

**DON PEDRO RECREATION AGENCY
BOARD OF CONTROL - DON PEDRO PROJECT
APPROVED MINUTES
July 19, 2024**

CALL TO ORDER: 10:00a.m.

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

VOTING MEMBERS ABSENT: Ron Macedo – Turlock Irrigation District (TID)

OTHERS PRESENT: Ryan Reis – DPRA, Department Manager
Jim McCoy – DPRA, Recreation Division Manager
Rebecca Dack – DPRA, Administrative Assistant
Brooke Rohrer – Suntex, General Manager

CALL TO ORDER

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

MOTION APPROVING CONSENT CALENDAR ACTION ITEM

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 special meeting of June 21, 2024. 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.

SUNTEX UPDATE

Suntex General Manager, Brooke Rohrer, provide an update regarding Suntex operations. For Moccasin Point, she noted new fuel pumps have been installed, fuel dock lights replaced, air hand dryer installed in floating restroom and the AC has been repaired, new septic pump installed in floating restroom, new ropes added to fuel dock for customer use, and the flagpole installed with an American flag. Ms. Rohrer noted completed maintenance for Fleming Meadows including the main pump out has been repaired, driveway asphalt complete, replaced light bulbs throughout the marina, replaced all windows at the lagoon, repaired ship store AC, Blue Oaks cable removal and the second pump out has been installed. She noted Suntex is looking to add fresh water for the new pump out that was installed, but are currently running some extension hoses until the area can be plumbed. Ms. Rohrer also noted some projects and maintenance in progress at Moccasin which include repairing the head walk, Low Water Plan, repair barge engines, cable removal as water levels fluctuate, and ongoing vegetation control. Ms. Rohrer also provided projects and maintenance in progress for Fleming which include cable removal as water levels fluctuate, ongoing vegetation control, and the old head walk removal in Gillman.

Public member, Bob Lynar, inquired about no longer being able to pump out after hours at Moccasin. Ms. Rohrer noted she was not aware of that. Mr. Lynar noted Suntex should have a backup pump out and that past concessionaires have always had two pump outs in case one goes out. Public members inquired how long it takes to get the mobile pump out to Moccasin from Fleming. Ms. Rohrer confirmed that it takes a couple of hours.

Public member, Ross Swett requested clarification regarding the lack of water at the new pump out at Fleming. Ms. Rohrer confirmed there is water available through extension hoses, it is just not plumbed yet.

Public member, Bob Lynar, inquired about the Suntex maintenance plan. Ms. Rohrer noted Suntex has a maintenance plan, but those are internal documents. She also noted that can be discussed at the town hall scheduled for July 26, 2024. Mr. Lynar insisted it be discussed in front of DPRA and the Board of Control. He also noted customers should be entitled to seeing the Suntex maintenance plan. He inquired as to how customers would know what inspections Suntex should be making and how customers would know the lines are being taken care of.

Director Reis noted he will have to check the CLA, but does not believe Suntex has a requirement to provide the maintenance plan.

Public member, Bob Lynar, noted the CLA and Mooring agreement both state the marinas have to be run in a first class manner, but does not agree that it is being maintained in a first class manner. He noted Suntex is always working on something, but nothing is getting done, referencing meetings dating back to August 2023 in regards to the head walk repairs and painting of the buoy balls.

Ms. Rohrer noted she will take the request for the maintenance plan back to Corporate and see what kind of information that can be provided during the town hall.

Public member, Bob Lynar, referenced the November 2023 meeting in which Suntex stated is working on building a 5-year plan for all Suntex properties and inquired if the Board is holding Suntex accountable. Director Koehn noted the CLA does not require Suntex to have a 5-year plan and that DPRA can only hold them accountable to the CLA. Mr. Lynar also noted that Suntex presents projects and maintenance to the Board, but are not following through. There was discussion regarding floatation on the winches.

Director Keating inquired if Ms. Simo is present at the Suntex town halls. Ms. Rohrer stated that she is at most of them, but sometimes cannot attend due to scheduling conflicts. There was also a request to have the recordings shared with the customers for those who cannot attend the town hall, so Ms. Rohrer will look into sharing the information with customers who cannot attend the town halls.

Public member inquired if the paint going on the buoy balls will be reflective and Ms. Rohrer, noted she will look into it to confirm.

Director Koehn requested that Ms. Rohrer provided estimated completion dates regarding presented projects in future updates.

Public member requested clarification in dealing with Suntex directly regarding issues, noting they were under the impression the Board is responsible and customers have little to no authority to deal with the concessionaire. Director Reis noted the concessionaire has a contract for exclusive operations on the lake. He noted customers have a mooring agreement with Suntex which makes them a customer of Suntex. He also noted DPRA has to approve the mooring agreement but confirmed that customers of Suntex can address concerns directly with Ms. Rohrer or her management team.

Director Koehn noted the issues depend on what scope is in which agreement, also noting the mooring agreement is between the customer and Suntex. Director Koehn stated when it comes to the CLA, he understands there has been disappointment with some of the projects timelines, but assured they have been addressed and are still working through some. Public member, Bob Lynar, noted the mooring agreement is legally tied to the CLA, so if a boater has a problem with the mooring agreement the CLA takes precedence.

Director Koehn, noted Ms. Rohrer will talk to Ms. Simo as to what can be shared at the town hall.

Public member, Ross Swett, referenced designs they received regarding the reconstruction of the buoy lines, noting they did not match the design.

Director Hannaford inquired as to how Suntex sets the agenda for the town halls. Ms. Rohrer noted she asks customers for items they would like discussed. Director Hannaford noted Suntex now has some items to bring up on the town hall. Public member, Bob Lynar, noted he cannot attend the town hall and has trouble getting online. Ms. Rohrer noted she is going to talk to Ms. Simo about emailing out the information or recording to the customers following the town hall.

Public member, Phyllis Farenkamm, noted they were told Moccasin marina was going to get put back once it was moved, but it never has been so customers do not have trust that what Suntex says.

Director Koehn noted a lot of these items are on the list of what the Board is dealing with. He informed the customers their concerns are heard and the Board is working with Suntex.

SUNTEX MOORING AGREEMENT PROPOSAL ACTION ITEM

Director Reis, provided an overview of Suntex's proposal, noting it is going to impact all boaters, but this specific proposal will require Board approval. Suntex General Manager, Brooke Rohrer, noted all Suntex boaters, besides Lake Don Pedro and Moccasin, are required \$500,000 in general liability. She also noted the push is coming from Suntex's insurance company. She confirmed Suntex did contact several insurance companies to get an estimate of the increased cost on the insurance policies, noting the average increase would likely be between \$4-15. Ms. Rohrer noted the change would not be effective until January 1, 2025 for current customers, but will be effective sooner for any new customers. She will the effective date for new customers with Ms. Simo.

Ms. Rohrer also noted Suntex will offer resources for help with customers to meet the insurance requirements and stated there is also an option to get an umbrella policy to cover the difference.

Public member, Jim Tomlinson, noted he is barely able to keep insurance now and customers cannot get insurance until their boat inspection has been completed which requires paying to pull the boat out of the water. He noted he has thirteen (13) vessels all over CA and all insurance companies want the inspections before issuing policies.

Ms. Rohrer noted Suntex has made this change across all other Suntex properties, including in CA and have had no issues.

There was discussion regarding the description on the agenda regarding the Suntex proposal as an action item. Director Koehn noted there has been some discussion on how provide a better descriptions on the agenda in the future.

Director Hannaford, noted she reviewed the modifications to the agreements and that the change is specifically just the insurance to increase from \$300k to \$500k.

Public member, Bob Lynar, inquired as to who insures Suntex and asked if Suntex is self-insured. Ms. Rohrer noted Suntex is not self-insured and will look into which company insures Suntex.

Director Koehn entertained a motion to approve the proposal, Director Hannaford motioned to approve Suntex's Mooring Agreement Proposal to increase the insurance requirements for general liability from \$300k to \$500k, effective January 1, 2025. Director Keating seconded the motion and the motion carries.

The Board requested Ms. Rohrer to provide more information in Suntex's monthly updates to include estimated completion dates for projects and maintenance.

DPRA RULE CHANGE ACTION ITEM

Director Reis provided an overview of the DPRA Rule change proposal to the Houseboat Rules 1.06 Insurance Requirement. He noted DPRA has to make the change with the change to Suntex mooring agreement. DPRA is requesting the language to be changed to reflect "the minimum requirements set in the concessionaire mooring agreement" instead of a specific dollar amount which is currently \$300k. Director Keating motioned to approve, Director Hannaford seconded the motion. Motion carries.

FISCAL REPORT

Division Manager, Brannon Gomes, provided a June 2024 projections with a comparison to actuals from June 2023. 2024 projected revenue for June is \$650,000, projected operations expenses \$481,565, and capital expenses year-to-date are projected at \$439,098. 2023 June actual revenue was \$632,494, operations expenses were \$477,671, and YTD capital expenses were \$231,310. Additionally, Mr. Gomes provided actual fiscals numbers from March 2024 compared to projections presented previously and actuals from March 2023. 2024 projected revenue for March was \$278,000 compared to actuals of \$314,209. 2024 projected expenses for March were \$299,366 compared to actuals of \$314,886. 2024 January to March capital projections were \$193,377 compared to actual capital expenses of \$195,575. 2023 actual revenue was \$205,106, expenses were \$320,763 and capital expenses YTD January to March were \$60,637

Director Kohen requested a highlight of the current active capital projects and Director Reis noted DPRA is working with consultants regarding the sewer and electrical projects in the Capital Improvement Plan before moving into the design phase of those projects. Mr. Gomes also noted DPRA has been able to finalize the water plants and the lagoon from last year and has also received the approved backhoe.

Public member, Ross Swett inquired about the accounting process and the length of time it takes to get the actuals for the fiscal report. Director Koehn noted it is due to the closeout process with TID accounting, and noted TID is working on a new system that will help closeout sooner.

DIRECTOR'S REPORT

Director Reis provided an update regarding reservations, occupancy and cancellation comparison from June 2023 to June 2024. He noted cancellations in 2023 were due to the debris and Moccasin closure. Director Reis also noted the staff is working on the budget for 2025 and the budget meeting for the Board of Control is tentatively scheduled for the regular meeting of August 16, 2024.

He also provided an update regarding the 2024 fireworks show, which took place on July 6, 2024. He provided a comparison from each year 2021-2024. Director Reis also provided a heat map that shows there were approximately 2,500 more people than 2023.

Director Reis provided a current Don Pedro Storage update and expectations for lake elevation as of July 17, 2024. It was noted the expectation is to be around 780' elevation by the end of October.

MATTERS TO THE GOOD OF THE AGENCY

Public member, Bob Lynar, inquired about docks being built at Moccasin. Director Reis confirmed they are being built to prepare for debris removal up river, noting the contractor will be staging in the overflow and corralling the debris which will be removed after the

summer season.

Public member, Phyllis Farenkamm, inquired about dogs on houseboats and Director Reis confirmed that customers are required to pay for dogs going on houseboats. There was discussion regarding the annual permits for dogs.

ADJOURNMENT

Director Hannaford motioned to adjourn, Director Keating seconded and due to no further business, the Board adjourned at 11:05a.m.

Respectfully Submitted,
Ryan Reis
Secretary to Board of Control

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