RECLAMATION DISTRICT 799

(Hotchkiss Tract)

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

www.RD799.com

Regular Board Meeting

**Thursday, August 25, 2022**

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

Meeting Minutes

1. **Call to Order/Roll Call:** The meeting came to order at 6:03 pm. Present were President Price and Trustees: Kent, Pierce, Ydens and Hanson.

Others present for the meeting included District Manager Alvarez, Superintendent Vornhagen and District Secretary Holder. A list of homeowners in attendance is outlined on the meeting sign in sheet.

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 July 28, 2022, 6:00pm\*
   2. Warrants\*
   3. Financial Report(s)\*

**A motion was made by Trustee Ydens and seconded by Trustee Pierce to approve items a – c on the consent calendar. The vote showed five trustees in favor. Motion carried.**

1. **Discussion/Action Items:**
   1. Update/report on Cypress Preserves, Summer Lake North, and Spinnaker Cove developments by District Manager/District Engineer/District Legal Counsel

**Grand Cypress Preserve (GCP)**

The weekly meetings continue, using Zoom, but ironically this week’s meeting was canceled. We continue to discuss the potential for GCP contributions for improvements to pump stations 2 and 4. Various methods have been tried to determine the increased volume that will be sent to the pump stations; however, there have been no numbers that both parties can agree to.

The District sent a draft Term Sheet to GCP over a year ago without much response. They have now decided to continue working on the Term Sheet negotiations. The numbers in the Term sheet are different now because of changes in prices for materials and labor involved. GCP is still awaiting permits from the City of Oakley to begin the process.

**DeNova Homes**

The O & M agreement is getting closer to finalization. The District is waiting for the Community Facilities District (CFD) document, which is coming from the City Of Oakley. The O & M agreement will not be signed until the CFD documents are received. The District’s attorney is working with the City Of Oakley’s attorney on developing this document. DeNova is getting closer to the “Tie In” to 799’s levees but until the CFD is presented, reviewed, and signed this cannot begin. Pump station 3 final plans have now been submitted to RD 799 and the City of Oakley for review. Construction will begin in 2023 and should be completed by the end 2023. Currently, the contractor is punching 18 to 20 wells to begin the dewatering.

**DWR-Emergency Response Grant Round 3**

RD 799 received a preliminary letter from DWR stating that we will receive monies for Emergency Flood Equipment, pending a public comment period. These Grant monies are 100% in payment. RD 799 hopefully will receive this money before the end of 2022.

* 1. Discussion and consideration of authorizing the District Manager to work with District Legal Counsel to finalize the “Memorandum of Understanding Regarding Access Across Private Property During Evacuation Events between the District and the City of Oakley, Reclamation District 2025 and Gary P. and Barbara Ann Rowland” \*

The City Of Oakley has prepared a Memorandum Of Understanding (MOU) between RD 799, RD 2025, property owners and the City Of Oakley regarding access across private property during evacuation events. In past emergencies, residents have used Dutch Slough, and at the end of Sandmound Blvd there is a gate onto private property over the levee that leads to Delta Road. This latter route was being used without permission and causing traffic congestions and was very unsafe. About a month ago, the City Of Oakley sent this proposed MOU to all the parties involved except RD 799. RD 799 sent the MOU to our attorney to include RD 799 so the District could have indemnification also. The MOU was poorly written, and it didn’t include the owners of Spinnaker Cove (the road to get to this route is owned by Spinnaker Cove). The District’s Attorney has redlined the document and made changes to include all parties involved. The City of Oakley has agreed to the changes. RD 799 has sent the MOU with District signatures to the City of Oakley.

**A motion was made by Trustee Pierce and seconded by Trustee Hanson to authorize the District Manager to work with District Legal counsel to finalize the “Memorandum Of Understanding Regarding Access Across Private Property During Evacuation Events”. The motion 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**: Neighbors on Dutch Slough are wondering why RD 799 does not do vegetation on the top of the levee and the waterside. Sandmound owners use the levee top as their back yard, so they maintain the vegetation. While Dutch Slough residents know this, they feel that Dutch Slough is different because the top of the levee is their road. District Manager Alvarez stated that the County put up the “No Parking” signs which reinforces that they own the road. He stated that it looks terrible with all the weeds and overgrowth. The Dutch Slough residents only want the west side maintained, how is that fair to the rest of the road. The civil code states that the road needs to be maintained. Possibly in the future, if RD 799 has extra labor and extra monies then the District can revisit this issue.

**11.Trustee Reports**: None

**12.Adjournment**: The meeting adjourned at 6:45 pm.

Meeting minutes submitted by Dina Holder

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

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 comments 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