

**RECLAMATION DISTRICT NO. 828  
AGENDA FOR MEETING OF  
BOARD OF TRUSTEES  
10:30 A.M. APRIL 8, 2024**

**3121 WEST MARCH LANE, SUITE 100  
STOCKTON, CA 95219**

**AGENDA**

1. Call to Order/Roll Call.
2. Public comment: Under Government Code section 54954.3, members of the public may address the Board on any issue in the District's jurisdiction. The public may address any item on the agenda at the time it is taken up.
3. Minutes. Consider for approval minutes of the District's January 8, 2024, meeting.
4. Trustee Vacancy. Direction on filling the vacancy of Trustee Edwards in accordance with Government Code section 1770(c).
5. Financial Report. Accept and approve District Financial Report.
  - a. Discussion and possible action to amend R1B to \$35K.
6. Insurance. Discussion and direction.
7. Engineers' Report. Discussion and Possible Action.
8. Correspondence. Review and discuss correspondence received.
9. Meetings Attended. Report on meetings attended.
10. Trustee Reports. Discussion and direction regarding Trustee reports.
11. Future Agenda Items. Discussion and possible action to add items to future agendas.
12. District Calendar.
  - a. Next Meeting is July 8, 2024
13. Bills. Approval of bills to be paid.
14. Adjournment.

*This agenda shall be made available upon request in alternative formats to persons with a disability, as required by the Americans with Disabilities Act of 1990 (42 U.S.C. § 12132) and the Ralph M. Brown Act (California Government Code §54954.2). Persons requesting a disability related modification or accommodation in order to participate in the meeting should contact Andy Pinasco at 209/948-8200 during regular business hours, at least twenty-four hours prior to the time of the meeting.*

*Materials related to an item on this Agenda submitted to the Trustees after distribution of the agenda packet are available for public inspection in the office of the District Secretary at Neumiller & Beardslee, 3121 West March Lane, Suite 100, Stockton, California during normal business hours.*

**AGENDA PACKET  
RECLAMATION DISTRICT 828  
APRIL 8, 2024**

<b><u>ITEM</u></b>	<b><u>COMMENTARY</u></b>
1.	Self-explanatory.
2.	Self-explanatory.
3.	Please see attached.
4.	Self-explanatory.
5.	Self-explanatory.
6.	Self-explanatory.
7.	Self-explanatory.
8.	Self-explanatory.
9.	Self-explanatory.
10.	Self-explanatory.
11.	Self-explanatory.
12.	Please see attached.
13.	Please see attached.
14.	Self-explanatory.

# ITEM 3

## **Minutes of Meeting of Reclamation District 828 Held on January 8, 2024**

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The meeting of the Board of Trustees of Reclamation District 828 was held at 3121 West March Lane, Suite 100, scheduled to start at 10:30 a.m. on January 8, 2024.

**Item No. 1:** Call to Order. The meeting was called to order at 10:33 a.m. All Trustees were present. Also present were Chris Neudeck, District Engineer, Thomas Terpstra, Jr., Deputy District Secretary, and Mr. Juan Nierra of San Joaquin Area Flood Control Agency.

**Item No. 2:** Public Comment. Mr. Nierra provided an update on the fence of the Smith Canal project. Some ancillary work is required to finish the project, such as pads for access to the gate, electricity to the gate, but the gate is operational. SJAFCA is also installing navigational lights, stairs for access for maintenance personnel, and other finishing touches. SJAFCA anticipates the park and the boat ramps to be open in March or April.

**Item No. 3:** Oath of Office. Ozena Doughty, a notary public, administered the oaths of office to all three trustees. All trustees took the oath, and signed and acknowledged a written copy.

**Item No. 4:** Trustee President. The nomination period for Trustee President was opened in accordance with the District's Bylaws. The Trustees present unanimously selected President Provost as Trustee President on a motion by President Provost, seconded by Trustee Marsh.

**Item No. 5:** Approval of Minutes. Mr. Terpstra reviewed the draft minutes of the October 9, 2023, meeting with the Trustees. The minutes of the October 9, 2023, meeting were unanimously approved by the Trustees present a motion by Trustee Marsh, seconded by President Edwards.

**Item No. 6:** Financial Report. Mr. Terpstra 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 President Provost.

**Item No. 6.a:** Budget Amendment. After discussion with the District's Engineer, the Trustees agreed that increasing Budget Item R1B to \$35,000 was not necessary at this time. No action was taken.

**Item No. 7:** Insurance. Mr. Terpstra explained that the District's insurance policy expires prior to the next regular meeting. Given such, it was recommended that the Trustee President be delegated the authority to approve the insurance proposal, given that the District participates in a group pooled insurance product. The Trustees present

unanimously delegated authority to the Trustee President to approve the proposed JPRIMA insurance policy proposal on a motion by President Provost, seconded by Trustee Marsh.

**Item No. 8:** Audit. Mr. Terpstra provided a written and oral report regarding the unmodified Audit report for the June 30, 2023, fiscal year. Trustee Provost noted that her name was misspelled. Trustee Provost also questioned the breadth of the audit and whether it would pick up any uncashed Trustee Stipends. Mr. Terpstra addressed President Provost's questions, indicating that he would notify the Auditor regarding the name change, and also explained that the Audit follows Generally Accepted Accounting Principles for Government Authorities, which would not likely address uncashed stipend checks, but would check with the Auditor for confirmation. The June 30, 2023, Fiscal Year Audit was unanimously accepted by the Trustees present on a motion by President Provost, seconded by Trustee Marsh.

**Item No. 9:** Engineers' Report; request for direction. Mr. Neudeck provided a written and oral report to the Trustees on the following items:

I. DELTA LEVEE SUBVENTIONS PROGRAM

a. Existing maintenance activities.

- There is a current contract open (waiting on Deby's signature) for \$8,000 worth of maintenance.
  - b. President Provost informed Mr. Neudeck that she signed the agreement.
- This past summer Dino & Son added one truck of riprap for \$5,000.
- For FY 2022-23, Dino did a cleanup-tree trimming project for \$8,000.
- Custom Spraying typically occurs in summer and winter as well for \$3,500 total in FY 2022-23 - half of that for summer or 2023 (FY 2023-24).

Mr. Neudeck also started a discussion about issues on the levees that arise between meetings. Mr. Neudeck was looking for authorization to react to issues as they arise, particularly unauthorized or unpermitted activities occurring on District levees. Mr. Neudeck stated that he would like to coordinate with President Provost to address these issues and write a letter to any landowners who undertake unauthorized activities on the levees.

President Provost noted that a letter went out to landowners in July. The trustees agreed that referencing the letter would be good in any subsequent communications.

The Trustees present unanimously authorized the District Engineer to coordinate levee work between meetings with President Provost on a motion by Trustee Marsh, seconded by Trustee Edwards.

**Item No. 8:** Correspondence and meeting attendance reports. Staff provided no report on any correspondence.

**Item No. 9:** Meetings Attended. It was reported that President Provost attended a meeting with the District's Engineer to execute authorized contracts.

**Item No. 10:** Trustee Reports. The following reports were provided by the Trustees present:

1. No reports from Trustee Marsh nor Trustee Edwards. Trustee Marsh asked Mr. Neudeck whether there were major rodent issues on the levee, which Mr. Neudeck stated there are not. Trustee Edwards said that he has a guy that does owl boxes in case an issue gets worse.
2. President Provost said Tracy Glaves offered to take Trustee Edwards on a tour of the levees.
3. President Provost discussed how code enforcement picked up a fallen eucalyptus tree. Mr. Neudeck said the Sheriff's office has access to state grants that pay for pickup of boats and large vessels out of the water.
4. President Provost also discussed her boat tour with Abel and other personnel. She was concerned about the condition of the levee and reiterated that every dollar directed toward rip rap is important.
5. President Provost also reported an issue with an arsonist on the levee. Trustee Marsh said there was another guy lighting up brush and other items in other areas near the District as well.

**b) Discussion and procedure on potential consolidation of RD 828 and RD 1614.**

- b. Mr. Terpstra reported to the Trustees that RD1614 proposed that RD 828 consolidate with them. Mr. Terpstra stated he was looking for direction regarding whether the Trustees were interested in this as a possibility, and whether they were open to reviewing options or proposals for how to accomplish this at the next board meeting.
- c. Trustee Marsh asked who the Trustees are in 1614. Mr. Neudeck informed him that Dominic Gulli, Kevin Kauffman, and Chris Gaines are the current trustees.
- d. President Provost asked Mr. Neudeck what he thought about the plan. Mr. Neudeck stated there are advantages and disadvantages for the District, but that there are difficulties reconciling the differences in how assessments are collected between the two districts.
- e. Trustee Marsh stated that he doesn't trust a consolidated District to operate in the interest of RD 828. He stated that there is danger of the District being co-opted into RD1614's self-interests. Trustee Marsh stated he doesn't think they should consider it because there is a danger of being used for personal gains of that board member.
- f. Mr. Neudeck suggested that RD1614 prepare a proposal for the District to review.

- g. The Trustees directed that no proposals or lists of options be prepared at the District's expense. They stated that if RD1614 wants to propose something, they need to pay for it and prepare it. The Trustees preferred that all RD1614 trustees sign the proposal.
- c) **Non-compliant properties.**
- a. Issues with parking persist, despite the District's letter to property owners.
  - b. Mr. Neudeck reiterated that it is difficult to enforce because the District does not have police power.
  - c. President Provost stated that she would like to discuss with Mr. Pinasco what steps could be taken beyond the letter the District has already sent. Trustee Marsh suggested potentially sending the letter to the Sheriff's office to demonstrate that the District is already attempting to protect the levees and to hopefully alert them to the need for better enforcement on the levees.

**Item No. 11:** Future Agenda Items. No future agenda items.

**Item No. 15:** Calendar. Mr. Terpstra reviewed the Calendar events for the upcoming months, and indicated that due to the Bylaw revision that the next regular meeting would occur on April 8, 2024.

**Item No. 16:** Approval of Bills. Mr. Terpstra 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. 18:** Adjournment. The meeting was unanimously adjourned at 12:07 p.m.

Respectfully submitted,

Andy Pinasco, District Secretary

# ITEM 12



## **RD 828: MASTER CALENDAR**

### **JANUARY**

- Board Meeting – 2<sup>nd</sup> Monday at 10:30 a.m.
- Election of Officers (After an election)
- Obtain Insurance to be Approved. Insurance year is April to March

### **FEBRUARY**

- Send out Form 700s, remind Trustees of April 1 filing date
- Update Document Retention Policy

### **MARCH**

### **APRIL**

- April 1: Form 700s due
- Board Meeting – 2<sup>nd</sup> Monday at 10:30 a.m.

### **MAY**

### **JUNE**

### **JULY**

- Board Meeting – 2<sup>nd</sup> Monday at 10:30 a.m.
- Approve Audit Contract for expiring fiscal year
- Adopted Annual Budget
- Adopt Resolution for setting Assessments and submit to County Assessor's Office
- Adopt Notice of Exemptions Resolution
- Adopt Subventions Resolution

### **AUGUST**

- August 1: Deadline to certify assessments for tax-roll and deliver to County (duration of current assessment: Indefinite).
- Send handbills for collection of assessments for public entity-owned properties
- In election years, opening of period for secretary to receive petitions for nomination of Trustees (75 days from date of election.) (*Cal. Wat. Code §50731.5*)

### **SEPTEMBER**

- In election years, last legal deadline to post notice that petitions for nomination of Trustees may be received (7 days prior to close of closure.) (*Cal. Wat. Code §50731.5*).
- In election years, closing of acceptance of petitions for nomination of Trustees (54 days from date of election.) (*Cal. Wat. Code §50731.5*).

**OCTOBER**

- Publish Notice of Election, odd numbered years (once per week, 4 times, commencing at least 1 month prior to election).
- Board Meeting – 2<sup>nd</sup> Monday at 10:30 a.m.

**NOVEMBER**

- Election.

**DECEMBER**

- New Trustee(s) take office, outgoing Trustee(s) term(s) end on first Friday of each odd-numbered year.

**Term of Current Board Members:**

<b>Name</b>	<b>Term Commenced</b>	<b>Term Ends</b>
Ron Edwards	November 28, 2022	First Friday of 12/2025
Deby Provost	First Friday 12/2023	First Friday of 12/2027
Paul Marsh	First Friday 12/2023	First Friday of 12/2027

**No Expiration on Assessment**

**Refund of Smith Canal Closure Election Contribution – when there is adequate surplus funding available, the disbursement of which will not generate Project delays.**

**Trustee Edwards appointed November 28, 2022 to fill vacancy until next general election to occur in November 2023.**

# ITEM 13

