

**DON PEDRO RECREATION AGENCY
BOARD OF CONTROL - DON PEDRO PROJECT
APPROVED MINUTES
November 17, 2023**

CALL TO ORDER: 10:00a.m.

VOTING MEMBERS PRESENT: Ron Macedo – Turlock Irrigation District (TID)
Margaret Hannaford – City & County of San Francisco (CCSF)
Janice Keating – Modesto Irrigation District (MID)

OTHERS PRESENT: Ryan Reis – DPRA, Department Manager
Jesse Franco – MID, BOC Alternate
Brannon Gomes – DPRA, Division Manager
Rebecca Dack – DPRA, Administrative Assistant
Sara Lima – DPRA, General Counsel
Brad Koehn – TID, Chief Operating Officer
Bill Penney – TID, Senior Civil Engineer
Vicenza Simo - Suntex Regional Manager
Brooke Rohrer - Suntex General Manager

CALL TO ORDER

Director Macedo called the meeting to order at 10:02am

MOTION APPROVING CONSENT CALENDAR

All matters listed hereunder will be acted upon by a single vote of the Board. There will be no individual discussion of these items unless a member of the Board or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate agenda item

1. Approval of minutes of the regular meeting of September 15, 2023 and the special meeting of October 27, 2023. Copies are on file at Don Pedro Headquarters

Director Hannaford motioned to approve the consent calendar. Director Keating seconded the motion. Motion carries.

DISCUSSION OF ANY ACTION ITEM REMOVED FROM THE CONSENT CALENDAR

There were no items removed from the consent calendar. No discussion took place.

FLOATING RESTROOM GRANT RESOLUTION *Action Item*

Director Reis provided an overview of the grant and Brannon Gomes provided more details of the grant. There was discussion regarding the current restrooms and Mr. Gomes noted they are out of commission, unusable.

Director Hannaford motioned to approve the grant resolution as presented and Director Keating seconded the motion. Motion carries.

Upon roll call the following vote was had:

Ayes: 3 Directors Macedo, Hannaford, Keating
Noes: 0
Absent: 0

SUNTEX UPDATE

Brooke Rohrer, Suntex General Manager and Vicenza Simo, Suntex Regional Manager provided an update regarding Suntex operations and projects. Ms. Rohrer noted all lines have been installed and customers notified. They stated the lines were placed and adjusted per customer feedback to make sure the ropes are long enough to reach balls. They noted the extension dock has been installed and employee housing at Moccasin has been removed. They also confirmed services have been restored including pump outs, fuel access, and propane. The ice containers have been replaced and there is ice for sale. They also confirmed all storm damage has been repaired. They noted there has been complaints about a Wi-Fi pole and confirmed it has been inspected, as well as the light fixture at private houseboat marina has been replaced. They provided an overview of the Wind and Wave Study being completed, with an expected completion date of December 8, 2023, for a new attenuator and Suntex is working on new low water plan. They noted the attenuator for Fleming has been approved. They also noted they are putting tire-break back in for the private houseboats and are looking for more permanent solution. They also noted they plan to reopen the Moccasin ship store by January 2024. They confirmed they will be upgrading fuel dispensers and are currently waiting to hear from vendors for timing. They noted they are repairing the head walk, replacing the main gate lock, and upgrading Wi-Fi, but do not currently have an ETA.

They provided an update regarding Fleming Marina, noting they are replacing light bulbs and fixtures. They are also looking into a new attenuator for both the private houseboat marina and the Fleming marina. They noted they will be repaving and marking parking

spots by opening of next season. They also stated they have been waiting since April of 2023 on the State of California to get permits to resurface the driveway. They are also working on more parking signage and having the parking spots restriped. They confirmed the dry storage doors are being replaced at 3-4 doors a day. They noted they have been cleaning out the boneyard and expect it to be completed by January 1, 2024. They are also working on the tar pit building installation at Blue Oaks which is inside the service yard, next to the big building. They noted they cannot tar boats in winter because of the weather and it is better not to pull boats in summer. They confirmed they are also working on cable removal throughout entire reservoir.

Director Keating inquired about the reopening of the ship store at Moccasin. Suntex confirmed they are planning to have something similar to Fleming with boating supplies, but a smaller version.

Customer, Ross Swett, inquired if the restaurant is going to be restored. Ms. Simo confirmed they are not currently planning for a restaurant, but noted they can talk to the Board of Control for a Concession Lease Agreement amendment. Ms. Simo also noted Suntex is working on building a 5-year plan for all Suntex properties.

There was additional discussion regarding the Wind and Wave Study, which Ms. Simo confirmed should be back to Suntex by December 8, 2023, of which she expects to share with everyone upon receipt. Ms. Simo also noted Suntex is holding monthly town halls to keep customers informed.

A member of the public inquired if the finger extension that sticks out, can be removed. Ms. Simo noted she is open to looking at everything and will discuss with Suntex's Director of Construction. Public member, Ross Swett, inquired about DPRA engineers approving Suntex's plans. Director Reis confirmed that DPRA hires a third-party inspector to review Suntex's plans and to be present during the process.

A member of the public inquired about an attenuator at Moccasin. Ms. Simo noted the Wind and Wave study may start the conversation for a possible attenuator at Moccasin.

Director Hannaford asked for clarification on the potential projects and Ms. Simo noted they are either being implemented for 2024 or starting to price out in 2024. Ms. Rohrer noted the Moccasin potential projects include painting and numbering buoy balls, upgrading dry storage and upgrading the ship store. She also noted the Fleming potential projects include upgrading the café and ship store, painting the ship store exterior, motor repair shop replacement, additional restroom or two, painting and numbering buoy balls, adding a second pump out station, and removal of the head walk in Gilman cove.

Public member, Ross Swett, inquired if Suntex anticipates problems getting grants for funding. Ms. Simo noted they do not foresee an issue and confirmed if Suntex has to pay \$90k to put a floating restroom in, they will pay it.

Ms. Rohrer provided some pictures from Moccasin provided by their engineering group noting one of plates with new hardware, everything is stainless steel. She also provided a picture of the employee housing being removed. Director Reis inquired if Suntex plans to replace the houses there. Ms. Rohrer stated they were not and noted they dealt with squatters.

Ms. Rohrer also provided pictures of the private houseboat marina, noting the light is working and a second picture of the Wi-Fi tower. She noted there is a slight lean because the material is flexible. She also provided before and after pictures of the storm damage repairs, noted they ordered 200 or so new tiles for additional repairs and are going to wait until March to complete the dock repairs due to the winter weather.

SUNTEX RATE PROPOSAL *Information Item Only*

Director Reis stated that Suntex is getting ready to propose rates and noted the proposed rates have to be posted on the website for 30 days before Board can take action.

Ms. Simo provided an overview of Suntex's proposed rates, noting they are not expected to be effective until January 1, 2024, if approved by the Board of Control. She provided a market rate comparison with a breakdown across Suntex's portfolio and industry peers, noting all prices in the industry are by linear foot. She noted that Moccasin Point has had no increase since 2019 due to low water and cable breaks. Public member, Ross Swett, inquired if the proposed rates were skewed since they are using their own properties for comparison. Suntex provided comparisons to New Melones, Pleasure Cove, and Tahoe Keys. She noted the amount they have spent on capital projects for 2023 totals \$1.6MM. She also stated Suntex's strategy for capital in 2024 will surpass \$2MM, noting attenuators are very expensive, dry storage upgrades, bathroom upgrades, café upgrades, additional pump outs, and fuel tank upgrades. She noted the \$2MM does not include other projects Suntex is considering for 2024 such as food upgrades at Moccasin Point. Ms. Simo highlighted the average CPI for the year is 5.35% which does not take wages into consideration. Suntex is requesting 1.65% for wages, in addition to CPI request. She also noted they are asking to update to the industry standard of linear foot or slip length whichever is greater. Additionally, proposed COB rates increasing 3.5% for houseboats and 5% for small boats as well as a 3% credit card surcharge, but will continue to offer ACH, debit, check and cash as other forms of payment. Ms. Simo noted the 3% surcharge

started at all other Suntex properties on October 1st, but will hold off until January 1, 2024 to be effective here.

There was additional discussion regarding rates by linear foot. Public member, Ross Swett, inquired about buoy balls. Ms. Simo stated buoy balls will be a flat rate, based on vessel, noting they cannot go bigger than the maximum. She provided the example of 26ft long for small slip, stating if someone comes in with a 28ft, they will pay on the difference of 2 more feet.

Director Reis noted the entire presentation will be posted on the DPRA website by the end of the day. Director Reis also noted the concern from a benchmark, at a minimum, is more than the percentage increase Suntex is requesting. Ms. Simo confirmed that in addition to percentage increase, Suntex is asking to go to linear foot, so customers may pay more than the requested percentage increase.

The Board of Control requested to see a breakdown of how many boats it effects, noting slips are shorter at Moccasin. Director Macedo noted Suntex has a lot more work to do.

Director Reis stated Suntex needs to provide market analysis for more facilities, noting Camanche, McClure and Oroville. He also requested more information on how Suntex got 5.35% for CPI.

Director Keating questioned Suntex dramatically changing rate structure to linear foot. Director Reis noted this is a rate proposal and it is up to the Board to approve these changes. He noted it has been proposed in the past, but has not passed.

DON PEDRO RECREATION AGENCY VISITOR CENTER *Information Item Only*

Bill Penney provided an update regarding the Visitor Center project, noting the progress made since August. He noted the main point is a recommended change in course. He noted no approval required, but would like direction before issuing the RFQ. There was discussion regarding the environmental review process, CEQA, and historical review of the property since it is over 50 years old. He noted if there is some historical significance to the property, may be limited to the current style and color, but the building we are considering already fits in with the style.

Mr. Penney discussed 4 different project delivery methods: Design-Build, Construction Management at Risk, Progressive Design-Build, and Design-bid-build.

There was discussion regarding the RFQ and RFP process. Director Macedo inquired about the timeline. Mr. Penney noted they need to work with TID Purchasing department for the RFQ/RFP. His recommendation is to wait until the 1st of the year due to the holidays and bid the project by Q3 of next year.

Director Reis noted at the last special meeting, the Board approved transferring of funds to the CAMP account. He requested direction from the Board regarding locking in a longer term from 90 days to 365 days, noting the rates vary the shorter you go. There was discussion of the timeline for spending the funds, noting the first of the \$6MM should start getting drawn down in March or April of 2024 and design would be 10-12% by July of next year. Director Reis noted if the Board is interested in extending the term, DPRA can have a timeline of projected spending at the next meeting. Director Keating requested to provide a timeline of what funds will be needed by March, June, etc., 3-6-12 months to help figure out how much to lock in.

FISCAL REPORT

Brannon Gomes provided the monthly fiscal report including revenue versus operations cost and year-to-date financial information up through August 2023. Actual revenue for August 2023 was \$382,883. Actual revenue with contributions for August 2023 was \$587,852. Year-to-date revenue to August 31, 2023 is \$2,273,181. Year-to-date revenue with sponsor contributions to August 31, 2023 is \$4,946,134. Year-to-date operations expenses to August 31, 2023 are \$3,302,849. Projected revenue with contributions for August 2023 was \$640,837. Actual expenses for August 2023 were \$455,523. Projected expenses for August 2023 were \$453,927. Capital expenses for August 2023 is \$2,078. Year-to-date capital to August 31, 2023 is \$267,646.

Additionally, Mr. Gomes provided draft revenue and expense projections for October 2023. He noted a lot of capital is spent in the off season.

DIRECTOR'S REPORT

Director Reis provided an update regarding reservations, occupancy and cancellation for October 2023. Director Reis also provided an overview of the Customer Satisfaction Survey. Director Reis also provided an update regarding the CAMP funds transfer, debris removal status, and the DPRA meeting with Tuolumne County Sheriff's Office. He noted there was a mention of incident from the summer and Sheriff Pooley noted his deputies handled it appropriately. The TCSO will not share information for investigations, will have to go directly through TCSO. He also noted the more detailed minutes per past meeting requests. Director Reis provided an overview of updated signs throughout the parks.

Director Reis provided an update effective November 12, 2023 for Don Pedro Water Storage.

MATTERS TO THE GOOD OF THE AGENCY

Director Macedo opened for Matters to the Good of the Agency. Public member, Ross Swett, inquired about Agenda Item 11 for action taken in closed session. Director Macedo noted that unless action is taken during a closed session, the Board will not report, they will note there is nothing to report.

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION *Closed Session*

Director Keating motioned to adjourn to closed session. Director Hannaford seconded motion. Motion carries. Board adjourned to closed session at 11:45am. California Government Code Section 54956.9(d)(4) Anticipated Litigation: one potential case - Sara Lima, Legal Counsel.

REPORT OF ACTION TAKEN IN CLOSED SESSION

The Board of Control resumed open session at 12:25pm. Director Macedo noted no action was taken during closed session.

ADJOURNMENT

Director Hannaford motioned to adjourn, Director Macedo seconded and due to no further business, the Board adjourned at 12:25 p.m.

Respectfully Submitted,

Ryan Reis

Secretary to Board of Control

Copies to: Messrs. Hannaford, Mazurkiewicz, Williams, Edwards
Messrs. Reimers, Macedo, Koehn
Messrs. Keating, Franco, Wenger