

# RD2035

RECLAMATION DISTRICT 2035  
Board of Trustees Special Meeting  
January 9, 2024  
11:00 AM  
Remote Meeting via Zoom

## AGENDA

<u>Item:</u>	<u>Presented By:</u>	<u>Action Needed:</u>
1. Call to Order	President	Information
2. Roll Call	President	Information
3. Public Comment		
4. **CLOSED SESSION ** Conference with Legal Counsel - Existing Litigation Pursuant to Paragraph (1) of subdivision (d) of Section 54956.9 of the Government Code.	Scott Morris Kristen Renfro	Action

# MINUTES

**RECLAMATION DISTRICT NO. 2035  
BOARD OF TRUSTEES  
MINUTES OF SPECIAL MEETING  
November 14, 2023**

**1. Call to Order.**

Pursuant to notice of a special meeting, which was posted and served on the members of the Board of Trustees of Reclamation District No. 2035 more than 24 hours prior to November 14, 2023, the Board of Trustees of Reclamation District No. 2035 held a special meeting. The meeting was held in person. The meeting was called to order at 1 p.m. by Board President Kyriakos Tsakopoulos.

**2. Roll Call.**

President Kyriakos Tsakopoulos, Trustee Robert Baker, and Trustee Angelo Christie were present. President Tsakopoulos noted that a quorum was present for conducting business. Jesse Clark, Maintenance Supervisor & Watermaster, Eric Robinson of Kronick Moskovitz Tiedemann & Girard, District Counsel, Denise Costa, Board Secretary, Marti Holland, District Accounts Manager, Jay Punia as District flood protection consultant with the Wood Rodgers firm, Cindy Smith as notary public, and members of the public Will Vasilopoulos and Steve Gidaro, were present at the meeting.

**3. Public Comment.**

There was no public comment.

**1. Approve Minutes.**

The Board considered approval of the August 8, 2023, Special Board meeting minutes. After reviewing the minutes, President Tsakopoulos moved approval of the minutes, and Trustee Baker seconded the motion. The minutes were approved by a 2-0 vote, with Trustee Christie abstaining because he did not attend the Special Meeting.

**2. Board Appointment.**

Trustee Baker took the oath of office, executing a written oath notarized by Cindy Smith, notary public. Pursuant to Water Code section 50701 et seq. Trustee Baker was appointed by the County of Yolo Board of Supervisors in lieu of election for a term expiring December 3, 2027. The appointment in lieu of election occurred because the number of nominees did not exceed the number of trustees to be elected (i.e., one nominee was proposed for one trustee position). Trustee Baker's prior term expires in December 2023.

**3. Budget versus Actual Status to October 31, 2023.**

Marti Holland summarized the Budget versus actual through the end of October 31, 2023, for the 2023-2024 fiscal year (June 30, 2023, to July 1, 2024). The financial update was received by the Board and no action was taken.

4. **Flood Maintenance Assistance Program 2024 and Resolution No. 2023-006.**

Marti Holland and Jay Punia, the District's flood protection consulting engineer from the Wood Rodgers firm, updated the Board on the status expenditures, reimbursements and work completed under the District's 2023 work plan and the work, costs and reimbursements anticipated for the 2024 work plan for the Flood Management Assistance Program ("FMAP"). Ms. Holland and Mr. Punia described the proposed Local Maintaining Agency Agreement with the California Department of Water Resources for 2024 (Agreement No. 2023-FMAP-RD2035-01).

Trustee Baker moved to adopt Resolution No. 2023-006 approving Agreement No. 2023-FMAP-RD2035-01 and authorizing execution by the District's General Counsel. Trustee Christie seconded the motion, which was approved by a 3-0 vote.

5. **PL 84-99 FMAP Program USACE and FEMA Reimbursement.**

District consultant Jay Punia updated the Board on levee erosion arising from high Sacramento River flows during the 2022-2023 winter wet season that is anticipated to cost up to approximately \$110,000 to repair.

No action was taken.

6. **Lake Lift Pump Issues and Possible need for Reserve.**

Watermaster and Maintenance Supervisor Jesse Clark updated the Board on the need to build a replacement for Lift Pump No. 4 on County Road 25 and described the vendor-quoted cost of \$83,472.83. Mr. Clark recommended conducting annual inspections each February of all District lift pumps to identify any potential repairs or replacements. Marti Holland described the potential need to fund the pump replacement work's actual total cost with up to \$50,000 in funds from the District's reserve account.

President Tsakopoulos moved approval of the pump replacement work for up to \$100,000, with up to \$50,000 of this cost to be paid from the District's reserve fund, and Trustee Christie seconded the motion. The motion was approved by a 3-0 vote.

7. **Levee Project Update.**

Watermaster and Maintenance Supervisor Jessee Clark presented this item, which included a description of construction activities, including adding rip rap to levee erosion sits and adding gravel to levee haul routes. No action was taken on this item

8. **Authorized Signatures.**

Marti Holland presented this item to update signature authority concerning execution of District checks, approval of claims, deposits and other actions specified in the FY 2023-2024 Authorization Form included in the meeting agenda packet. President Tsakopoulos moved approval, and Trustee Baker seconded the motion, which passed on a 3-0 vote.

The meeting was adjourned at 2 p.m..

ATTEST:



Secretary, Reclamation District 2035

**Item #4 CLOSED SESSION: Conference with Legal Counsel – Existing Litigation**

**4. Conference with Legal Counsel - Existing Litigation - Pursuant to Paragraph (1) of subdivision (d) of Section 54956.9 of the Government Code.**

Name of case: THE STATE OF CALIFORNIA, BY AND  
THROUGH THE DEPARTMENT OF  
WATER RESOURCES,

Plaintiff, v.

ARAPAHO INVESTMENT COMPANY,  
LLC, A CALIFORNIA LIMITED  
LIABILITY COMPANY; FARM CREDIT  
WEST, FLCA; U.S. BANK NATIONAL  
ASSOCIATION; RECLAMATION DIST.  
1600; RECLAMATION DIST. 2035;  
WILDLIFE HERITAGE FOUNDATION, A  
CALIFORNIA NONPROFIT  
CORPORATION; and DOES 1 through 20

Sacramento County Superior Court Case No. CV2022-1560