

**DON PEDRO RECREATION AGENCY
BOARD OF CONTROL - DON PEDRO PROJECT
APPROVED MINUTES
January 11, 2024**

CALL TO ORDER: 10:00a.m.

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

OTHERS PRESENT: Ryan Reis – DPRA, Department Manager
Brad Koehn - TID, Chief Operating Office
Brannon Gomes – DPRA, Recreation Division Manager
Jim McCoy – DPRA, Recreation Division Manager
Rebecca Dack – DPRA, Administrative Assistant
Jesse Franco – MID, BOC Alternate
Vincenza Simo – Suntex, Regional Manager
Brooke Rohrer – Suntex, General Manager
Sara Lima – DPRA, General Counsel (*via Zoom for Closed Session*)

CALL TO ORDER

Director Macedo called the meeting to order at 10:00am.

PUBLIC PARTICIPATION CONCERNING AGENDA ITEMS

Director Macedo opened up public comment regarding agenda items. He noted he will allow public comments throughout the meeting.

SUNTEX RATE PROPOSAL – Action Item

Vincenza Simo and Brooke Rohrer provided an overview of the Suntex Rate Proposal. Ms. Simo noted she does not have additional information from what was proposed in November 2023, which is posted on the website. She noted the original proposal included a switch for charging to linear foot, but after November’s meeting, Suntex has retracted that part of the proposal. Ms. Simo noted they will continue to charge by slip size.

Ms. Simo noted Suntex will be billing out tomorrow due to manually imputing rates after whatever the Board decides. She noted everyone will have 10 days to pay. She also noted Suntex has not had Moccasin Point Marina (MPM) increases since 2019 with the closure of the property, noting they still have to pay operation expenses. Ms. Simo stated rates help with taxes and operation expenses. She noted Suntex will continue to have town halls each month, separate meetings for MPM and Fleming Meadows (FM). There was additional discussion regarding the billing for Suntex customers, back-dated to January 1, 2024 due to the pending rate approval or denial at today’s meeting.

Director Reis noted that DPRA staff recommends that the Board of Control not approve rates. He noted staff has reviewed the documentation and after the review, DPRA does not feel there is adequate information to justify the increase at this time.

Public member noted they are on the private marina, which has never been finished, stating the walkway is broken and jagged and the decking is rusting again. He noted it was never fixed correctly. He requested that Suntex finish what they start.

Public member, Ross Swett, inquired about what Suntex pays property tax on. There was a discussion about having the property tax reassessed. Ms. Simo noted Suntex has a tax department she will discuss a reassessment with.

Public member, Stephanie Lashkoff provided her opinion about the Suntex rate proposal. She requested the Board really review the information provided and noted the CPI is misrepresented in the comparison given to the Board. She also noted projects that were stated as projects in the presentation should not have been stated as projects, but should be listed as maintenance. She noted as far as the rate increases are concerned, there are several concerns about retroactive charging. She also requested the Board to have discussion with Suntex about the 3% credit card charge that is going to be passed down to all of the storage tenants. Ms. Lashkoff also noted the house boaters are being targeting as a captive audience again because houseboats cannot go to any other lakes. She noted many houseboats are too big so other lakes won’t accept them. She also noted they are at Don Pedro because they want to be at Don Pedro. She discussed the mooring fees and dry storage as those that are not being charged to the public who rents houseboats or small water crafts. Ms. Lashkoff also discussed the additional 1.65% increase for labor rates, noting she thinks they would like to know where exactly those are going to go and why, if there are already labor rates and if those labor rates are going to also be applied to mechanics and people that work at the yard where there is already a \$40/hr. increase. Ms. Lashkoff noted she was providing feedback for customer Bob Lynar, as he is unable to attend the meeting, that as far as the pump out at the marina, they are still very upset there

is only one pump out, noting that while MP boats were here there should be three pump outs. She also noted that counting the floating as a pump out that will not fully pump out, will only hold so much and there is a big charge for it. If the regular pump out is not available to us and they have to be pumped out by the floating pump out, it should be free. There was discussion about the CLA, noting it is clear the house boaters, private house boaters and anyone in the slip is a tenant of Suntex should be given first opportunity to be pumped. She noted there should be two pump outs, one for private house boaters and one for rentals. There was discussion about Suntex asking for 8% increase plus 3% for credit card fees, noting Social Security is only giving a 3.5% increase. Ms. Lashkoff also noted to the Board that she would like to have a discussion with the Board if possible after the meeting about something, since I can't bring it up at this special meeting.

Public member, Dave Guardino, inquired about D-Dock, noting there are seven slips still open and available. Ms. Rohrer noted that when MPM boaters went back to MP, there was a waiting list and several people backed out. She also noted they have every intention of filling those slips.

Public member, Dave Nicolodi, noted about the pump outs, that twice he has called to make an appointment for pump out and is told by Suntex staff that they're booked up until 2pm. He would then call at 1pm to confirm his appointment and is told by Suntex staff to come to get pumped out, that he was the first pump out of the day.

Public members suggested the Board to set up a committee or look at all these points and investigate everything the public is discussing at the meeting. Director Macedo noted the Board is a committee and noted Director Reis is doing a good job and the public is doing a good job of letting him know. He noted the Board is starting to get the message through to Suntex.

There was a discussion from a member of the public about his trailer being taken on Labor Day, noting there are no cameras that work, Suntex informed him they impounded six trailers and noted he has not heard from Suntex to get VIN numbers and he is still missing a trailer.

Public members, Don and Josie Angelo, noted that MPM today it is in no way the same facility it was 20 years ago. They noted their rates keep going up, but the services and the support structure continues to dwindle.

Public member inquired about the ramp coming down from the dock at the Fleming private marina due to his wife relying on a mobile scooter.

Director Reis clarified that in the CLA, if Suntex chooses to charge the 3% credit card fee, they are allowed to without Board approval, similar to the café and Suntex what to choose to charge for their operations.

Public member noted customers used to get one month free for paying for the whole year, noting it could help Suntex offset their fees.

Director Hannaford inquired if the Board is not going to approve the rates, are they required to set a reevaluation period. Director Reis noted the Board approve, reject or modify Suntex's rate proposal.

Director Macedo thanked everyone for coming and noted the Board has been in contact with Suntex to hold them accountable. He noted the first thing the Board can do is not approve the rates and informed Suntex they are not providing services and continue to take customers' money. He noted the Districts continue to subsidize the cost and instructed Suntex if they want increases, provide the required services.

Director Hannaford motioned to not approve the Suntex rate proposal and Director Keating seconded the motion. Motion carries.

CLOSED SESSION

Director Keating motioned to adjourn to closed session at 10:35am, Director Hannaford seconded motion. Motion carries. General Counsel Sara Lima attended the closed session meeting via Zoom. The Board of Control adjourned to closed session regarding anticipated litigation pursuant to Calif. Govt. Code section 54956.9(d)(4) - One potential case with Sara Lima, Legal Counsel.

REPORT OF ACTION TAKEN IN CLOSED SESSION

Closed session adjourned and public session reconvened at 11:35am. Director Macedo noted that no action was taken during closed session.

ADJOURNMENT

Director Hannaford motioned to adjourn, Director Keating seconded and due to no further business, the Board adjourned at 11:36a.m.

Respectfully Submitted,
Ryan Reis
Secretary to Board of Control

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