

MINUTES OF THE MEETING  
OF THE BOARD OF TRUSTEES OF  
DELTA FARMS RECLAMATION DISTRICT NO. 2028  
HELD ON WEDNESDAY, JANURAY 13, 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, January 13, 2021, 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; Ralph Heringer, the District's Superintendent; and Andrew Petrini, the District's Assistant Superintendent.

The Minutes of the meeting of the Board of Trustees held on December 13, 2020, 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 December 13, 2020 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 December 13, 2020 and presented to the Trustees at this January 13, 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 \$21,028.96 and held \$1,050,000.00 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 the sum of \$1,656,825.16.

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 Trustee were advised of the following items on behalf of the Superintendent:

1. One of the structures in Camp 12 is scheduled for demo next week. 32 of the 48 structures have been removed and three more are in the process of being removed. All encroachments should be removed by the end of 2021.
2. All the District pumps have been tested, four are in good shape and are running at 70% efficiency; and two are running at about 50% efficiency.
3. PG&E has rebuilt the substation at the pipeline near Jones Tract, this may result in a large bill from Delta Pump.

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 2019-20: The District submitted an application in the Program in the amount of \$615,000. DWR has indicated that \$10 million has been approved for program funding for FY 2018-19, consistent with recent years. The District's final claim has been submitted in the amount of \$245,136.13.
  - B. 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.
2. 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.

A sheet pile wall has been approved for construction under the PFA. The sheet pile wall will intercept an old sluice box discovered deep within the levee during construction near Station 525. The Engineer has advertised the project for bid and bids are scheduled to be opened on Thursday, January 28. Once the contract is awarded, the timing of installation will be weather dependent. All work is scheduled to be complete prior to May 31.

The District received an advance of funds for design of the Directed Action project to rehabilitate the north and south levees. The Engineer has started work on the design and will be moving forward in anticipation of construction. The District will need to consider a variety of issues, including availability and location of onsite borrow material and other issues that may result in an impact to the landowner and/or their tenants.
3. Annual Maintenance: The Engineer advised the Trustees of the current maintenance items that the District is currently tracking. The Engineers are also working on plans to raise the levee adjacent to the residences near Station 717. The work will require some encroachment removal and tree trimming. The goal is to raise the levee while minimizing impacts. There are plans to advertise and bid the work later this month.
4. Five Year Plan: Work on the Five-Year Plan is currently in progress. A draft of the plan has been distributed via email and many of the comments have been incorporated. A draft copy has been sent to DWR staff for review and comment. DWR has extended the expiration date of the funding agreements to December 31, 2021.

5. SB 88: Work under Phase 3 of the measurement experiment (Feb 2020 through Feb 2021) is underway, as outlined in the approved Request for Additional Time. Phase 3 efforts primarily involve installing 8 additional flange magnetic meters on the water side of the highest use siphons, with at least one flow meter on each island. MWD has purchased the equipment and set up a bid process for equipment installation. Since the last update, MBK conducted a field visit to Bouldin Island to conduct portable flow meter tests at siphons running for winter flooding. Tests at Siphons No. 39 and 40 confirmed that telemetry will be required at these siphons for strict compliance with the Measurement Regulation. MBK also checked existing equipment and downloaded data from existing equipment. No new issues with the equipment were observed during the field visit. Current direction by MWD is to proceed with a combination of strict compliance and developing a MWD Alternative Compliance Plan. In order to develop this plan, MWD submitted a Request for Additional Time on December 21, 2020. MWD was notified by the Office of the Delta Watermaster on December 29, 2020 that the Request was accepted. Development of the Delta-wide ACP by the Delta Measurement Experiment Consortium to utilize Open ET for measuring and reporting diversions continues. MBK and MWD will continue to participate in the Consortium and provide feedback on the future development of this ACP as needed. The next Consortium meeting is scheduled for January 28, 2021.

The Trustees next discussed the District's intent to participate in the Delta Levee Subventions Program for the Fiscal Year 2021-2022 and decided that it would be necessary to file an application at this time. Following the discussion of this matter, upon motion duly made and seconded, it was:

RESOLUTION AUTHORIZING  
FILING OF APPLICATION FOR  
PARTICIPATION IN 2021-2022  
SUBVENTIONS PROGRAM

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

1. That the officers of this Reclamation District and the District Engineer are hereby authorized and directed to submit on behalf of this Reclamation District an application under the Delta Levee Subventions Program for the fiscal year 2021-2022.

ROLL CALL:

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

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

Having decided to proceed with levee maintenance projects as a part of the District's Delta Levee Subventions Program for the fiscal year 2021-2022, the Trustees next reviewed and discussed the provisions and exemptions of the California Environmental Quality Act. Following a discussion of this matter, upon motion duly made and seconded, it was:

RESOLUTION FINDING PROJECTS  
EXEMPT FROM CEQA

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

1. RESOLVED, that the work described in the 2021-2022 Delta Levee Subventions Program application consists of routine levee maintenance to existing levee improvements and falls within the categorical exemptions to the California Environmental Quality Act.
2. RESOLVED FURTHER, that the District finds that the proposed work will not have a material adverse effect upon the environment.
3. RESOLVED FURTHER, that said work does not constitute an exception to the exemptions of the California Environmental Quality Act.
4. RESOLVED FURTHER, that MBK Engineers, the District's Engineer, is directed to prepare and file with the County of San Joaquin the appropriate notice of exemption on behalf of the District.

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 advised that the District would be required to execute agreements with the California Central Valley Flood Protection Board for participation in the 2021-2022 Delta

Levee Subventions Program. Following a discussion of this matter, it was the conclusion of the Trustees that the officers of this District should be authorized to execute, on behalf of this District, the agreements with the State, and upon motion duly made and seconded, it was:

RESOLUTION AUTHORIZING EXECUTION  
OF AGREEMENTS WITH CALIFORNIA  
CENTRAL VALLEY FLOOD PROTECTION BOARD

WHEREAS, this Reclamation District will submit its application for participation in the Delta Levee Subventions Program for the fiscal year 2021-2022; and

WHEREAS, the California Central Valley Flood Protection Board of the State of California will submit to this Reclamation District agreements, providing for reimbursement to this Reclamation District of certain approved eligible expenses under the Delta Levee Subventions Program.

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

1. That the Officers of the District, be, and they each hereby are, authorized and directed to execute for and on behalf of this Reclamation District, such work agreements with the California Central Valley Flood Protection Board for participation in the Delta Levee Subventions Program for the fiscal year 2021-2022.
2. That the officers are authorized and directed to execute such other agreements, and to take such other actions as may be necessary or appropriate to carry out the intent and purpose of this Resolution.

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.

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

Minutes of the Meeting  
held on January 13, 2021,  
are hereby approved.

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Trustees of Delta Farms  
Reclamation District No. 2028

**RECLAMATION DISTRICT 2028  
WARRANT LIST**

**From: 12/18/2020 through 01/12/2021**

| <b>Date</b>  | <b>Num</b> | <b>Payee</b>          | <b>Account</b>             | <b>Payment</b>         |
|--|------------|-----------------------|----------------------------|------------------------|
| 12/17/2020   | 5001       | Teichert Construction | 57126 BN-15-1 Construction | 120,985.64             |
| 12/17/2020   | 5002       | AI Warren Hostett     | 50160 Legal/Administration | 8,473.50               |
| 1/7/2021   | 5006       | MBK Engineers         | 57125 BN-15-1 Engineering  | 13,228.54              |
| 1/7/2021   | 5007       | River Partners        | 57127 BN-15-1 Planting     | 6,918.32               |
| 1/7/2021   | 5008       | PG&E                  | 50212 Utilities            | 19,284.00              |
| 1/7/2021   | 5009       | MBK Engineers         | 55140 Engineering Serv     | 2,315.33               |
| 1/7/2021   | 5010       | Delta Pump Co         | 50180 Pump Maintenance     | 590.00                 |
| <b>General Fund Account Balance</b>                |            |                       |                            | <b>\$ 21,028.96</b>    |
| <b>Bank of Stockton Payroll Acct Balance</b>       |            |                       |                            | <b>\$ 34,302.86</b>    |
| <b>Outstanding Registered Warrant Acct Balance</b> |            |                       |                            | <b>\$ 1,050,000.00</b> |
| 12/17/2020   |            | RW #5003              |                            | 25,000.00              |
| 12/17/2020   |            | RW #5004              |                            | 25,000.00              |
| 1/7/2021   |            | RW #5005              |                            | 25,000.00              |
| <b>BN-15-1 Bank of Stockton Acct Balance</b>       |            |                       |                            | <b>\$ 1,656,825.16</b> |