

MINUTES OF THE MEETING
OF THE BOARD OF TRUSTEES OF
DELTA FARMS RECLAMATION DISTRICT NO. 2028
HELD ON WEDNESDAY, NOVEMBER 3, 2021

Upon Notice to and consent by the Trustees of Delta Farms Reclamation District No. 2028, of the County of San Joaquin, State of California, a Meeting of the Board of Trustees was held at the offices of the District, at 343 East Main Street, Suite 815, Stockton, California, as well as various teleconference locations in accordance with Paragraph 11, Executive Order N-25-20, Executive Department, State of California on Wednesday, November 3, 2021, at 11:00 A.M.

There were present and absent the following named Trustees, to-wit:

PRESENT

ABSENT

DAVID A. FORKEL
RANDALL NEUDECK
RUSSELL RYAN

NONE

There was also present Pamela A. Forbus, of the Law Offices of Hoslett and Forbus, Attorneys for the Reclamation District; Nate Hershey, of the firm MBK Engineers, the District's Engineer; Ralph Heringer; and Andrew Petrini, the District's Assistant Superintendent.

The Minutes of the meeting of the Board of Trustees held on September 22, 2021, were considered, and upon motion made and seconded, it was:

RESOLUTION APPROVING MINUTES

RESOLVED AND ORDERED by the Board of Trustees of Delta Farms Reclamation District No. 2028, as follows:

1. That the Minutes of the meeting of the Board of Trustees of Delta Farms Reclamation District No. 2028 held on September 22, 2021 be and the same are hereby approved.

ROLL CALL:

Ayes: Trustees Forkel, Neudeck and Ryan
Noes: None
Absent: None

Upon Roll Call, the foregoing Resolution was declared unanimously passed and adopted.

The Trustees were presented with the financial report for the District. The Trustees discussed the ratification and approval of warrants and checks issued in payment of obligations of the District. Upon motion duly made and seconded, it was:

RESOLUTION RATIFYING AND APPROVING WARRANTS
AND CHECKS IN PAYMENT OF CURRENT OBLIGATIONS

RESOLVED AND ORDERED by the Board of Trustees of Delta Farms
Reclamation District No. 2028, as follows:

1. That the Warrants and Checks written since the meeting held on September 22, 2021 and presented to the Trustees at this November 3, 2021 meeting are hereby ratified, approved and authorized, a copy of which shall be attached to the minutes of the meeting and which is incorporated by reference, are hereby approved.

The Trustees were advised that, with the payment of the current obligations of this Reclamation District, there was a balance on hand in the general account in the sum of \$29,029.61 and held \$650,000.00 in registered warrants with the Bank of Stockton. The Trustees were further advised that there was a balance on hand in the District's account with the Bank of Stockton for BN-15-1 the sum of \$470,916.41 and for BN-19-1 the sum of \$737,500.34.

ROLL CALL:

Ayes: Trustees Forkel, Neudeck and Ryan
Noes: None
Absent: None

Upon Roll Call, the foregoing Resolution was declared unanimously passed and adopted.

The Engineer presented the Trustees with a written report, which included the following:

1. The Engineer reported on the District's participation in the Delta Levee Subventions Program, as follows:
 - A. Fiscal year 2020-21: The District submitted an application in the Program in the amount of \$615,000. DWR has lowered the Program funding amount to \$12 million for FY 2020-21. A final claim in the amount of \$301,108.19 was submitted prior to November 1.
 - B. Fiscal year 2021-22: The District submitted an application in the Program in the amount of \$541,000. \$10 million has been approved for the Program for FY 2021-22.

2. Special Projects: The enhancement component of the Old River multi-benefit levee rehabilitation project (BN-15-1-SP) is in progress. Maintenance activities will be on-going to promote plant health and longevity.

The District received an advance of funds for the design of the Directed Action project to rehabilitate the north and south levees (BN-19-1-SP). The Engineer submitted the draft Scope of Work to DWR for approval which includes draft environmental documents and 90% plans. The next step is to circulate the environmental documents for public review and comment. The Engineer's recommendation is to circulate the public draft and post the document to the State clearinghouse.

3. Annual Maintenance: The Engineer advised the Trustees of the current maintenance items that the District is currently tracking.
4. Flood Fight Supplies: The District submitted the reimbursement package to San Joaquin County for flood fight supplies prior to the deadline and is awaiting reimbursement.
5. Five Year Plan: Work on the Five-Year Plan is currently in progress. The Engineer has distributed a draft plan to the Trustees and have addressed the comments received to date. A draft of the Plan has also been sent to DWR and the Engineers have addressed comments received from DWR. The expiration date of the funding agreements has been extended to December 31, 2021.
6. Land Use Review: The Engineer has completed a review of the island's land use for assessment purposes for 2021. The recommendations were sent to the District on October 29, 2021.
7. SB 88: Work under Phase 3 of the measurement experiment has been completed. Phase 3 efforts primarily involved installing 8 additional flange magnetic meters on the water side of the highest use siphons, with at least one flow meter on each island. The installation of telemetry equipment at each of these sites is also complete. MBK has visited the sites and certified that the installed flow meters have all been installed to manufacturer's specifications. During one of these site visits the meter at Bacon Island Siphon 24 was reprogrammed after it was discovered the readings were inaccurate. MBK also noticed that the meters on Bouldin Island Siphon 39 and d40 appeared to be experiencing electrical interference. To address this issue, grounding rods need to be installed for each meter.

Work under Phase 4 of the measurements experiment is expected to begin in the near future. MWD has authorized the purchase of 25 flow meters along with telemetry units to be installed on all four islands. MWD has also begun the process

of selecting a contractor to perform the installations of this equipment. The installations are estimated to be completed before the end of 2022. MBK has conducted visits to the proposed sites to identify work that needs to be completed prior to installing the flow meters. MBK will work with MWD and the selected contractor to complete these preparations. .

MWD and the RDs are in compliance for calendar year 2021 under an approved extension of time. Current direction by MWD was to proceed with strict compliance. Therefore, MBK has provided cost estimates for flange magnetic meters with telemetry equipment installed on the water side of all active siphons. Since strict compliance will not be obtained by the end of the year, MBK is coordinating with the Delta Watermaster to develop a Plan for Compliance. This Plan will provide details regarding the methods to estimate diversions on siphons without flow meters and provide a measurement equipment installation schedule. Development of the Delta-wide ACP by the Delta Measurement Experiment Consortium to utilize Open ET for measuring and reporting diversions continues. RD staff are currently in the process of creating place of use polygons for each of the islands. MBK and MWD continue to participate in the Consortium. The next Consortium meeting is scheduled for October 7.

The Attorney advised the Trustees that this was the time and place for a public hearing on the need for an operation and maintenance. The Chairman of the Board of Trustees thereupon opened the public hearing on the levy of an operation and maintenance assessment and asked if there was anyone who wished to speak in favor of or in opposition to the levy of such assessment. The District's Attorney advised the Trustees that the District should levy an assessment in order that the District may carry out needed levee repairs and maintenance, and therefore there was a need to levy an assessment at this time in order for the District to continue to meet its bills and obligations and provide for the maintenance of the District levees. There being no other person wishing to speak in favor of or opposition to the levy of an assessment, the public hearing was closed.

In connection with the assessment, the Trustees considered the fixing of charges and fees pursuant to Sections 50902 and 50904 of the Water Code for the purpose of raising funds needed by the Reclamation District for the payment of maintenance, repair, operation and incidental expenses, and supplemental construction and replacement expenses. The Trustees concluded the amount of money needed during the assessment year 2022 for such purposes is approximately \$748,238. Following a consideration of this matter, upon motion duly made, seconded and unanimously carried, it was:

RESOLUTION FIXING OPERATION AND
MAINTENANCE ASSESSMENT FOR
2022 AND PROVIDING
FOR THE COLLECTION THEREOF

WHEREAS, the Board of Trustees of Delta Farms Reclamation District No. 2028 has elected for the year 2022 to fix the operation and maintenance assessment and provide for the collection thereof pursuant to Section 50904 of the Water Code for the purpose of raising funds needed by this Reclamation District for the payment of maintenance, repair, operation, and incidental expenses, and supplemental construction and replacement expenses; and,

WHEREAS, this Board of Trustees estimates the amount of revenue needed during the year 2021 for such purposes is \$748,238; and,

WHEREAS, a public hearing was held before the Board of Trustees on November 3, 2021, at which time no person appeared to speak in favor of or in opposition to the levy and call of an assessment; and,

WHEREAS, the levy of this assessment complies with all legal requirements of the Reclamation District Act of the State of California, the Ralph M. Brown Act, and Proposition 218; and,

WHEREAS, this assessment is levied without regard to property valuation.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Trustees of Delta Farms Reclamation District No. 2028, as follows:

1. That \$748,238 is hereby fixed as the estimate of the funds needed during the year 2022 for the payment of maintenance, repair, operation, and incidental expenses, and supplemental construction and replacement expenses.
2. That for purpose of raising said sum of \$748,238 this Board of Trustees does hereby elect for the year 2022 to fix and collect the operation and maintenance assessment pursuant to Section 50904 of the Water Code.
3. That upon said assessment being prepared and completed in accordance with the terms of this Resolution, it be certified by the Secretary of this Reclamation District.
4. That each and every assessment shown on that certain assessment list of this Reclamation District, being known and designated as "Assessment Roll No. 2022, Delta Farms Reclamation District No. 2028", is here by ordered paid in one installment thereof in the amount of \$748,238 within sixty (60) days of the date of said "Assessment Roll No. 2022, Delta Farms Reclamation District No. 2028", is filed in the office of the County Treasurer of the County of San Joaquin, namely December 1, 2021.

ROLL CALL:

Ayes: Trustees Forkel, Neudeck and Ryan
Noes: None
Absent: None

Upon Roll Call, the foregoing Resolution was declared unanimously passed and adopted.

The Chair asked for Public Comment. There being no one present wishing to address the Board of Trustees, the Public Comment session was closed. There being no one wishing to address the Board, and there being no further business to come before the Board, the meeting was adjourned.

PAMELA A. FORBUS, Secretary
Delta Farms Reclamation District No. 2028

Minutes of the Meeting
held on November 3, 2021,
are hereby approved.

Trustees of Delta Farms
Reclamation District No. 2028

RECLAMATION DISTRICT 2028
WARRANT LIST

From: 09/22/21 through 11/02/21

Date	Num	Payee	Account	Payment
09/23/2021	5099	Dino & Son Ditching	50220 Pipes & Crossing	8,947.92
09/30/2021	5101	MBK Engineers	55140 Engineering Serv	1,192.25
			57185 BN-18-1 5YP Engineering	143.75
09/30/2021	5102	PG&E	50212 Utilities	11,903.05
10/13/2021	5103	Vargas Landscaping	50330 Vegetation Control	6,000.00
10/22/2021	5108	5G Land Management	55330 Vegetation Control	23,500.00
10/22/2021	5109	Pacific Storage Comapny	50411 Storage	90.00
10/22/2021	5110	Dino & Son Ditching	50220 Pipes & Crossing	47,129.57
10/22/2021	5111	Dino & Son Ditching	50220 Pipes & Crossing	43,287.01
10/28/2021	5113	Cal-Sierra Pipe	50190 Canal Maintenance	91.59
10/28/2021	5114	River Partners	57127 BN-15-1 Planting	19,626.61
10/28/2021	5115	MBK Engineers	55140 Engineering Serv	1,418.40
10/28/2021	5116	Vargas Landscaping	50330 Vegetation Control	6,000.00
10/28/2021	5117	W.C. Maloney, Inc.	50185 Other Maintenance	23,600.00
10/28/2021	5119	PG&E	50212 Utilities	6,448.89
			Total	\$ 199,379.04
			<u>Account Balance as of 11/02/2021</u>	
		General Fund		\$ 29,029.61
		Bank of Stockton Payroll		\$ 12,272.35
		Outstanding Registered Warrants		\$ 650,000.00
09/30/2021		RW #5100		25,000.00
10/19/2021		RW #5104		25,000.00
10/19/2021		RW #5105		25,000.00
10/19/2021		RW #5106		25,000.00
10/19/2021		RW #5107		25,000.00
10/22/2021		RW #5112		25,000.00
10/28/2021		RW #5118		50,000.00
		BN-15-1 Bank of Stockton Acct		\$ 470,916.41
		BN-19-1 Bank of Stockton Acct		\$ 737,500.34