canal Gate Project is completed. Mr. Neudeck indicated that he was unaware of such map issues, and would look into it. President Provost asked Mr. Elias whether he had any information regarding this matter, as he is the Executive Director for SJAFCA, and the Gate Project is SJAFCA's project. Mr. Elias responded that he would inquire with his technical staff and provide a response to the District.

**Item No. 11:** Levee Encroachment. President Provost reported that there are multiple unauthorized encroachments on the District's levee along Shimizu Drive. Mr. Neudeck indicated that the District does not currently have Levee Encroachment Standards, however, due to the fact that the District is believed to own the levee along portions of Shimizu Drive, that he would work with President Provost to contact local law enforcement to report the unauthorized trespass along the District's levee. The Trustees also directed Mr. Pinasco to work with President Provost to identify the addresses of the offending landowners and contact them to inform the landowner of the unauthorized trespass.

**Item No. 12:** Bylaws. Mr. Pinasco explained the procedure required for the Trustees to amend the District's Bylaws, pointing out that a properly noticed public hearing is required prior to amendment. The Trustees discussed amending the District's Bylaws to move the regular meeting date and time to better accommodate the Trustees' schedules.

After discussion, the Trustees directed Mr. Pinasco to prepare the required public hearing notice and bring back an amendment to the Bylaws moving the District's regular meeting dates to the Second Monday of January, April, July, and October, at the time of 10:30 a.m.

**Item No. 13:** Correspondence and meeting attendance reports. Staff provided no report on any correspondence.

**Item No. 14:** Trustee Reports. President Provost reported that there are seemingly abandoned houseboats along the District's levee on the Smith Canal. President Provost reported that people may be living on the houseboats and may be discharging waste into the Smith Canal. Mr. Neudeck indicated that he would provide Trustee Provost with contact information for officials at the County Public Health Department. Trustee Edwards reported concern for large trees potentially falling along the District's levee. Mr. Neudeck accepted this information and indicated he would have his inspectors keep this in mind during inspections and would report any findings to the Trustees as necessary.

**Item No. 15:** Calendar. Mr. Pinasco reviewed the upcoming calendar events with the Trustees, indicating that the next regular meeting would occur on April 20, 2023.

**Item No. 13:** Approval of Bills. Mr. Pinasco reported on the outstanding bills that had been received and the status of the District's accounts. The Trustees unanimously approved payment of the attached bills on a motion by President Provost, seconded by Trustee Marsh.

**Item No. 13:** Adjournment. The meeting was unanimously adjourned at 3:00 p.m.

Respectfully submitted,



Andy Pinasco, District Secretary