

MINUTES OF THE MEETING
OF THE BOARD OF TRUSTEES OF
DELTA FARMS RECLAMATION DISTRICT NO. 2028
HELD ON WEDNESDAY, APRIL 20, 2022

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, on Wednesday, April 20, 2022, at 11:00 A.M.

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

PRESENT

DAVID A. FORKEL
RANDALL NEUDECK
RUSSELL RYAN

ABSENT

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; and Ralph Heringer, the District's Superintendent. Andrew Petrini, the District's Assistant Superintendent, participated via teleconference.

Following the Roll Call, a quorum was declared present, and the meeting was called to order.

The Minutes of the meeting of the Board of Trustees held on March 16, 2022, 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 March 16, 2022, 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 March 16, 2022, and presented to the Trustees at this April 20, 2022 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 \$3,295.63 and held \$250,000.00 in registered warrants with the Bank of Stockton.

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 Superintendent advised the Trustees that there is seepage at Stations 170 and 175, he was directed to have district forces look into the matter.

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 indicated that \$12 million has been approved for program funding for FY 2020-21. The District's final claim has been submitted in the amount of \$301,108.19.

- B. Fiscal year 2021-22: The District submitted an application in the Program in the amount of \$541,000. DWR has lowered the Program funding amount to \$10 million for FY 2021-22.
 - C. Fiscal year 2022-23: The District submitted an application in the Program in the amount of \$541,000.
- 2. Annual Maintenance: The Engineer attached the current maintenance items that that the district is tracking.
 - 3. Special Projects: The enhancement component of the Old River multi-benefit levee rehabilitation project is in progress. Maintenance activities will be on-going to promote plant health and longevity.
The District received an advance of funds for 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 environmental documents have been circulated for public review and comment. The public comment period ends April 28. Once public comments are reviewed and addressed, it will be recommended the District adopt the final version of the IS/MND and proceed with the Delta Plan consistency certification. The goal is to begin construction around August 1.
 - 4. Five Year Plan: Work on the Five-Year Plan is currently in progress. A draft of the plan was distributed via email and the Engineer has incorporated many of the comments received. A draft was also sent to DWR staff for review and comment. DWR has extended the expiration date of the funding agreements to December 31, 2021. At DWR's request, the Engineer submitted the anticipated total cost of improvements for planning purposes.
 - 5. SB 88: Work under Phase 4 of the measurement experiment is expected to begin before the end of April. The flow meters, flanges, bolts, and job boxes were delivered by Technoflo during January to a secure site on Bacon Island. MWD conducted a pre-bid walkthrough on March 15th and will select the winning bid before the end of April. The Phase 4 flow meter installation will begin shortly afterwards and are estimated to be completed before the end of 2022. MBK has conducted visits to the 25 proposed sites to identify any 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.
Prior to these installations, MBK worked with Bovee Environmental Management to test 4 of the proposed sites that were suspected to contain asbestos or a tar coating on the pipe exterior. The sites that tested positive for these hazardous materials were abated by W.C. Maloney during early 2022. A similar effort is expected to occur later this year to identify if any siphons without a flow meter (approximately 50 in

total) have asbestos or a tar coating on the pipe exterior. Any sites that test positive will undergo a similar abatement process prior to any flow meter installation.

MWD and the RDs are in compliance for calendar year 2022 under an approved extension of time. The extension was approved by the Delta Watermaster on January 13, 2022 and will expire on January 1, 2024. The extension of time included a Plan for Compliance which provides details regarding the methods to estimate diversions on siphons without flow meters and provides a measurement equipment installation schedule. MWD currently anticipates that installing all the flow meters will take five years. Therefore, MBK has provided cost estimates for flange magnetic meters with telemetry equipment installed on the water side of all active siphons.

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 District's superintendent advised the Trustees that the levees were sprayed prior to the state's lockout date.

The Trustees were advised that the District had received a request from PG&E regarding its plan to decommission four segments of a previously retired natural gas pipeline. The Attorney further advised the Trustees that the Engineer will provide additional terms and conditions relevant to this project, said terms and conditions will be incorporated into the Encroachment Permit. Following a discussion of this matter, upon motion duly made and seconded, it was:

**RESOLUTION APPROVING ENCROACHMENT
PERMIT AND AUTHORIZING ITS EXECUTION**

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

1. That the Encroachment Permit with PG&E, for encroachment onto the District's levees to perform the necessary work to remove four segments of the decommissioned natural pipeline, subject to the terms and conditions provided by the Engineer, be and the same hereby is approved, subject to the review and approval of the same by the District Engineer and District Secretary.
2. That the officers of this Reclamation District be, and they hereby are, authorized and directed to execute the said Encroachment Permit with PG&E.

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 Attorney advised the Trustees that she has received a request for a letter of support for SB 1065, Abandoned Vessel Program; and SB 1253 for Infrastructure Plan Modification. Following a discussion of these proposed Senate Bills, the Trustees indicated their support, and directed the Attorney to prepare letters of support for the Chairman to sign.

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 April 20, 2022,
are hereby approved.

Trustees of Delta Farms
Reclamation District No. 2028

RECLAMATION DISTRICT 2028
WARRANT LIST

From: 03/16/2022 through 04/19/2022

Date	Num	Payee	Account	Payment
03/31/2022	5176	MBK Engineers	-SPLIT-	4,229.13
03/31/2022	5177	Delta Pump Inc.	-SPLIT-	280.00
03/31/2022	5178	PG&E	50212 Utilities	16,373.58
04/13/2022	5179	Hoslett & Forbus, Attorneys at Law	50160 Legal/Administration	9,777.23
04/13/2022	5180	Pacific Storage Comapny	50411 Storage	90.00
			Total	\$ 30,749.94
		<u>Account Balance as of 04/19/2022</u>		
		General Fund		\$ 3,295.63
		Bank of Stockton Payroll		\$ 29,303.17
		Outstanding Registered Warrants		\$ 250,000.00
03/31/2022		RW #5175		25,000.00
		BN-15-1 Bank of Stockton Acct		\$ 423,074.09
		BN-19-1 Bank of Stockton Acct		\$ 641,940.11