Alan Richard Coon Telephone

Secretary (209) 601-9624

Reclamation District No. 2044

**400 E. Kettleman Lane, Clear Suits**

**Lodi, CA 95240**

**MINUTES**

On July 9, 2024 Reclamation District 2044 was called to Order at 8:30 a.m. at 400 E. Kettleman Lane, Suite 20-K Clearsuites Conference Room, Lodi, CA. The District’s Secretary advised of the intent to advance the Engineer’s Report (Item #3) after Public Comment.

Present: Trustees Skip Foppiano, Andy Solari and new Steve Van Duyn. Absent were Trustees Henry Foppiano IV and John Jackson. Also present was Manager Geno Celli.

1. Public Comment: There was no public comment.

The Board elected to advance the Engineer’s Report.

3. Engineer’s Report: MBK Engineers (MBK) submitted an Engineer’s Report which is attached and incorporated herein by reference. MBK updated the Board on the various Subventions claims advising that the State (DWR) had monies to fund the 2024-2025 and 2025-2026 funding years. MBK and Secretary spoke as to the delay in reimbursement of 2023 eligible emergency primarily caused by the inordinate hurdles placed by CalOES then coupled with the FEMA bureaucracy. In short, the timing of the reimbursement remains uncertain. There was much discussion on the need to repair the most critical of the 35 serious sites areas as set out in detail in an exhibit to the Engineer’s Report with the balance over the next 2 years. The repair ranged from investigating/repairing levee cracking, sloughs and voids in rip rap area especially near the old Herman & Helen’s Marina. There was also discussion of repairing deferred rip rap locations before the winter rains including MBK’s sharing (by Zoom) a drawing of typical rip rap placement. Engineer Moncrief estimated 1508 tons of rip rap would be needed, noting at an estimated $70 per unit, for the most critical sites and that the work can be accomplished during a 2-week period this fall and within the current “permit”. See Action item below for Board’s direction.

Thereafter followed a discussion on pumpstation repairs set out infra in the Manager’s Report.

Engineer Moncrief provided information related to the proposed SB 867 (Climate Resiliency Bond) which was discussed.

2. Manager’s Report: Manager Gino Celli advised the Board of a failed pump at the main station with an estimate of $30,000 for a replacement of said 85 hp pump. There was discussion that the failed pump may have been caused by PG&E’s unannounced electrical “on/off’ one-hour surges for the last few weeks. Trustee Andy Solari suggested the Manager consider an alternative source which he purchased a 75 hp and 100 hp used pumps with new motors for $10,250 and $13, 500 respectively.

Manager asked for emergency approval to replace the pump before the winter rains and to also repair some “spring” leaks on one of the pipes. The Board gave approval for the replacement and repairs. Manager advised of routine maintenance of the pumps including “new oiler” on the northside pump.

Manager provided an update on the levee roads and completed tree pruning and mowing.

4. Secretary’s Report and Financial Matters: Secretary provided handouts of the current monthly bills and expenses, financial reports and current warrant obligations (status of warrants, principle and current interest rate) and the Draft Working Budget. Secretary provided updates on the following: Responses to Warrant (see Action Items below); and Solar Project: construction options (floating barges etc.), current public works delay and financing proposal from Green Day Financing and alternatives (Bank of Stockton, Direct Pay Program).

5. Action Item(s): The Board discussed each of the Action items and then the Trustees, upon one joint motion by Trustee Skip Foppiano, seconded by Steve Van Duyn, and unanimously passed, the following Action Items:

A. Approved current invoices and issuing warrants;

B. Approved Minutes for meeting on March 20, 2024, incorporating the previous unreported action in Closed Sessions and further granting discretion to the Secretary to prepare and certify appropriate resolutions including, if requested and as needed by Bank of Stockton and Green Day Financing.;

C. Authorized Secretary to contact Landowner Marchetti to obtain recordable authority for the District for the repair and maintenance of access road located at the toe of the Marchetti Parcel in addition to alternative levee access road;

D. Approved and ratified the application to CalOES for the Emergency Response Enhancement-Found 3 Grant;

E. Approved and authorized Secretary’s negotiation and ratify payment of insurance premium for 2024-25;

F. Approved Draft Working Budget after discussion about the 2024-25 assessments;

G. Approved selection of Bank of Stockton as the lender for O&M Warrant business and giving discretion and authority to the Secretary in the drafting of the appropriate Resolution and also in the negotiation and execution of a “warrant agreement” with further direction that one trustee shall execute the “warrant agreement”;

H. Authorized, ratified, approved and granted further discretion to Secretary, or when absent, a Trustee, to the Submission of the 2024-2025 Subventions Program and thereafter execution of Work Agreements and all related agreements related to Subventions Program for years 2024-2025 including the procurement and work under the Subvention Program ((i) regular maintenance; (ii) addressing Serious and Critical Sites; and (iii) miscellaneous Subvention Program funded work;

I. Approved engagement of Schwartz Giannini to prepare audit for 2023-2024 fiscal year at a cost of $5,100; and

J. Approved and granted discretion and authority to the Secretary to update Bylaws, draft and submit appropriate Resolution(s) and modify previous District minutes, if necessary, whereat the Solar Project was considered in Closed Session and approved by the Board. In addition to execution of any and all relevant financing agreements, Secretary is granted discretion and authority to respond to additional requests from Green Day Financing and to also continue exploring other financing options including Bank of Stockton, New York Insurance (or subsidiary thereof) and/or in conjunction with the new Direct Pay grant opportunity.

6. Informational Item: Letter from Glatfelter re non-renewal of commercial coverage.

7. Closed Session: Closed Session was tabled.

8. Adjournment:

Dated: July 9, 2024 C:\Users\Alan Coon\Favorites\Legal Work\Forms Ltrhead etc\ARC_Sig_Blue_2 (2).png

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Alan Richard Coon, Secretary

Reclamation District No. 2029