

RECLAMATION DISTRICT NO. 2064
BOARD OF TRUSTEES'
SPECIAL MEETING AGENDA
5:00 p.m. on July 7, 2020

NEW LOCATION
J.B. WILSON'S GARAGE
5129 East Division Road
Manteca, California

Coronavirus COVID-19 Notice

In accordance with the California Governor's Executive Order #S N-25-20, N-33-20 and N-68-20 ("Orders"), as now or hereafter amended, and for the period in which said Orders remain in effect, Reclamation District 2064 ("District") will conduct meetings in accordance with said Orders and those relevant state and local public health directives.

To accommodate the public during the period of time that the Orders are in effect, the Board will conduct District Meetings at the "New Location" (noted above) and by teleconference at "Additional Locations" (noted below). Participants attending the New Location and Additional Locations shall strictly comply with social distancing requirements (six feet) and the wearing of masks.

District's Board of Trustees have arranged for a limited number of District landowners and members of the public to observe and participate at the meeting through means of Zoom conference. Please call 209.946.9675 and leave a voice message on or before 2:00 pm on July 6, 2020 to arrange for participation by Zoom conference. Please provide name, telephone number where you can be contacted, an email address for which an invitation can be sent, the address you will be calling from and if you are a landowner. We ask that you call five (5) minutes before the scheduled meeting and, once connected, we request you kindly mute your phone until you are recognized by the Board and permitted time to speak. Alternatively, please email your questions 24 hours in advance to ddias@arcoonlaw.com

Additional Locations for teleconference:

1. 7301 E. Woodward, Manteca, CA;
2. 24974 Kincaid Road, Manteca, CA ;
3. 1242 Dupont Court, Manteca, California 95336;
4. 3310 El Camino Avenue, Suite 170, Sacramento, California 95821;
5. tbd Dept. of Water Resources address.

Call to Order:

Roll Call:

Public Comment: Please observe a three-minute time limit and be respectful of issues related to telephonic and Zoom conference participation. Members of the public may address the Board regarding any item not on the agenda which is within the District's jurisdiction. No action will be taken by the Board at this meeting as a result of items so presented. Members of the public may address any item on the agenda at the time it is taken up by the Board.

Action Items:

1. Minutes: Discuss and consider approval of the **Minutes** for January 29, 2020 meeting.
2. Consideration of and Action approving participation in the third year of the state funded maintenance program (**FMAP III**). Note: This Action item may be advanced to accommodate presentation(s) by DWR representative attending in person or by teleconference to provide update on FMAP I & II, status of funding, advance payments, etc.;
3. Consideration of and Action approving **2020-2021 Working Budget** [review of 2019-2020 Working Budget];
4. Consideration of and Action approving **Assessment for 2020-2021** in the original Proposition 218 sum of **\$177,350.00** and executing the appropriate Resolution and documents to affect said assessment ;
5. Consider and Action approving an **increase in contract** for the District Secretary from \$450 per month to \$500;
6. Consider and Action approving the contract from David Farnsworth for preparation of the **2019-2020 audit**;
7. Consider and Action clarifying the state directions and approving addition of **prevailing wage rates** for Veltkamp Bros. for state funded work (FMAP II & FMAP III) and non-prevailing rates;

Persons needing disability-related modification or accommodation in order to participate in this meeting, should contact the Secretary of the Board at (209) 946-9675 at least 48 hours prior to the start of the meeting. (Government Code section 54954.2(a)).

The Agenda Package material may be reviewed at 2575 Grand Canal Blvd., Suite 201, Stockton, CA during normal business hours. Please contact the office in writing to obtain a copy of the Agenda Package. Persons requesting a copy may be charged a small fee for copying the Agenda Packet.

The time limit within which to commence any lawsuit or legal challenge to any quasi-adjudicative decision made by RD 2064 is governed by section 1094.6 of the Code of Civil Procedure, unless a shorter limitations period is specified by any other provision. Under section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by Rd 2064 must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred. Persons wishing to challenge the nature of the above section in court, may be limited to raising only those issues that were raised at the meeting described in this notice, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.

8. Discussion regarding status of, and consider action for, **replacement of pipe** which provides landowner with drainage under Garden Avenue (see previous Board discussion);
9. Consider Action on PG&E's request for **Gas Transmission Line Tree Removal**;
10. Consider and ratify authorizing Secretary to execute **Contract for Deposit of Monies** and to negotiate any related terms on the previously approved extension of **Warrant Agreement** with FM Bank which will then be executed by a tbd Trustee; and
11. Consider and Action granting a tbd Trustee authority to negotiate and settle dispute with Landowner Smith related to well location in addition to maintenance and repair of levee and levee owned or with an easement held by District and/or Sacramento & San Joaquin Drainage District (CVFPB). Land includes the following APN #s 257-180-020; 257-180-120; 257-180-050; 257-180-030; 257-180-040; 257-180-320; and 257-180-16.

Engineer's Report: MCR Engineering will present status of repairs of levee including recent flood risk, FMAP II and levee inspection.

Trustee's Report: Oral presentation as needed.

Manager's Report: Written report may be presented at hearing with possible handouts.

General Counsel Reports: Includes status of encroachments, permits submitted to District, local, state and/or federal authorities

Informational Items:

- a. California Land Surveys Association letter re SB 1467;
- b. Letter from CVFPB re PL 84-89;
- c. Receive update from Central Valley Flood Protection Board (CVFP) on outstanding enforcement actions (Armstrong, Becker, etc) Note: This

Persons needing disability-related modification or accommodation in order to participate in this meeting, should contact the Secretary of the Board at (209) 946-9675 at least 48 hours prior to the start of the meeting. (Government Code section 54954.2(a)).

The Agenda Package material may be reviewed at 2575 Grand Canal Blvd., Suite 201, Stockton, CA during normal business hours. Please contact the office in writing to obtain a copy of the Agenda Package. Persons requesting a copy may be charged a small fee for copying the Agenda Packet.

The time limit within which to commence any lawsuit or legal challenge to any quasi-judicial decision made by RD 2064 is governed by section 1094.6 of the Code of Civil Procedure, unless a shorter limitations period is specified by any other provision. Under section 1094.6, any lawsuit or legal challenge to any quasi-judicial decision made by Rd 2064 must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred. Persons wishing to challenge the nature of the above section in court, may be limited to raising only those issues that were raised at the meeting described in this notice, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.

Informational item may be advanced to accommodate presentation(s) by CVFPB representative attending in person or by teleconference and to answer questions; and

d. Discuss U S Army Corp's ownership and maintenance of land adjacent to levee (park);

Closed Session: Conference with Legal Counsel – Existing and Potential Litigation. Government Code §54956.9 (a): CVFPB Enforcement Action Case # 2017-13187 (G. Armstrong) and other potential actions.

Persons needing disability-related modification or accommodation in order to participate in this meeting, should contact the Secretary of the Board at (209) 946-9675 at least 48 hours prior to the start of the meeting. (Government Code section 54954.2(a)].

The Agenda Package material may be reviewed at 2575 Grand Canal Blvd., Suite 201, Stockton, CA during normal business hours. Please contact the office in writing to obtain a copy of the Agenda Package. Persons requesting a copy may be charged a small fee for copying the Agenda Packet.

The time limit within which to commence any lawsuit or legal challenge to any quasi-adjudicative decision made by RD 2064 is governed by section 1094.6 of the Code of Civil Procedure, unless a shorter limitations period is specified by any other provision. Under section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by Rd 2064 must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred. Persons wishing to challenge the nature of the above section in court, may be limited to raising only those issues that were raised at the meeting described in this notice, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.