RECLAMATION DISTRICT 799

(Hotchkiss Tract)

PO Box 353/6325 Bethel Island Rd., Bethel Island, CA 94511

www.RD799.com

Regular Board Meeting

**Thursday, June 29, 2023**

**Regular Board Meeting at 6:00 PM**

Draft Meeting Minutes

\*denotes supporting documentation available electronically and at the Reclamation District 799 office.

1. **Call to Order/Roll Call:** The meeting was called to order at 6:04pm. Present were President Price and Trustees Hanson, Kent, and Senior. Trustee Pierce was absent.

Others present at the meeting included District Manager Alvarez, Levee Superintendent Vornhagen, and District Secretary Holder. District Engineer Mirmazaheri and District Attorney Varnisky were also in attendance.

1. **Public Comments**: None
2. **Consent Calendar**: All numbered consent calendar items listed will be acted upon under one vote unless specifically removed from the consent calendar by a member of the Board.
   1. Meeting Minutes from the Regular Meeting on May 25, 2023, 6:00pm\*
   2. Warrants\*
   3. Financial Report(s)\*

**A motion was made by Trustee Senior and seconded by Trustee Hanson to approve items a – c on the consent calendar. The vote showed four trustees in favor (Trustee Pierce was absent). Motion carried.**

1. **Discussion/Action Items:**
   1. Update/report on Summer Lake North development by District Manager/District Engineer/District Legal Counsel

Update and report will be addressed on agenda item e.

* 1. Discussion and consideration of adoption of Resolution # 2023-5 and # 2023-6 “Authorizing the Signing of New Signature Cards for BAC Community Bank for Existing District Bank Accounts” \*

This agenda item was tabled until the next board meeting.

* 1. Discussion and consideration of adoption of Resolution #2023-7 “Local Agency Investment Fund Authorized Individuals” \*

**A motion was made by Trustee Senior and seconded by Trustee Hanson to adopt Resolution #2023-7 “Local Agency Investment Fund Authorized Individuals”. The vote showed four trustees in favor (Trustee Pierce was absent). Motion carried.**

* 1. Discussion and consideration of approving the Authorization Certificate for Contra Costa County Treasurer\*

**A motion was made by Trustee Senior and seconded by Trustee Hanson to approve the authorization Certificate for Contra Costa County Treasurer. The vote showed four trustees in favor (Trustee Pierce was absent). Motion carried.**

* 1. Discussion and consideration to approve and authorize the execution of the “Improvement and Maintenance Agreement” between DeNova Homes and Reclamation District 799, Relating to the Summer Lake North Project Within the East Cypress Corridor Specific Plan\*
     1. Adoption of Resolution #2023-8\*
     2. Signing of Agreement planned at conclusion of board meeting.

Trustee Pierce joined the board meeting. District Manager Alvarez introduced Josh Varinsky, the District’s attorney, and Mike Mirmazaheri, the District’s engineer.

Mr. Varinsky discussed the two-year process that led to the “Improvement and Maintenance Agreement”. In October of 2022 a joint CFD was established with the City of Oakley. DeNova is in charge of the construction of the interior levee and the new Pump Station 3. Reclamation District 799 has reviewed all plans and worked closely with DeNova Homes to reach this point in the process. The new levees will transfer to RD 799 when FEMA gives approval. This is still a long way out. All maintenance of the levee and the new Pump Station 3 will be handled by DeNova Homes until FEMA acceptance. Field testing, inspections from the City of Oakley, and training for RD 799 staff will occur during this time. DeNova has agreed to a three-year warranty on the new Pump Station 3. RD 799 will acquire 18.9 acres in the maintenance yard and 10,000 yards of dirt at completion. For the coverage of maintenance and the new pump station, the district will receive $400,00 a year from the CFD. The first payment from the CFD will be sometime around January/February of 2024.

Mr. Mirmazaheri stated that he personally wanted to thank DeNova Homes for including RD 799 on all the phrases of this process. The levee design and all the technical components were reviewed along with the drainage, dewatering, storm water, and rainwater reports. Pump Station 3 construction started this week. It will take between three and four months to complete. The pumps are on backlog and could possibly take a year to arrive. The old pumps will not be disassembled until the new ones are put in. The O & M manual draft is ready for review. Once the FEMA certification is granted, there may be a need to fine tune the draft O & M.

In conclusion, District Manager Alvarez agreed that working with DeNova Homes has been pleasurable. DeNova Homes has been a very good partner. The culmination of these last two years is just the beginning of an ongoing, harmonious relationship.

**A motion was made Trustee Hanson and seconded by Trustee Pierce to approve and adopt the execution of the “Improvement and Maintenance Agreement” between DeNova Homes and Reclamation District 799**, **relating to the Summer Lake North Project within East Cypress Corridor Specific Plan with an adoption of Resolution #2023-8 and signing of the “Improvement and Maintenance Agreement”. The vote showed five trustees in favor. Motion carried.**

1. **Permits** – Discuss & Possible Action on all New and Pending Permits:
   1. Report of approved permits for routine encroachments – none
   2. Update on Potential Enforcement Actions - none
2. **Engineer’s Report**\*
3. **Information Items**:

Required Board Trustee Training\*

1. **Field Reports**:
   1. District Manager Alvarez\*
   2. Levee Superintendent Vornhagen\*

1. **Office Manager’s Report\***
2. **Chairman’s Report**: None
3. **Trustee Reports**: None
4. **Adjournment**: The meeting adjourned at 6:32 pm.

Meeting minutes submitted by District Secretary Dina Holder.

Notice Is Hereby Given:

That the Board of Trustees will consider oral and written public comments. The Chair may announce time limits and direct the focus of public comments for any given proposal. For agenda items not requiring a formal motion, the Chair will announce the opening and closing of the public comment’s session. If you wish to speak, please stand and state your name and address. Please speak clearly and loud enough for everyone to hear. “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 the District Secretary Dina Holder at (925) 684-2398, during regular business hours, 10:00 am - 2:00 pm Monday - Friday, at least 24 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 District office located at 6325 Bethel Island Rd. Bethel Island, CA 94511