

RECLAMATION DISTRICT NO. 2029

Clear Suites
400 E Kettleman Lane
Lodi, CA 95240
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PLEASE TAKE NOTICE that Wednesday, June 12, 2024 at 8:30 a.m. the Board of Trustees (Board) of Reclamation District No. 2029 (District) will meet at **Conference Room # 2** at Clear Suites located at **420 E. Kettleman Lane, Suite 4**, Lodi, CA. The public is invited to participate during the open portion of the meeting at the Conference Room #2 location. The District's Board reserves the right to advance items or consider matters out of order including the Engineer Report and presentations for Solar Project and warrant financing.

The District reserves the right to add presentation and discussion on proposed solar project.

1. Public Comment: Public comment is to begin promptly at 8:30 a.m. Any matters related to the District's business. [Public comments on agenda items will be limited to 5 minutes at the discretion of the Board Chair. Public comments only permitted at start of meeting and may address information and action items.
2. Manager's Report: There will be a status report on pumps, vegetation and rodent control and current encroachments. Manager may discuss future repairs of "critical" and "serious" sites under Subventions Program including Herman & Helen's marina location. There will be an update on landowner trenching and repacking soil adjacent to leaky sites and options addressing reducing excess water during periods of flood irrigation. The Board may consider encroachment applications or modifications to encroachment agreements from landowners, etc.
3. Secretary's Report: Update on Application for the Closure of Empire Tract Road; Update on Solar Project including presentation by second proposer (see Action Item below); Update on responses to Warrant and Special Assessment including Special Assessment (see Action Items below); Update on the Campagna Appeal; and Outline for the Budget; Update on the Sinking of the Aurora at Herman & Helen's Marina; and Update on the Subventions Program (may be covered under the Manager's Report, supra, and by Engineers Report, infra).
4. Engineer's Report: Please see June 2024 Engineer's Report incorporated herein by reference. District has requested update and status on finalizing close out on the Delta Water Supply Project recognizing we need attention from City of Stockton (MUD). There may be additional items added to or modified in the Action Items, infra, including but not limited to future levee, turnaround and gate if abandonment of ETR.
5. Action Item(s): NOTE: The Board may consider and discuss all Action Items before universal

Motion to Approve or Reject any or all of Action Items.

Approval of Minutes and/or Revised Minutes of Meetings held on March 13, 2024 and May 7, 2024, which will be presented at meeting. In addition, there may need to be revisions to the Minutes of Meetings held on October 17, 2023 and December 7, 2023 for the clarification required by lender for the solar project;

Authorize, approve and/or ratify payment of insurance premium for 2024-2025;

Action to approve Draft working budget and discussion regarding assessments for 2024-2025;

Consideration and Action authorizing Special Assessment for potential payment of Campagna Judgment;

Consideration and Action to approve proposed changes by the City of Stockton (MUD) to the Joint Maintenance Agreement and Grant of Easement for the Application for the Partial Abandonment (Abandonment Application) of Empire Tract Road (ETR). In addition, District reserve right to consider and modify all other documents supportive of the Abandonment Application of ETR;

Consideration and Action to hire surveyor to provide survey and legal descriptions for ETR Abandonment;

Action to Approve Selection of Lender(s) for Warrants for (i) Operation and Maintenance; and (ii) Special Assessment for potential payment of Campagna Judgment. Note: Responses to outstanding published procurement (**see attached**) are not due until 5:00 pm on June 7, 2024 which may require the District to handout additional information at the Meeting. This Action may include the payment of interest on existing warrants, the replacement of warrants and/or the retirement of any or some of the current warrants;

Action to approve hiring of security for 4th of July holiday (Tues. July 3rd and Wednesday July 4th);

Consideration and Action to approve selection of the Second Proposer to solar project procurement, Renewable Technologies, Inc., as the replacement contractor for the Solar Project and granting of discretion to Secretary and General Counsel to negotiate terms and execution of (i) appropriate Lease(s); (ii) Construction Agreement; (iii) short-term and long-term financing agreement(s), including procurement; and (iv) the application to governmental agencies, including IRS (Direct Pay Program), PG&E, State of California (DWR, etc.), San Joaquin Public Works, etc., for any and all agreements, permits, licenses and funding for said solar project. This Action Item seeks direction and authority of District Secretary in furtherance of the Solar Project;

Consideration and Action to approve procurement and work under the Subvention Program including (i) 2024-2025 regular maintenance; (ii) addressing Serious and Critical Sites; and (iii) Subvention Program funded work to raise and repair west levee in anticipation of partial closure of ETR which may include modification of turn-arounds and installation of security gate; and

Consider action to approve engagement of Schwartz Gianninini to prepare audit for FY 2023-2024 fiscal year.

6. Closed Session: (a) Conference with Legal Counsel – Existing Litigation (Appeal). Govt. Code §54956.9 (a) Campagna et al v. RD #2029 STK-CV-UED-2018-5895 Complaint; (b) Negotiations and Authority for Leases, Solar Project and procurement of financing for said Solar Project. Govt. Code §54956.8; and (c) Negotiations for easement/access and joint maintenance agreements related to the partial ETR Abandonment and Medford Island Ramp Encroachment. Govt. Code §54956.8.
7. Adjournment:

Dated: June 6, 2024

Secretary

Alan Richard Coon,

Reclamation District #2029

Notes:

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 §54954.2(a)]

The Agenda Package material may be reviewed at the Main Office of Reclamation District #2029 ("District"), 400 E Kettleman Lane, Suite 20-K, Lodi, CA 95240, 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 Package.

The time limit within which to commence any lawsuit or legal challenge to any quasi-adjudicative decision made by the District is governed by §1094.6 of the Code of Civil Procedure, unless a shorter limitations period is specified by any other provision. Under §1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by the District 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, or in written correspondence delivered to the District at or prior to the meeting. In addition, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.