RECLAMATION DISTRICT NO. 2119

3121 West March Lane, Ste. 100 P.O. Box 20 Stockton, California 95201 (209) 948-8200 FAX (209) 948-8910

Secretary and Attorney
Andy Pinasco
Engineer
Christopher H. Neudeck

NOTICE & AGENDA OF MEETING OF THE BOARD OF TRUSTEES OF RECLAMATION DISTRICT NO. 2119

DATE: Monday, April 17, 2023

TIME: 9:00 a.m.

Roll Call

Trustees

Eugene Muzio

Nelson E. Bahler

Alvin Cortopassi

Agenda Items

- 1. 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 as it is taken up.
- 2. Consider for approval minutes of Board's meeting dated October 17, 2022.
- 3. Financial Report. Review, discuss, and accept financial report.
- 4. District Budget. Approve 2023-2024 District Budget.
- 5. Drainage Pumps. Discussion and possible action regarding emergency power to drainage pumps.
- 6. Engineer's Report. Request for directions and approvals.
- 7. CEQA Resolution. Consideration and approval of Resolution 2023-01 Authorizing and Directing Filing of Notice of Exemption for Routine Maintenance for Fiscal Year 2023-2024.
- 8. Delta Levee Subventions. Consideration and approval of Resolution 2023-02 Approving and Authorizing Execution of Delta Levee Maintenance Subventions Program Work for Fiscal Year 2023-2024.

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.

- 9. SB929. Consideration and approval of Resolution 2022-03 Determining that a Hardship Exists that Prevents the District from Establishing or Maintaining an Internet Website.
- 10. District Calendar. Discussion and direction.
 - a. Next meeting October 16, 2023
- 11. Correspondence.
- 12. Payment of Bills.
- 13. Adjournment.

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AGENDA PACKET RECLAMATION DISTRICT 2119 April 17, 2023

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

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Minutes of Meeting of Reclamation District 2119 Held on October 17, 2022

The meeting of the Board of Trustees of Reclamation District 2119 was held at 9:00 a.m. on October 17, 2022, at the District's Office located at 3121 West March Lane, Suite 100, Stockton, CA.

<u>Call to Order</u>: The meeting was called to order at 9:01 a.m.

Roll Call: All Trustees were present. Also present was Andy Pinasco, District Secretary and Counsel, Chris Neudeck, District Engineer, Brian Ferrero, from the Department of Water Resources, and Dominick Gulli, a member of the public.

<u>Item No. 1</u>: Public Comment. None.

Item No. 2: Approval of Minutes. Mr. Pinasco reviewed the minutes of the meeting of May 12, 2022 with the Trustees. The minutes of the August 30, 2022 meeting were approved unanimously by the Trustees present on a motion by Trustee Bahler, seconded by President Muzio.

<u>Item No. 3.a</u>: Mr. Pinasco provided a written and oral report of the District's finances through October 2022. The financial report was accepted by unanimous vote of the Trustees present on a motion by Trustee Bahler, seconded by Trustee Cortopassi.

<u>Item No. 3.b</u>: Mr. Pinasco reviewed the District's Audit performed by Schwartz, Giannini, Lantsberger & Adamson for fiscal year ending June 30, 2022. The District's Audit for fiscal year ending June 30, 2022, was accepted by unanimous vote of the Trustees present on a motion by Trustee Cortopassi, seconded by President Muzio.

<u>Item No. 3.c</u>: Mr. Pinasco reviewed the proposal submitted by Schwartz, Giannini, Lantsberger & Adamson to perform the District's financial audit for fiscal year ending June 30, 2023. The proposal was accepted and Trustee President was authorized to execute by unanimous vote of the Trustees present on a motion by Trustee Cortopassi, seconded by President Muzio.

<u>Item No. 4</u>: Resolution 2022-04 Certifying 2022-2023 Assessments to be Collected. Mr. Pinasco reviewed the purpose of the resolution with the Trustees. The Trustees considered the rate of \$27.50 per \$100 of assessment valuation proposed in the Resolution and made a finding that the proposed rates are sufficient in their independent judgement. Resolution 2022-04 was adopted unanimously by the Trustees present on a motion by Trustee Bahler, seconded by President Muzio.

<u>Item No. 5</u>: Engineer's Report. Mr. Neudeck provided a written and oral report to the Trustees. Mr. Neudeck reviewed the District's 2021/2022 Final Subventions claim in the estimated amount of \$46,302.31, with an estimated maximum reimbursement of \$29,401.73 to the District. Mr. Neudeck also reported on the Lower San Joaquin River Project progress, focusing on the status of vegetation removal by the Project's proponents.

<u>Item No. 6</u>: Mr. Pinasco and Mr. Neudeck provided an oral and written report to the Trustees regarding the an encroachment permit request made by Central Valley Flood Protection Board. Mr. Ferrero was present to address the Trustees concerns. The encroachment permit request was unanimously approved with appropriate conditions by the Trustees present on a motion by Trustee Bahler, seconded by Trustee Cortopassi.

<u>Item No. 7</u>: Mr. Neudeck then explained the alternate alignment, which would site the project levee on the western levee of RD 1608 along 14 Mile Slough, not only removes the project levee from the District's system, but also relocates the gate structure to south of the marina, spanning 14 Mile Slough connecting Sargent Barnhart Tract (RD 2074) to Shima Tract (RD 1608).

The Trustees confirmed their opposition to the current alignment siting the project levee on the District's eastern levee, and supported the proposed realignment siting the project levee on the western levee of RD 1608.

<u>Item No. 8</u>: Mr. Pinasco provided a written and oral report regarding the request from Cal Mutuals, the District's insurance provider, to fill out and submit a ballot for the 2022 Annual Meeting of the California Association of Mutual Water Companies Joint Powers Risk and Insurance Management Authority. The Trustees present unanimously authorized the District Secretary to submit a ballot marking the quorum box on the ballot and return to the Authority on a motion by Trustee Bahler, seconded by Trustee Cortopassi.

<u>Item No. 9</u>: Mr. Pinasco provided a written and oral report regarding public comment on proposed rulemaking change to Sections 5011 and 5012 of Title 23 of the California Code of Regulations. The Trustees present unanimously authorized District legal counsel to draft comments on the District's behalf regarding the proposed rulemaking on a motion by Trustee Cortopassi, seconded by President Muzio.

<u>Item No. 10</u>: Calendar. Mr. Pinasco reviewed the upcoming calendar events with the Trustees and the purpose of the calendar for District business.

<u>Item No. 11</u>: Correspondence. Mr. Pinasco reviewed correspondence received from San Joaquin County Office of Emergency Services regarding the upcoming 2022 Preseason Flood Coordination meetings.

<u>Item No. 9</u>: Approval of Bills. Mr. Pinasco reported on the outstanding bills that had been received and the need for ratification of the bills paid during the last few months.

The Trustees present unanimously approved payment of and ratification of the attached bills on a motion by Trustee Bahler, seconded by Trustee Cortopassi.

Item No. 10: Adjournment. The meeting was adjourned at 10:49 a.m.

Respectfully submitted,

Andy Pinasco, District Secretary

		BUDGET F	Y 2022-2023	Expended PTD		Expended YTD	% YTD	
	EXPENSES							
_								
Gene G1	ral County Assessment Administration		\$500.00	\$		\$0.00	0%	
G2	Miscellaneous Supplies		500.00	э \$	-	\$0.00	0%	
G3	General Engineering		35,000.00	\$	507.50	\$10,010.93	29%	
G4	Legal and Accounting		20,000.00	\$	482.24	\$11,046.48	55%	
G5	Insurance		17,500.00	\$	20,886.00	\$20,886.00	119%	
G6	Emergency Equipment & Supplies		0.00	\$	-	\$0.00	0%	
	3 7 1 1		\$73,500.00		\$21,875.74	\$41,943.41	57%	
Leve	e Work		. ,		. ,	, ,		
L1	Vegetation Control and Management		\$20,000.00	\$	-	\$5,760.79	29%	
L2	Rodent Control		\$1,000.00	\$	-	\$800.00	80%	
L3	Construct All-Weather Road Surfacing		\$15,000.00	\$	1,400.60	\$3,220.62	0%	
L4	Waterside Erosion Repair		\$25,000.00	\$	-	\$0.00	0%	
L5	Back Slope Fill Flattening		\$40,000.00	\$	-	\$0.00	0%	
L6	General Levee Maintenance		\$25,000.00	\$	16,876.81	\$19,011.35	76%	
L7	DWR 5 Year Plan		\$0.00	\$	336.25	\$336.25	0%	
	Subtotal		\$126,000.00		\$18,613.66	\$29,129.01	23%	
<u>Drain</u>			# 400 000 00	•	47.000.05	# 00.004.05	700/	
D1	Electricity		\$120,000.00	\$	47,200.05	\$90,894.35	76%	
D2	Plant O&M		\$12,500.00	\$	- 47.000.05	\$0.00	0%	
	Subtotal		\$132,500.00	\$	47,200.05	\$90,894.35	69%	
	Checking Account Funding		0.00	\$	40,000.00	\$80,000.00		
	TOTAL EXPENSES		\$332,000.00	\$	127,689.45	\$241,966.77	73%	
	<u>INCOME</u>	DUDGET			DED		0/ V /TD	
INIOO	NAT.	BUDGET	Y 2022-2023		ncome PTD	Income YTD	% YTD	
INCO	INTEREST		2 500 00		\$5,676,00	¢c 752 00	2700/	
	ASSESSMENT		2,500.00 \$250,291.63		\$5,676.00 \$184,333.13	\$6,752.00 \$191,868.83	270% 77%	
	LEVEE SUBVENTION REIMBURSEMENT		\$100,000.00		\$0.00	\$0.00	0%	
	DWR 5 Year Plan Reimbursement		\$0.00		\$0.00	\$4,929.08	0%	
	TOTAL INCOME		\$352,791.63		\$190,009.13	\$203,549.91	58%	
	101/12 INCOME		4002,701100		ψ100,000110	Ψ200,0 1010 1	0070	
	NET INCOME/(LOSS)		\$20,791.63		\$190,009.13	(\$38,416.86)	-185%	
			+==,		+100,000110	(400,110.00)	10070	
Fund	Balance							
Fund	Balance as of July 1, 2022	\$	779,121.15					
Bank	of Stockton Balance	\$	49,351.58					
Reve	nues (YTD)	\$	203,549.91					
	nses (YTD)		\$241,966.77					
Total	Cash as of April 2023	\$	785,893.87					

RECLAMATION DISTRICT 2119 PROPOSED BUDGET FOR FISCAL YEAR 2023-2024

	2022-2023 Budget	Proposed 2023-2024	1 Rudaet
General			- Daugot
G1 County Assessment Administration	500.00	500.00	
G2 Miscellaneous Supplies	500.00	500.00	
G3 General Engineering	35,000.00	35,000.00	
G4 Legal and Accounting	20,000.00	20,000.00	
G5 Insurance	17,500.00	17,500.00	
G6 Emergency Equipment & Supplies	0.00	0.00	
Subtotal	73,500.00	73,500.00	
Levee Work			
L1 Vegetation Control and Management	20,000.00	20,000.00	
L2 Rodent Control	1,000.00	1,000.00	
L3 Construct All-Weather Road Surfacing	15,000.00	15,000.00	
L4 Waterside Erosion Repair	25,000.00	25,000.00	
L5 Back Slope Fill Flattening	40,000.00	40,000.00	
L6 General Levee Maintenance	25,000.00	25,000.00	
L7 DWR 5 Year Plan	0.00	0.00	
Subtotal	126,000.00	126,000.00	
<u>Drainage</u>			
D1 Electricity	120,000.00	120,000.00	
D2 Plant O&M	12,500.00	12,500.00	
Subtotal	132,500.00	132,500.00	
TOTAL EXPENSES	332,000.00	332,000.00	
TOTAL EXPENSES	332,000.00	332,000.00	
INCOME			
INTEREST	2,500.00	2,500.00	
ASSESSMENT	250,291.63	250,291.63	
LEVEE SUBVENTION REIMBURSEMENT	100,000.00	100,000.00	
DWR 5 Year Plan Reimbursement	0.00	0.00	
TOTAL INCOME	352,791.63	352,791.63	
- 3 · · · · · · · · · · · · · · · · · ·	222,: 31100		
NET INCOME	20,791.63	20,791.63	
	.,	-,	

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RECLAMATION DISTRICT 2119 RESOLUTION 2023-01

RESOLUTION AUTHORIZING AND DIRECTING FILING OF NOTICE OF EXEMPTION FOR ROUTINE MAINTENANCE, FOR FISCAL YEAR 2023-2024

WHEREAS, the Board of Trustees ("Board") of Reclamation District 2119 ("District"), with respect that certain Delta Levee Maintenance Subventions Program Work Agreement Fiscal Year 2023-2024 ("Agreement"), between the District and the Central Valley Flood Protection Board of the State of California ("Protection Board") has determined that the work described therein consists of routine maintenance to existing levee improvements and that it is appropriate for the District to execute the Agreement;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

- 1. All repair of wave wash and erosion protection, all levee crown restoration which is not in excess of the 100 year flood elevation plus (2) two feet and all levee section restoration including adding material to back slopes, construction of toe berms and construction of seepage berms, drains and other measures to control seepage exit gradients to less than 0.5 and including the work described in the Fiscal Years 2023-2024 Delta Levee Subventions Program Applications consists of routine maintenance to existing levee improvements and falls within the categorical exemptions to the California Environmental Quality Act pursuant to Section 15301 (Class I) of the Guidelines for the California Environmental Quality Act, California Administrative Code of Regulations, Title 14, Chapter 3, Article 19.
- 2. The District finds the proposed work will not have a material adverse effect upon the environment.
- 3. That said work does not constitute an exception to the exemptions of the California Environmental Quality Act.
- 4. That Christopher H. Neudeck is hereby directed to prepare and file with the County Clerk of San Joaquin County for posting, a "Notice of Exemption" pursuant to California Administrative Code, Title 14, Chapter 3, Section 15062.

PASSED AND ADOPTED by the Board of Trustees of Reclamation District 21	19, at a
meeting thereof, held on April 17, 2023, by the following vote:	

AYES:
NOES:
ABSENT:
ABSTENTION:

RECLAMATION DISTRICT 2119
A Political Subdivision of the State of California

By:

EUGENE MUZIO, PRESIDENT

ANDY PINASCO
SECRETARY

CERTIFICATION

I, ANDY PINASCO, Secretary of Reclamation District 2119, do hereby certify that the foregoing is a full, true and correct copy of a resolution of Reclamation District 2119 duly passed and adopted at a meeting of the Board of Trustees thereof held on the April 17, 2023.

Dated:

, 2023

SECRETARY, Reclamation District 2119

1325545-1

RECLAMATION DISTRICT NO. 2119 RESOLUTION 2023-02

RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF DELTA LEVEE MAINTENANCE SUBVENTIONS PROGRAM WORK AGREEMENT FISCAL YEAR 2023-2024

WHEREAS, the Board of Trustees ("Board") of Reclamation District 2119 ("District") has reviewed, and desires to enter into, that certain Delta Levee Maintenance Subventions Program Work Agreement Fiscal Year 2023-2024 ("Agreement"), between the District and the Reclamation Board of the State of California ("Reclamation Board");

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Agreement is approved, and the President of the Board, or District Secretary is authorized and directed to execute the Agreement, and cause it to be presented to the Reclamation Board with a certified copy of this Resolution.

PASSED AND ADOPTED by the Board of Trustees of Reclamation District No. 2119 at a meeting thereof held on this 17th day of April, 2023, by the following vote, TO WIT:

AYES:	
NOES:	
ABSTENTION:	
ABSENT:	
	RECLAMATION DISTRICT NO. 2119 A Political Subdivision of the State of California
ATTEST:	By:EUGENE MUZIO, President
ANDY PINASCO, Secretary	_

CERTIFICATION

the foregoing is a fu	ll, true and correct of	of Reclamation District No. 2119, do hereby certify the copy of a resolution of Reclamation District No. 2119 setting of the Board of Trustees thereof held on the 17 th
Dated:	, 2023.	
		ANDY PINASCO, Secretary Reclamation District No. 2119

RECLAMATION DISTRICT 2119 RESOLUTION 2023-03

RESOLUTION DETERMINING THAT A HARDSHIP EXISTS THAT PREVENTS THE DISTRICT FROM ESTABLISHING OR MAINTAINING AN INTERNET WEB SITE

WHEREAS, beginning on January 1, 2020, Government Code section 53087.8 requires every independent special district to maintain an Internet Web site; and

WHEREAS, independent special districts are exempt from the Government Code requirement to maintain an Internet Web Site upon adopting by a majority vote of its governing body at a regular meeting a resolution declaring a determination that a hardship exists preventing the district from establishing or maintaining an Internet Web site; and

WHEREAS, the Reclamation District 2119 (the "District") Board of Trustees (the "Board") desires to make a determination that hardships prevent the District from establishing or maintaining an Internet Web site; and

WHEREAS, the District Board shall provide detailed findings, based upon evidence set forth in the minutes of the meeting, supporting the District Board of Trustees' determination that a hardship prevents the District from establishing or maintaining an Internet Web site; and

WHEREAS, this Resolution 2023-03 shall be valid through December 31, 2023.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

- 1. The District Board determines that a hardship prevents the District from establishing or maintaining an Internet Web site as required by Government Code section 53087.8.
- 2. The District Board finds that the District has significantly limited financial resources. The District does not collect an assessment, nor does the District receive any ad valorem tax income. The District is a single landowner reclamation district, meaning all revenue is derived from the single landowner. The District's landowner refuses to make funds available to establish or maintain an Internet Web site. The only other source of revenue to the District is through its Delta Levee Maintenance Subventions Program Work Agreement, which does not provide reimbursement or assistance for the District's efforts to establish or maintain an Internet Web site.
- 3. The District Board finds that the District has insufficient staff resources. The District has no employees or staff.
- 4. This Resolution 2023-03 shall be valid through December 31, 2023.

PASSED AND ADOPTED by the Board of Trustees of Reclamation District 2119, at a meeting thereof, held on April 17, 2023, by the following vote:

AYES:	
NOES:	
ABSENT:	
ABSTENTION:	
	DEGLAMATION DISTRICT 2110
	RECLAMATION DISTRICT 2119 A Political Subdivision of the
	State of California
	By:
	EUGENE MUZIO, PRESIDENT
ATTEST:	
ATTEST:	
ANDY PINASCO	
SECRETARY	
	CERTIFICATION
I ANDY PINASCO Secretary	of Reclamation District 2119, do hereby certify that the
foregoing is a full, true and correct copy	y of a resolution of Reclamation District 2119 duly passed of Trustees thereof held on the 17 th day of April, 2023.
Dated:, 20	
	SECRETARY, Reclamation District 2119

RD 2119: MASTER CALENDAR

JANUARY

FEBRUARY

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

MARCH

APRIL

- April 1: Form 700s due
- Delta Levee Maintenance Subventions Resolution
- Annual CEQA Resolution
- Adopt Budget
- Consider Draft Audit and Representation Letter
- Regular Meeting at 8:00 a.m. on the 3rd Monday of Month

MAY

JUNE

Approve Audit Contract for expiring fiscal year

JULY

AUGUST

• 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).
- Establish Assessment Amount
- Regular Meeting at 8:00 a.m. on 3rd Monday of Month

NOVEMBER

• Election: to be held first Tuesday after first Monday of each odd-numbered year.

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:

Name	Term Commenced	Term Ends
Eugene Muzio	First Friday 12/2021	First Friday of 12/2025
Alvin Cortopassi	First Friday 12/2019	First Friday of 12/2023
Nelson Bahler	First Friday 12/2019	First Friday of 12/2023

No Assessment

Reclamation District Meetings

Third Monday of each April and October, at 8:00 A.M. at the offices of:
 Neumiller & Beardslee
 3121 West March Lane, Suite 100
 Stockton, California 95219

RECLAMATION DISTRICT 2119 Bills Submitted on April 17, 2023 for Approval of Payment

NAME	INVOICE DATE	INVOICE #	AMOUNT	TOTAL \$	WARRANT #	CHECK #	DATE PAID	RATIFICATION
Neumiller & Beardslee	3/15/2023	339172	\$482.24					
	+			\$482.24	2307			
Kjeldsen, Sinnock & Neudeck	3/16/2023	34846	\$507.50					
	3/16/2023	34747	\$336.25					
				\$843.75	2308			
F.T.G. Construction Materials	3/22/2023	153499	\$1,400.60					
	3/31/2023	153874	\$1,976.79					
				\$3,377.39	2309			
Lagorio Brothers, Inc.	3/31/2023	239572	3024.88					
Lagono Brothers, Inc.	3/31/2023	233372	3024.00	3024.88	2310			
Dohrmann (Policy #APJMP00361-01)	4/5/2023	39336	\$16,958.00					
Dohrmann (Policy #APJMP00361-01)	4/5/2023	39337	\$3,928.00					
				\$20,886.00	2311			
Pacific Gas & Electric (6535465193-0)	3/21/2023	Brookside	\$2,973.67	\$2,973.67		2693	4/3/2023	
Pacific Gas & Electric (3327132065-8)	3/24/2023	NS Ladds	\$5,627.50	\$5,627.50		2694	4/3/2023	
Pacific Gas & Electric (6618798521-4)	3/24/2023	1W 5th St.	\$1,554.13	\$1,554.13		2695	4/3/2023	
Federal Payroll Taxes (for February 2023)	3/15/2023	Q1/2023	\$1,365.12				3/15/2023	Х
(Submitted by R-First Bookkeeping)				\$1,365.12				
State Payroll Taxes (for February 2023)	3/15/2023	Q1/2023	\$437.87	\$437.87				
(Submitted by R-First Bookeeping)	3/13/2023	Q1/2023	ψ107107	Ų IOTIOT				
			Cl. I: T. I	444.050.00				
			Checking Total Warrant Total	\$11,958.29 \$28,614.26				
			Warrant rotar	\$28,014.20				
NOTES:			Total Bills to be Paid	\$40,572.55				
Bank Account Balance as of 3/29/2023		\$49,351.58						
County Fund Balance as of 2/28/23		\$779,121.15						
Less Submitted Bills/Warrants for Payment:		\$28,614.26						
Tot	al:	\$750,506.89						

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