

**GENERAL MEETING OF THE BOARD OF TRUSTEES
RECLAMATION DISTRICT NO. 2074**

January 17, 2023

Pursuant to written notice, a regularly scheduled meeting of the Board of Trustees of Reclamation District No. 2074 was held on Tuesday, January 17, 2023, at 9:00 a.m. at 3425 Brookside Road, Suite A, Stockton, California.

1. Call to Order

The meeting was called to order at 9:10 a.m. There were present at the meeting Trustees Robert Ripken and Dennis Shore. Trustee Nelson Bahler was not present. Also present were George V. Hartmann, Tony Lopes and Rhett Kilgore of Siegfried Engineering, and Mark Croce of CSV.

A motion was made by Trustee Ripken, seconded by Trustee Shore, with all Trustees voting in favor, to allow for teleconference participation pursuant to the amended provisions of the Brown Act which allow for telephonic participation to deal with COVID-19 related issues.

2. Public Comment

None.

12. New/Old Business

Upon the vote of the Trustees, an item was taken out of order given the weather circumstances, high water and lots of rain. There was a flood threat discussion involving lake levels (reservoirs) and operations, as well as general flood threats expected from successive atmospheric rivers that were being projected. Trustee Ripken expressed his concern about golf course lake levels and how the lakes were being operated. There was then a discussion regarding drainage plans which were reviewed. Rhett Kilgore will discuss the lake level issues with Dan Palmer, who is the lake operator for the Association.

3. Approval of Minutes

The minutes of the December 20, 2022, General Meeting were previously distributed to the Trustees for their review prior to the meeting, and said minutes were approved on motion by Trustee Shore and seconded by Trustee Ripken, with all Trustees voting in favor.

4. Communication From Members of the Public

Communications to and from the public were reviewed with the District Engineer, who stated that most communications concerned corrections of encroachment violations as well as concerns about flood threats, but that there was nothing significant.

5. Review of Financial Statement

Mark Croce stated that the District has \$4,315,000 approximately in all funds, and that the fees and charges received are \$26,000 over budget, also, interest rates have increased a little on the county funds that hold the District's funds. District expenses appear to be in line, and the levee project appears to be under budget.

The financial statements provided by Mr. Croce were approved for filing on motion by Trustee Ripken, seconded by Trustee Shore, with all Trustees voting in favor.

6. Checks and Warrants

The Secretary presented the following warrants from the General Fund:

No. 5016 to The Hartmann Law Firm for \$6,425.75
No. 5017 to Siegfried Engineering, Inc. for \$8,669.00
No. 5018 to Chem-Weed, LLC for \$8,375.00
No. 5019 to Hammer Head Protection Inc. for \$1,150.00
No. 5020 to Evergreen Tree Service for \$5,800.00
No. 5021 to River Pirates Enterprise, LLC for \$2,500.00
No. 5022 to Chem-Weed, LLC for \$4,075.00

And the following warrants from Special Fund #83:
None

And the following checks:

2361 Void
2362 Robert Ripken \$140.70
2363 Dennis Shore \$140.70

The Trustees then took up the subject of the District's warrants and checks. Upon motion by Trustee Shore, seconded by Trustee Ripken, all of said warrants and checks were approved for payment, with all Trustees voting in favor.

7. Engineer's Report

The District Engineer reported that the toe ditch at the city tank farm is flowing correctly, following the city's work, which appears to resolve the issue of whether levee seepage was the problem. The US Army Corps of Engineers proposed newsletter has been revised, supposedly to address the District Engineer's concerns and the District Engineer will review the revised newsletter and offer comments.

From an operations and maintenance standpoint, the Chem Weed cost increase that has been discussed was again taken up for discussion. Trustee Shore proposed a six month extension to the existing contract, without a price increase, and then go to bid for regular maintenance and blackberry treatments. It was explained that the District cannot entertain a non-emergency contract in excess of \$25,000 without going to bid.

The District Engineer reported that there is minor cracking on the surface of the Calaveras levees, which appears to be rain induced.

The issues with Mr. McFadden have been resolved by removal of the encroachment.

Rhett Kilgore stated that trapping of foxes will begin next Monday.

An encroachment permit for lot 4189 – Cyrus Buhari – 6125 Riverbank Circle, to place gravel on the owned portion of the levee was presented with recommendations for approval and the same was approved on motion by Trustee Ripken, seconded by Trustee Shore.

There was then a discussion regarding flood issues and atmospheric rivers, as well as Calaveras River flows. After discussing the enforcement of encroachment violations, it was agreed to extend the compliance period from 10 days to 30 days on motion by Trustee Ripken, seconded by Trustee Shore.

There will be king tides on the 18th, 19th and 20th of January. Siegfried is actively monitoring all atmospheric conditions and patrolling the levees on a 24 hour/7 days a week basis. A fallen tree on a lot owned by homeowner Vig has been removed at a cost of \$2,800.00.

So far, Siegfried's additional cost incurred for flood patrol and related work is \$75,000, which may be reimbursed from the flood assistance once appropriated.

8. State Lands Lease/State Land Agreement.

No update.

9. Report of District Counsel

District Counsel reported on recent statements, discussion and efforts to change California's system of water rights based on critical race theory. Meaning that the holders of the water rights obtained same preferentially based on the color of their skin, and that the water rights need to be more fairly allocated to be consistent with social justice. District Counsel expressed his concern with the thought process and potential threats to the District, and specifically the Brookside community, should the legislature and politicians attempt to interfere with Delta water rights. District Counsel also pointed out that riparian water rights are associated with land and whoever owns the land has the right to use the water for reasonable and beneficial purposes.

10. Capital Expenditure Projects

Tabled.

11. Ten Mile Levee Issues

Previously covered.

12. New/Old Business (continued)

None.

13. Adjournment

The meeting was then adjourned. The next regular District meeting was scheduled to occur on Tuesday, February 21, 2023, at 9:00 a.m. to be held at 3425 Brookside Road, Suite A, Stockton, CA 95219.

GEORGE HARTMANN, Assistant Secretary

Robert Ripken, Trustee