

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

August 15, 2023

Pursuant to written notice, a regularly scheduled meeting of the Board of Trustees of Reclamation District No. 2074 was held on Tuesday, August 15, 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 9:00 a.m. There were present at the meeting Trustees Nelson Bahler, Dennis Shore and Robert Ripken. Also present were George V. Hartmann, Rhett Kilgore, Mark Croce and Chris Elias, the Director of SJAFCA.

2. Public Comment

Mr. Elias reviewed the current status of the Army Corps Brookside levee project and SJAFCA's need for extension of entry permits in order to accommodate the Army Corps and the project's schedule. On motion by Trustee Ripken, seconded by Trustee Bahler, the Trustees unanimously approved extending the Army Corps' entry permit for core sampling and testing along the Calaveras River Levee through December 2023.

3. Approval of Minutes

The minutes of the July 18, 2023, 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

The District Engineer discussed communications which mostly concerned vegetation issues but also included a complaint about Hammerhead Security speeding on the levee, which has been resolved through contact with Hammerhead.

5. Review of Financial Statement

Mark Croce then presented his written financial report, which was reviewed by all parties. Mr. Croce stated the District has approximately \$4,300,000 in all fund accounts. There was then a discussion regarding return on investment from county funds versus potential alternatives, but no decision was made.

6. Checks and Warrants

The Secretary presented the following warrants from the General Fund:

No. 5071 to The Hartmann Law Firm for \$9,189.22
No. 5072 to Siegfried Engineering, Inc. for \$22,333.83
No. 5073 to Hammer Head Protection Inc. for \$1,285.50
No. 5074 to Critter Control for \$1,651.80
No. 5075 to Chem Weed LLC for \$1,500.00
No. 5076 to River Pirates Enterprise, LLC for \$1,800.00
No. 5077 to CSV for \$3,415.00

And the following warrants from Special Fund #83:
None

And the following checks:

2385 to Robert Ripken for \$147.73
2386 to Dennis Shore \$147.73
2387 to Nelson Bahler \$147.73

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

There was also a discussion regarding ongoing control of burrowing animals.

7. Engineer's Report

The District Engineer gave the monthly Engineer's Report based on his written report which is attached. Rhett stated that the total of \$126,948.00 was submitted in reimbursement claims for the January and December storms expenses incurred by the District. This amount does not include amounts expended during March. Rhett expects that most of the requested funds will be reimbursed with potentially minor adjustments. A separate claim will be filed for March storm reimbursements.

The Army Corps Levee Project geotechnical investigation is proceeding.

At the present time, beaver control is being provided by USDA since Critter Control refused to provide same.

The District Engineer raised the subject of the replacement of a petroleum pipeline by Kinder Morgan, which is adjacent to the EBMUD pipelines. Rhett stated that Kinder Morgan wants District approval of a 10 inch pipeline 130 feet below the surface where it crosses under the levee. Various issues and problems were discussed along with the need to review pertinent easements and rights of access as well as the need to involve the Brookside Golf HOA. District Counsel raised the subject of a full indemnity agreement.

The leaning eucalyptus tree on the Calaveras levee was discussed and it has been determined that there is no practical solution to remove same due to Fish and Wildlife's mitigation requirements. Rhett stated that he would write to the concerned homeowner.

Upon motion by Trustee Bahler, seconded by Trustee Ripken the District Engineer was authorized to file a reimbursement claim for expenses incurred during the March storms.

Three bids were received for the District's annual levee project work, one of which was delinquent and rejected for being late. The remaining two bids were from Burns Construction and George Reed. Reed's bid was \$510,242 and Burns' bid was \$421,036, which was accepted as the lowest responsible bid on motion by Trustee Shore, seconded by Trustee Bahler, with all Trustees voting in favor, including the authorization for Nelson Bahler to sign the contract.

Rhett stated that there were no new encroachment permit applications, but there are two outstanding violations from the last semi-annual levee inspection. Ten day notices will be sent and posted consistent with District standards prior to the District correcting the problems at the homeowner's expense. Both violations are vegetation related.

8. Report of District Counsel

District Counsel stated that he had no new items to report other than those already discussed.

9. Capital Expenditure Projects

Tabled.

10. Ten Mile Levee Issues

Tabled.

11. New/Old Business

None.

12. Adjournment

The meeting was then adjourned. The next regular District meeting was scheduled to occur on Tuesday, September 19, 2023, at 9:00 a.m. to be held at 3425 Brookside Road, Suite A, Stockton, CA 95219.

GEORGE HARTMANN, Assistant Secretary

Nelson Bahler, Trustee