

**Minutes of Meeting of
Reclamation District 828
Held on October 20, 2022**

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 8:30 a.m. on October 20, 2022.

Item No. 1: Call to Order. The meeting was called to order at 8:32 a.m. Present were Trustee Deby Provost, and Trustee Paul Marsh. Also present was Andy Pinasco, District Secretary, and David Carr, KSN Engineering, filling in for Chris Neudeck. Trustee President Bill Mendelson, and District Engineer, Chris Neudeck, were absent.

Item No. 2: Public Comment. No public comment presented.

Item No. 3: Approval of Minutes. Mr. Pinasco reviewed the draft minutes of the July 21, 2022, meeting with the Trustees. The minutes of the July 21, 2022, meeting were approved by the Trustees a motion by Trustee Provost, seconded by Trustee Provost.

Item No. 4: Trustee Vacancy. Mr. Pinasco informed the Board of the passing of Trustee President Bill Mendelson. The Trustees expressed their condolences. Mr. Pinasco reported that President's Mendelson's passing creates a vacancy on the Board, and explained the options available to fill the vacancy. The Trustees opted to pursue an appointment to fill the vacancy. Mr. Pinasco explained, that given the fact that the vacancy occurred in the first half of President Mendelson's term and is at least 130 days from the next District general election, that the appointee would serve until December 2023, and must sit for the next District general election in November 2023 to fill the remainder of the term.

Mr. Pinasco also reported that the law requires the District to notify the Registrar of Voters of how the Board will be filling the vacancy, and post notice of the vacancy at three conspicuous places within the District for at least 15 days prior to making the appointment, which he would post accordingly.

The Board members present directed staff to notice a special meeting for November 10, 2023, at 8:30 a.m., notify the Registrar of Voters, and post notice of the vacancy in three conspicuous places within the District by unanimous vote on a motion by Trustee Marsh, seconded by Trustee Provost.

Item No. 5: Financial Report. Mr. Pinasco reviewed the written financial report provided to the Trustees at the meeting. The financial report was accepted unanimously by the Trustees present on a motion by Trustee Marsh, seconded by Trustee Provost.

Item No. 5.a: Audit. Mr. Pinasco provided an oral and written report of the draft audit for fiscal year ending June 30, 2022, prepared by Schwartz, Giannini, and Lantsberger. The draft fiscal year ending June 30, 2022 was accepted and the Trustees directed the

District Secretary to sign the corresponding representation letter unanimously by the Trustees present on a motion by Trustee Provost, seconded by Trustee Marsh.

Item No. 6: Engineers' Report; request for direction. Mr. Carr provided a written and oral report to the Trustees. He reported on the levee subventions program and conditions of the District's levee. Mr. Carr addressed the Trustees concerns with parking and trash on the levee, indicating that the District would continue its operation and maintenance as planned, but to call local law enforcement if any trespassing or littering issues arise. Mr. Carr also discussed the District's vegetation control program and spray schedule, indicating that Custom Spraying provides a robust service and that he is very comfortable with the current application procedure being conducted.

Item No. 7: Tree Removal. Mr. Carr provided a written and oral report regarding tree removal from the District's levees for maintenance purposes. The trees are located within the District's levee. Mr. Carr indicated that the District's Engineer obtained proposals for tree removal from Asta Construction, and Robert Burns Construction, with Robert Burns Construction being the low bid at \$8,541. The Trustees unanimously authorized the District's Engineer to award the tree removal contract to Robert Burns Construction on a motion by Trustee Provost, seconded by Trustee Marsh.

Item No. 8: Correspondence and meeting attendance reports. Mr. Pinasco informed the Trustees of the upcoming 2022 Preseason Flood Coordination Meeting on October 25, 2022, 9 a.m., at the San Joaquin County Ag Center.

Item No. 9: Mr. Pinasco provided a written and oral report regarding the proposed rulemaking change to the Regulations that govern prioritization of projects within the Delta. Mr. Pinasco requested that RD 828 participate along with various other reclamation districts to provide a comment to the rule making. The Trustees present unanimously authorized Mr. Pinasco to RD 828 in the comment on a motion by Trustee Provost, seconded by Trustee Marsh.

Item No. 10: Trustee Reports. Trustee Provost provided an oral report of docks located at 1972 Shimizu and 1893 Walnut that are in disrepair and the dilapidated boats moored to those docks. Trustee Provost expressed concern that not only do the docks pose a risk to the District's levee, but the moored boats also attract people to trespass on the District's levee, risk of unauthorized alterations to the District's levee, and also results in trash. Mr. Carr indicated that the docks may have been permitted by the Central Valley Flood Protection Board. The Trustees present directed staff to send a letter to the Central Valley Flood Protection Board to inform them of the nature of disrepair that the identified docks were in and request any permit or approval that the CVFPB may have given for the construction of such docks.

Item 11: Calendar. Mr. Pinasco reviewed the upcoming calendar events with the Trustees.

Item No. 12: 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 Trustee Marsh, seconded by Deby Provost.

Item No. 13: Adjournment. The meeting was unanimously adjourned at 9:37 a.m.

Respectfully submitted,



Andy Pinasco, District Secretary