

**MINUTES
SAN JOAQUIN AREA FLOOD CONTROL AGENCY
BOARD MEETING OF SEPTEMBER 19,2024**

STOCKTON, CALIFORNIA

1. CALL TO ORDER 10:04 AM

2. CLOSED SESSION

- 2.1) Conference with Legal Counsel and Recruiter regarding Public Employment pursuant to Government Code Section 54957 Title: Executive Director
- 2.2) Conference with Legal Counsel – Anticipated Litigation (Government Code Section 54956.9(d)(2))
- 2.3) Conference with Real Property Negotiators (Government Code Section 54956.8) – Lower San Joaquin River Reach TS30L Levee Improvement Project – Elmwood Partners, L.P. Property APN 071-150-130, 070-150-040, 071-150-060, 071-150-120, 071-150-140, 071-150-150, 071-150-070, 071-150-110, [Agency Negotiator: Chris Elias, Executive Director; Omar Al-Hindi, Executive Project Manager, Rebekah Green, Project Manager, Bender Rosenthal Incorporated (BRI), Scott Shapiro, General Counsel]
Negotiating Parties: Nelson Bahler
Under Negotiation: Price

PUBLIC COMMENTS 10:05 AM

- Dominick Gulli submitted written comments and shared Public Comments for all in the meeting to hear.

REPORT OUT ON CLOSED SESSION: 10:55 AM

- 2.1) No action or direction given. Will provide update during the Counsel Report on the Agenda.
- 2.2) No reportable action taken.
- 2.3) The Board delegated and authorized the Executive Director to negotiate in regards to the properties listed.

3. ROLL CALL 10:56 AM

Present:

Director Akinjo
Director Lazard
Director Patti
Director Singh
Director Warmsley
Director Wright
Alt. Director Morowit

Absent:

Director Canepa
Director DeBrum
Director Halford

4. PLEDGE TO FLAG 10:57 AM

5. OPEN SESSION 10:57 AM

- 5.1) Consider and Possibly Take Action to Reject, Pay, Compromise, or Take Other Action on Government Claims Act Claims Against SJAFCA

Attachment 1 – Claim from Jessica and Jaime Flores dated August 27, 2024

PUBLIC COMMENT: None.

Motion: To approve the rejection of the claim.
Moved by: Director Wright, Seconded by Director Warmley
Vote: Motion carried 7-0
Yes: Director Akinjo, Director Lazard, Director Patti, Director Singh, Director Warmley, Director Wright, Alt Director Morowit
Absent: Director Canepa, Director DeBrum, Director Halford

6. Numbering error – no topic.

7. Numbering error – no topic.

8. PUBLIC COMMENTS 11:00 AM

Public Comment:

Dominick Gulli submitted written comments and shared comments during the meeting for all to hear.

9. CONSENT ITEMS 11:04 AM

9.1) Approve Minutes from August 15, 2024, Board Meeting

9.2) Ratify Irrigation Agreement and right-to-enter and construct improvements between Elmwood Partners L.P./Raymond Lagorio and San Joaquin Area Flood Control Agency for staging area in support of the Lower San Joaquin River Reach TS30L Levee Improvement

9.3) Receive report of bids, ratify Addenda, waive minor irregularities, approve the Contingency fund, and award of Construction Contract to AM Stephens Construction Company, Inc. in the sum of \$435,688 for construction of the Stoplog Storage Foundation to support the Smith Canal Gate Project

PUBLIC COMMENT: Dominick Gulli submitted written comments and shared comments on agenda topic 9.3 during the meeting for all to hear.

Motion: Approve Consent Items 9.1, 9.2, 9.3
Moved by: Director Wright, Seconded by Warmley
Vote: Motion carried 7-0

Yes: Director Akinjo, Director Lazard, Director Patti, Director Singh, Director Warmesley,
Director Wright, Alt Director Morowit
Absent: Director Canepa, Director DeBrum, Director Halford

10. NEW BUSINESS 11:09 AM

10.1) Receive an informational briefing on the status of the Mossdale Tract Urban Flood Risk Reduction Program and authorize the issuance of the Mossdale Tract Program: 2023 Annual Adequate Progress Report Update for the Urban Level of Protection

PUBLIC COMMENT: None

Motion: Authorize the issuance of the Mossdale Tract Program: 2023 Annual Adequate Progress Report Update for the Urban Level of Protection
Moved by: Alt. Director Morowit, Seconded by Director Wright
Vote: Motion carried 7-0
Yes: Director Akinjo, Director Lazard, Director Patti, Director Singh, Director Warmesley,
Director Wright, Alt Director Morowit
Absent: Director Canepa, Director DeBrum, Director Halford

10.2) Authorize the Executive Director to work with City of Stockton, County of San Joaquin, and local community-based organizations on the Mormon Channel Bypass Revitalization and Restoration Project while maintaining flood protection, public safety, and enhancing water quality and recreation opportunities

PUBLIC COMMENT: Public commenters shared comments during the meeting for all to hear.

1. Ector Olivares
2. Morokot Uy
3. Ahmad Majid
4. Ruben Lee
5. Bobby Bivens
6. Nik Howard

Motion: Authorize Executive Director to work with City of Stockton, County of San Joaquin, and local community-based organizations on the Mormon Channel Bypass Revitalization and Restoration Project while maintaining flood protection, public safety, and enhancing water quality and recreation opportunities
Moved by: Alt. Director Morowit, Seconded by Director Singh
Vote: Motion carried 7-0
Yes: Director Akinjo, Director Lazard, Director Patti, Director Singh, Director Warmesley,
Director Wright, Alt Director Morowit
Absent: Director Canepa, Director DeBrum, Director Halford

10.3) Authorize the Executive Director to approve all Administrative, Technical, and Policy-Level decisions and Documents on the Feasibility Study, including recommendations of the Paradise Cut Advisory Committee

PUBLIC COMMENT: Sarah Puckett shared comments during the meeting for all to hear.

Motion: Authorize the Executive Director to approve all Administrative, Technical, and Policy-Level decisions and Documents on the Feasibility Study, including recommendations of the Paradise Cut Advisory Committee

Moved by: Director Wright, Seconded by Director Warmsley

Vote: Motion carried 7-0

Yes: Director Akinjo, Director Lazard, Director Patti, Director Singh, Director Warmsley, Director Wright, Alt Director Morowit

Absent: Director Canepa, Director DeBrum, Director Halford

11. BRIEFINGS 12:30 PM

The U.S. Army Corps of Engineers has awarded a contract to a local firm to construct the Brookside segment of the Lower San Joaquin River Project for about \$17M. This is the first U.S. Army Corps of Engineers led project in our community for flood protection. This will bring federal dollars to protect our community and employ local talents to deliver on this project. Groundbreaking will be in April 2025.

12. ORAL REPORT FROM EXECUTIVE DIRECTOR

None.

13. COUNSEL REPORT 12:35 PM

The Board's search for a new Executive Director following Chris Elias' retirement from the agency at the end of the year is continuing. The recruiter has received 21 applications, which have been narrowed down to 8. These 8 applications will be reviewed by the Sub Committee of the Board. Interviews will be held, and then upon this review, a ranking will be developed and the Board will meet these candidates. This process will take place over the next few months and the goal is to appoint a successor prior to end of the year to allow overlap training time. Mr. Elias has volunteered to continue to work on a limited part-time basis at the beginning of next year to ensure proper transition.

14. BOARD QUESTIONS, COMMENTS, ACTIONS 12:36 PM

- Director Patti mentioned that he was in Washington D.C. and met with the U.S. Army Corps of Engineers. He mentioned the two tax ballots that SJAFCA pushed through, and they were "thrilled" to see that kind of commitment towards the projects going on in our community that were supported by our Board of Directors.

15. ADJOURNMENT 12:37 PM

The meeting adjourned at 12:37PM. The next meeting is scheduled for October 24, 2024, at Stockton City Hall.

In compliance with the Americans with Disabilities Act, the meeting room is wheelchair accessible and disabled parking is available. If you have a disability and need disability-related modifications or accommodations to participate in this meeting, please contact the Board's office at (209) 299-4200. Requests must be made one full business day before the start of the meeting.



CHRIS ELIAS
EXECUTIVE DIRECTOR
SAN JOAQUIN AREA FLOOD
CONTROL AGENCY

September 19, 2024, SJAFCA Meeting Minutes