

**RECLAMATION DISTRICT NO. 773
MEETING AGENDA FOR
BOARD OF TRUSTEES
9:00 A.M. JUNE 4, 2024**

**NEUMILLER & BEARDSLEE
3121 WEST MARCH LANE, SUITE 100
STOCKTON, CALIFORNIA**

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. **Oath of Office.** Administer Oath of Office to Trustee Ryan Bacchetti.
4. **Minutes.** Consider for approval minutes of the April 2, 2024, Board meeting.
5. **District Financial Report.** Discussion and possible action to accept District Financial Report.
6. **Accounting Software.** Discussion and direction regarding purchase of QuickBooks accounting software.
7. **District Budget.** Adopt FY 2024-2025 Budget.
8. **Resolution 2024-03.** Adopt Resolution 2024-03 Certifying Assessments to be Collected and Establishing a Procedure for Collection for the 2024-2025 Fiscal Year.
9. **Engineers' Report.** Discussion and Possible Action on the following items:
 - I. **DELTA LEVEE SUBVENTIONS PROGRAM**
 - A. Review status of \$25,000 contract with Dino & Sons Ditching Service to focus on vegetation control where vegetation is encroaching on the all-weather road on the crown of the levee. Areas of work are listed below by levee station: (items in red could not be completed due to nesting bird activity)
 1. 236+00 – Downed trees on WSS into AWR. One area will require repair work to the WSS as one tree left a small void. Slope repair can be done without any import of material.
 2. 233+50 – Remove tree debris from AWR.

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.

3. 169+25 to 150+00, Add this section to Custom Spraying's scope of work, goats are no longer present.
4. 161+75 – Push back tree branches from AWR on WS.
5. 140+50 – Clear tumbleweed encroaching on AWR, both sides.
6. 980+50 – Push back tree branches from AWR, both sides.
7. 838+60 – Push back trees from AWR, LS.
8. 819+00 to 816+50 -Trim up branches above AWR.
9. 810+50 - Trim up branches above AWR.
10. 805+00 – Remove tree debris from AWR and remove snag from adjacent tree, LS.
11. 802+50 – Push back trees from AWR, LS.
12. 796+40 to 794+00 – Push back trees from AWR.
13. 786+50 to 784+50 – Push back trees from AWR and trim up above AWR.
14. 780+50 – Clear tree debris from AWR.
15. 754+65 – Clear tree debris from AWR.
16. 749+40 to 744+00 – Clear tree debris from AWR.
17. 743+90 – Push back trees from AWR, LS
18. 739+50 – Remove tree debris from AWR and trim branch above AWR.
19. 732+90 to 731+00 – Push back trees from AWR.

10. Correspondence and meeting attendance reports.

11. District Calendar.

- a. Next Meeting - Tuesday, August 6, 2024.

12. Bills. Approval of bills to be paid.

13. Adjournment.

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**AGENDA PACKET
RECLAMATION DISTRICT 773
June 4, 2024**

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

ITEM 4

**Minutes of Meeting of
Reclamation District 773
Held on April 2, 2024**

The special meeting of the Board of Trustees of Reclamation District 773 was held at 9:00 a.m. on February 6, 2024, at the District's office located at 3121 West March Lane, Suite 100.

Item No. 1: The meeting was called to order at 9:00 a.m. Present were President Mark Bacchetti, Trustee Joe Enos. Also present were Chris Neudeck, District Engineer, Andy Pinasco, District Secretary, and Ozena Doughty, Paralegal. Trustee Ryan Bacchetti was absent.

Item No. 2: Public Comment. None.

Item No. 3: Oath of Office. Trustee Ryan Bacchetti was not present to take oath.

Item No. 4: Minutes. The minutes of the February 6, 2024, meeting were approved unanimously by the Trustees present on a motion by President Mark Bacchetti, seconded by Trustee Joe Enos.

Item No. 5: Mr. Pinasco provided a written financial report and reviewed it with the Trustees. The financial report was accepted by unanimous vote of the Trustees present on a motion by President Mark Bacchetti, seconded by Trustee Joe Enos.

Item No. 6: Budget. Mr. Pinasco provided an oral report regarding the proposed Fiscal Year 2024-2025 Budget indicating that a more detailed proposal will be provided at the June meeting. .

Item No. 7: Resolution 2024-01. Mr. Pinasco provided a written and oral report regarding Resolution 2024-01 Approving and Authorizing Execution of the Delta Levee Subventions Program Work Agreements for Fiscal Year 2024-2025. Resolution 2024-01 was approved unanimously by Trustees present on a motion by Trustee Enos, seconded by President Mark Bacchetti.

Item No. 8: Engineers' Report. Mr. Neudeck summarized the District Engineer's written and oral report on the following items:

I. DELTA LEVEE SUBVENTIONS PROGRAM

- A. Review and approve less than \$25,000 contract to Dino & Sons Ditching Service.
- B. An inspection of the entire District was conducted on Thursday 1/25/24 with focus on vegetation control where vegetation is encroaching on the all-weather road on the crown of the levee. Numerous areas were

identified to be addressed and are listed below by levee station:

1. 236+00 - Downed trees on WSS into AWR. One area will require repair work to the WSS as one tree left a small void. Slope repair can be done without any import of material.
2. 233+50 - Remove tree debris from AWR.
3. 169+25 to 150+00, Add this section to Custom Spraying's scope of work, goats are no longer present.
4. 161+75 - Push back tree branches from AWR on WS.
5. 140+50 - Clear tumbleweed encroaching on AWR, both sides.
6. 980+50 - Push back tree branches from AWR, both sides.
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10. 805+00 - Remove tree debris from AWR and remove snag from adjacent tree, LS.
11. 802+50 - Push back trees from AWR, LS.
12. 796+40 to 794+00 - Push back trees from AWR.
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14. 780+50 - Clear tree debris from AWR.
15. 754+65 - Clear tree debris from AWR.
16. 749+40 to 744+00 - Clear tree debris from AWR.
17. 743+90 - Push back trees from AWR, LS.
18. 739+50 - Remove tree debris from AWR and trim branch above AWR.
19. 732+90 to 731+00 - Push back trees from AWR.

Item No. 9: There was no report on the correspondence in the agenda packet.

Item No. 10: Mr. Pinasco reviewed the District calendar with the Trustees pointing out that the next meeting was on June 4, 2024.

Item No. 11: Mr. Pinasco reported on the outstanding bills that had been received and the status of the District's accounts. On a motion by Trustee Joe Enos, seconded by President Mark Bacchetti, the Trustees present unanimously approved payment of the attached bills identified on the attached bills paid report.

Item No. 12: The meeting was adjourned at 10:02 a.m. by unanimous vote of the Trustees present on a motion by Trustee Joe Enos, seconded by President Mark Bacchetti.

Respectfully submitted,

Andy Pinasco, District Secretary

ITEM 5

RECLAMATION DISTRICT 773
 FINANCIAL REPORT JUNE 2024 MEETING
 92% OF 2023/2024 FISCAL YEAR THROUGH JUNE 2024

INCOME	Annual Budget Amount	Received Period TD	Received YTD	% YTD
INTEREST	\$ 2,000.00	\$ 2,382.00	\$ 9,085.00	454.25%
ASSESSMENTS (MAX. ALLOWANCE)	\$ 235,793.00	\$ 83,075.82	\$ 183,820.93	77.96%
5-Year Plan	\$ 1,239.00	\$ -	\$ -	0.00%
SUBVENTION REIMBURSEMENT	\$ 425,000.00	\$ -	\$ -	0.00%
FEMA Reimbursement	\$ 200,000.00	\$ -	\$ -	0.00%
Total Income	\$ 864,032.00	\$ 85,457.82	\$ 192,905.93	22.33%
EXPENSES	Annual Budget Amount	Expended Period TD	Expended YTD	% YTD
GENERAL				
G1 County Assessment Administration	\$ 2,000.00	\$ 57.50	\$ 2,085.10	104.26%
G2 Miscellaneous Supplies	\$ 300.00	\$ -	\$ 85.30	28.43%
G3 General Engineering	\$ 35,000.00	\$ 5,610.00	\$ 50,263.56	143.61%
G4 Legal and Accounting	\$ 25,000.00	\$ 4,043.98	\$ 18,576.63	74.31%
G5 Insurance	\$ 15,000.00	\$ -	\$ 30,672.00	204.48%
G6 Contingency	\$ 4,000.00	\$ -	\$ 2,954.00	73.85%
Account Funding Placeholder		\$ -		
Total General Expenses	\$ 81,300.00	\$ 9,711.48	\$ 104,636.59	128.70%
LEEVE WORK				
L1 Vegetation Control and Management	\$ 45,000.00	\$ 2,749.94	\$ 27,959.36	62.13%
L2 Rodent Control	\$ 30,000.00	\$ -	\$ -	0.00%
L3 Construct All-Weather Road Surfacing	\$ 15,000.00	\$ -	\$ -	0.00%
L4 Waterside Erosion Repair	\$ 25,000.00	\$ -	\$ 12,528.30	50.11%
L5 Back Slope Fill Flattening	\$ 250,000.00	\$ -	\$ 24,035.00	9.61%
L6 General Levee Maintenance	\$ 50,000.00	\$ 35,372.87	\$ 36,410.37	72.82%
L7 DWR 5 Year Plan	\$ -	\$ -	\$ 2,853.75	0.00%
Total Levee Work	\$ 415,000.00	\$ 38,122.81	\$ 103,786.78	25.01%
Total Expenses	\$ 496,300.00	\$ 47,834.29	\$ 208,423.37	42.00%
	ANNUAL BUDGET AMOUNT	PTD INCOME/LOSS	YTD INCOME/LOSS	
NET INCOME (LOSS)	\$ 367,732.00	\$37,623.53	\$ (15,517.44)	

Fund Balance as of Beginning of Fiscal Year 2023-2024	\$ 257,275.10
Revenues (YTD)	\$ 192,905.93
Expenses (YTD)	<u>\$ 208,423.37</u>
Total Cash in General Fund	<u>\$ 241,757.66</u>
Total Restricted Cash in 5 Year Plan Account	\$ 1,221.14
Bank of Stockton	\$ 1,238.30
Total Available Cash	\$ 242,995.96

ITEM 7

RECLAMATION DISTRICT 773
PROPOSED BUDGET FOR FISCAL YEAR 2024-2025

EXPENSES	2023-2024 Budget	2023-2024 Actuals	2024-2025 Proposed Budget
<u>GENERAL</u>			
G1 County Assessment Administration	\$ 2,000.00	\$ 2,085.10	\$ 2,500.00
G2 Miscellaneous Supplies	\$ 300.00	\$ 85.30	\$ 300.00
G3 General Engineering	\$ 35,000.00	\$ 50,263.56	\$ 35,000.00
G4 Legal and Accounting	\$ 25,000.00	\$ 18,576.63	\$ 25,000.00
G5 Insurance	\$ 15,000.00	\$ 30,672.00	\$ 30,000.00
G6 Contingency	\$ 4,000.00	\$ 2,954.00	\$ 4,000.00
G7 Emergency Equipment & Supplies	\$ -	\$ -	\$ -
Totals	\$ 81,300.00	\$ 104,636.59	\$ 96,800.00
<u>LEVEE WORK</u>			
L1 Vegetation Control and Management	\$ 45,000.00	\$ 27,959.36	\$ 30,000.00
L2 Rodent Control	\$ 30,000.00	\$ -	\$ 30,000.00
L3 Construct All-Weather Road Surfacing	\$ 15,000.00	\$ -	\$ 15,000.00
L4 Waterside Erosion Repair	\$ 25,000.00	\$ 12,528.30	\$ 25,000.00
L5 Back Slope Fill Flattening	\$ 250,000.00	\$ 24,035.00	\$ 250,000.00
L6 General Levee Maintenance	\$ 50,000.00	\$ 36,410.37	\$ 50,000.00
L7 DWR 5 Year Plan	\$ -	\$ 2,853.75	\$ -
Totals	\$ 415,000.00	\$ 103,786.78	\$ 400,000.00
Total Expense Budget	\$ 496,300.00	\$ 208,423.37	\$ 496,800.00
<u>INCOME</u>			
Interest	\$ 2,000.00	\$ 9,085.00	\$ 7,500.00
Assessment (Max. Allowance)	\$ 235,793.00	\$ 183,820.93	\$ 235,793.00
Subventions Reimbursement	\$ 425,000.00	\$ -	\$ 425,000.00
DWR 5 Year Plan Reimbursement	\$ 1,239.00	\$ -	\$ -
FEMA Reimbursement	\$ 200,000.00	\$ -	\$ 200,000.00
Total Income Budget	\$ 864,032.00	\$ 192,905.93	\$ 868,293.00
NET INCOME (LOSS)	\$ 367,732.00	\$ (15,517.44)	\$ 371,493.00

ITEM 8

RECLAMATION DISTRICT NO. 773

RESOLUTION 2024-03

**RESOLUTION CERTIFYING ASSESSMENTS TO BE COLLECTED
AND ESTABLISHING A PROCEDURE FOR COLLECTION**

WHEREAS, Reclamation District No. 773 provides a benefit and service to the land located within the District by the repair, upgrading, maintenance and operation of the reclamation works of the District in that such works serve to prevent the flooding of the land within the District; and

WHEREAS, the revenues received by the District from the County of San Joaquin in accordance with the statutes enacted under Article XIII A of the California Constitution are insufficient to provide the benefits and services which the District is obligated by the California Water Code to provide, and specifically are insufficient to insure proper maintenance of the reclamation works and to provide for emergencies; and

WHEREAS, the District is empowered by sections 51200 et seq. and section 50904 of the California Water Code to fix and collect assessments for the provision of such benefits and services to supplement the revenues received from the County of San Joaquin, and to provide for the collection of such assessments by the San Joaquin County Auditor, and to provide for penalties and procedures in the event of delinquency of payment of such assessments; and

WHEREAS, this Resolution is in compliance with the California Water Code; and

WHEREAS, the District has complied with the procedures of California Constitution Articles XIIC and XIID, and has received a majority vote authorizing the collection of a maximum amount of assessments for each fiscal year commencing fiscal year 2008-2009; and

WHEREAS, the assessments imposed by this Resolution are levied without regard to property valuation;

NOW, THEREFORE, BE IT RESOLVED, AND IT IS HEREBY RESOLVED, by the Board of Trustees of Reclamation District 773 that:

1. The foregoing recitals are true and correct and this Board so finds and declares.
2. It is the determination of the Board that the benefits and services provided by the District apply to each lot within the District as set forth in the Engineer's Report, dated May 13, 2008, previously approved by this Board, except as specific adjustments have been approved by this Board after hearing.
3. The San Joaquin County Auditor is requested to collect such assessments, as set forth on Exhibit "A" attached hereto.
4. Such assessments shall appear as a separate item on the San Joaquin County Property Tax Bill for fiscal year 2024-2025 and shall be collected at the same time and in the

same manner as the San Joaquin County Ad Valorem Property Taxes, and shall be subject to the same penalties and the same procedure and sale in case of delinquency as are provided by law for such County taxes.

5. In the case of all parcels within the District which are owned in common by more than one owner, and which do not have a separate legal entity holding the title thereto, the assessments otherwise applicable thereto shall be paid equally by the common owners.

6. In the case of all Planned Unit Residential Development areas (exclusive of independent recreation facilities, independent common green parcels, and entrance features which shall be billed to the applicable owner's association), assessments established by this Resolution shall be apportioned equally to each residential unit in such areas.

7. The revenue so collected which is necessary for the provisions of said benefits and services, is supplemental to the revenues received by the District from the County of San Joaquin in accordance with the statutes enacted under Article XIII A of the California Constitution and is not in lieu thereof.

8. The President and Secretary of the District are hereby authorized and directed to execute such documents as are necessary to carry out this Resolution including, but not limited to, executing the San Joaquin County Special Assessment Charge Agreement.

9. The Engineer and Attorney for the District are hereby authorized and directed to assist the Auditor of San Joaquin County in preparing the rolls to comply with this Resolution, and to bill separately those parcels assessed which do not appear on the rolls.

10. The Secretary of the District is hereby authorized and directed to certify a copy of this Resolution to the Auditor of San Joaquin County.

PASSED AND ADOPTED by the Board of Trustees of Reclamation District No. 773 at a meeting thereof held on this 4th day of June, 2024, by the following vote, TO WIT:

AYES:

NOES:

ABSTENTION:

ABSENT:

RECLAMATION DISTRICT NO. 773
A Political Subdivision of the
State of California

By: _____
TRUSTEE PRESIDENT

ATTEST:

ANDY PINASCO, SECRETARY

CERTIFICATION

I, ANDY PINASCO, Secretary of Reclamation District No. 773, do hereby certify that the foregoing is a full, true and correct copy of a resolution of Reclamation District No. 773 duly passed and adopted at a regular meeting of the Board of Trustees thereof held on the 4th day of June, 2024.

Dated: _____, 2024.

ANDY PINASCO, SECRETARY
Reclamation District No. 773

SAN JOAQUIN COUNTY SPECIAL ASSESSMENT CHARGE AGREEMENT WITH
RECLAMATION DISTRICT 773

DATE: _____

PARTIES: COUNTY: COUNTY OF SAN JOAQUIN
Auditor-Controller
44 North San Joaquin Street
Suite 550
Stockton, CA 95202

DISTRICT: RECLAMATION DISTRICT 773
Name: c/o Andrew J. Pinasco, Secretary
Address: P.O. Box 20
Stockton, CA 95201

AGREEMENT:

The County and the above-mentioned District agree as follows:

Pursuant to Government Code Section 29304, the District agrees to pay the County one percent (1%) of the assessment amount levied or three dollars (\$3.00) per each assessment on a parcel, whichever is less, for the collection of special assessments or special assessment taxes.

IN WITNESS WHEREOF the parties have executed this agreement the year and date first written above.

COUNTY OF SAN JOAQUIN

RECLAMATION DISTRICT 773

By _____
Jeffery M. Wolkamp, CPA
Assistant Auditor-Controller

By _____
Andrew J. Pinasco

Title District Secretary

“COUNTY”

“DISTRICT”

CERTIFICATION OF ASSESSMENT

RECLAMATION DISTRICT 773 hereby certifies that the special assessment(s), fee(s) or charge(s) listed below to be placed on the 2024-2025 Secured Property Tax bill by RECLAMATION DISTRICT 773 meets the requirements of Proposition 218 that added Articles XIIC and XIID to the California State Constitution.

X _____
Andrew J. Pinasco, District Secretary

2024-2025 Special Assessments and/or Fixed Charges

ITEM 9

RECLAMATION DISTRICT NO. 773
FABIAN TRACT
BOARD OF TRUSTEES MEETING
TUESDAY, JUNE 4, 2024
9:00 AM
ENGINEER'S REPORT

I. DELTA LEVEE SUBVENTIONS PROGRAM

A. Dino & Son Ditching Service completed the removal of dead & downed tree debris as well as trimming where vegetation is encroaching on the all-weather road along the crown of the levee. An available balance of \$1,300 remains of the \$24,900 contract issued for this work. Completed areas of work are listed below by levee station: (items in red could not be completed due to nesting bird activity)

1. 236+00 – Downed trees on WSS into AWR. One area will require repair work to the WSS as one tree left a small void. Slope repair can be done without any import of material.
2. 233+50 – Remove tree debris from AWR.
3. 169+25 to 150+00, Add this section to Custom Spraying's scope of work, goats are no longer present.
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15. 754+65 – Clear tree debris from AWR.
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18. 739+50 – Remove tree debris from AWR and trim branch above AWR.
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B.

1. Dino & Son completed the swale along the landside shoulder from Stn No 241+00 to Stn No 263+00, to deter parking in the area. Contract for \$24,900 issued with \$2,070 used for this work. \$22,830 remains available for "Other Maintenance".

ITEM 11

RD 773: MASTER CALENDAR

JANUARY

FEBRUARY

- Send out Form 700s, remind Trustees of April 1 filing date
- Board Meeting
- Insurance renewal. Policy renews April.

MARCH

- Hire Employees for Seasonal Levee Work.

APRIL

- April 1: Form 700s due
- Board Meeting
- Draft Budget
- Adopt Annual CEQA Exemption for levee maintenance.
- Subventions Resolution

MAY

JUNE

- Approve Audit Contract for expiring fiscal year
- Adopted Annual Budget
- Board Meeting
- Adopt Resolution for setting Assessments and submit to County Assessor's Office

JULY

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*)
- Board Meeting

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

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.
- Board Meeting

Term of Current Board Members:

Name	Term Commenced	Term Ends
Ryan Bacchetti	First Friday 12/2021	First Friday of 12/2025
Joe Enos	First Friday 12/2019	First Friday of 12/2027
Mark R. Bacchetti	First Friday 12/2019	First Friday of 12/2027

No Expiration on Assessment

Trustee Ryan Bacchetti appointed to fill vacancy within first half of term. Second half of term expiring in 2025 will be filled at District’s 2023 General Election.

ITEM 12

RECLAMATION DISTRICT 773

Bills for Approval of Payment

April 24, 2024

NAME	INVOICE DATE	INVOICE #	AMOUNT	TOTAL \$	WARRANT #	CHECK #	RATIFICATION
Kjeldsen, Sinnock & Neudeck	3/31/2024	37334	\$57.50				
	3/31/2024	37335	\$435.00				
	3/31/2024	37336	\$422.50				
				\$915.00	2106		
Neumiller & Beardslee	3/26/2024	347349	\$2,059.00	\$2,059.00	2107		
Dino and Son Ditching Service	4/19/2024	24-18	\$23,600.00				
	4/19/2024	24-19	\$2,070.00				
				\$25,670.00	2108		
Kjeldsen, Sinnock & Neudeck	4/30/2024	37548	\$1,015.00				
	4/30/2024	37549	\$1,125.00				
	4/30/2024	37550	\$2,612.50				
	4/30/2024	37551	\$2,749.94				
	4/30/2024	37552	\$9,702.87				
				\$17,205.31	2109		
Neumiller & Beardslee	4/22/2023	347838	\$1,151.00				
	5/13/2024	348488	\$833.98				
				\$1,984.98	2110		
NOTES:							
			Warrant Total	\$47,834.29			
Fund Balance as of 04/30/2024		\$205,722.71					
Less Submitted Warrants for Payment:		\$47,834.29					
Total:		\$157,888.42					
Bank of Stockton Balance as of 04/30/2024		\$1,238.30					