

MINUTES OF THE MEETING
OF THE BOARD OF TRUSTEES OF
DELTA FARMS RECLAMATION DISTRICT NO. 2028
HELD ON WEDNESDAY, FEBRUARY 12, 2020

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, February 12, 2020, at 10:30 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; and Nate Hershey, of the firm MBK Engineers, the District's Engineer.

The Minutes of the meeting of the Board of Trustees held on January 15, 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 January 15, 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 January 15, 2020 and presented to the Trustees at this February 12, 2020 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 \$12,223.93 and held \$525,000.00 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 \$3,379,967.15.

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 he is working the pump discharge to make it work more efficient and Dino and Sons have extended the siphon to get it out into deeper water.

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 2018-19: The District submitted an application in the Program in the amount of \$500,000. DWR has indicated that \$12 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 \$276,982.97. DWR and CDFW have performed their annual inspections and the claim is currently being processed.

- B. Fiscal year 2019-20: The District submitted an application in the Program in the amount of \$615,000. DWR has lowered the Program funding amount to \$10 million for FY 2019-20.
 - C. Fiscal year 2020-21: Applications for participation in the Program are due April 1. The Engineer will be preparing a draft of the application and will submit the final package prior to the deadline.
2. Special Projects: The enhancement component of the Old River multi-benefit levee rehabilitation project is in progress. The slopes have been seeded, and straw and tackifier were installed to protect the newly placed fill. The habitat areas have been cleared and are being planted. The potted stock planting is complete, and the cuttings will be planted this month. The areas to be planted on the levee waterside slopes will also be planted this month. Herbicide will be applied to the slopes to control broadleaf vegetation and invasives.

The Engineer has submitted a Full Proposal for a Directed Action project to rehabilitate the north and south levees in January 2019. DWR has agreed to fund the project design and the District has received a funding agreement for the non-construction portion of the project. The District executed the agreement and it has been returned to DWR. Once the agreement is fully executed, the Engineer can begin work on the design.

3. Annual Maintenance: The Engineer advised the Trustees of the current maintenance items that the District is currently tracking. The Engineer has reviewed that status of the stationing paddles on the island. One paddle has been damaged and needs to be replaced. The District will also install paddles in the recent rehabilitation area (Stations 550). The paddles are scheduled to be installed later this month.
4. Five Year Plan: Work on the Five-Year Plan is currently in progress. The proposed project phasing exhibit is attached, with a general goal of building all new projects to the State's Bulletin 192-82 levee standard. Areas recently rehabilitated would be raised to the 192-82 standard after the proposed rehabilitation projects are complete. The Plan must be completed by the end of 2020.
5. SB 88: SB 88: Work under Phase 2 of the measurement experiment (work plan for 2019 through Feb 2020) is wrapping up. All of the data collected through the summer irrigation season has been reviewed and analyzed. Review of data collected this fall and winter has begun. MBK has prepared a draft report to update last year's experiment summary. A draft will be provided to MWD as soon as possible, with the intent to finalize it by the end of February. On behalf of MWD and the RDs, MBK submitted a Request for Additional Time (Request) to the Delta Watermaster on January 3, 2020. On February 6, 2020,

MBK received approval for the Request from John Collins of the Delta Watermaster's Office. The approval states that the newly approved Request will expire on January 1, 2021, and that if additional time is required, another Request should be submitted no later than December 1, 2020.

MBK has drafted a workplan for 2020 efforts, as outlined in the Request. The workplan primarily involves installing 8 additional flange magnetic meters on the water side of the highest use siphons, with at least one flow meter on each island. A preliminary list of sites to install flange magnetic meters has been identified. These sites will include telemetry equipment, with the intent to post data to the Reclamation District websites for each island. Approximate costs for equipment and installation for these sites has also been obtained. The workplan also includes the removal of equipment that does not show promise in meeting the accuracy requirements.

During a site visit to Bouldin Island on December 13, 2019 the vandalized test sites (Bouldin Island Siphon Nos. 39 and 40) were investigated. We found that the solar panels, dataloggers, and power supplies were stolen, but the flow sensors were damaged and remain in place. Future site visits to all of the islands are currently on hold until diversions increase and/or activities related to the next phase of the Measurement Experiment begin.

The Trustees next discussed the proposal from SCI for the preparation of a Prop 218 Election for the District for the purpose of increasing its assessment as a means of managing the District's finances. Following a discussion of this matter, the Chair was authorized to execute the Agreement between SCI Consulting Services and this Reclamation District to move forward with the Prop 218 election.

The Trustees next discussed a proposal from MBK Engineers for an update of its Service Agreement Contract with the reclamation district. In a discussion of this matter, the Trustees concluded that it was in the best interests of the reclamation district to retain the services of MBK Engineers. The District is retaining the services MBK Engineers on the basis of demonstrated competence and qualifications for the types of services to be performed and at fair and reasonable prices to public agencies. Following a discussion of this matter, upon motion duly made and seconded, it was:

**RESOLUTION APPROVING UPDATE OF
ENGINEERING SERVICE AGREEMENT CONTRACT**

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

1. That the Engineering Service Agreement between this reclamation district and MBK Engineers is 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 Attorney for the District advised the Trustees that compensation for legal services had last been set as of January 1, 2013. Following a discussion of this matter, upon motion duly made and seconded, it was:

RESOLUTION FIXING COMPENSATION
FOR LEGAL SERVICES

WHEREAS, the Law Offices of Hoslett and Forbus have heretofore been retained to provide this Reclamation District with such legal and related services as required by the District.

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

1. That commencing on January 1, 2020, and thereafter until further order of the Board of Trustees, this Reclamation District shall pay to the Law Offices of Hoslett and Forbus a monthly retainer (which shall include attendance at two board meetings per year, general secretarial and financial services, and the maintenance of District records) in the sum of \$693.00 per month.
2. That commencing on January 1, 2020, and thereafter until further order of this Board of Trustees, this Reclamation District shall pay to the Law Offices of Hoslett and Forbus, for legal services (including but not limited to attendance at District Board meetings after the first two board meetings of each year, preparation of minutes and other documents, and services in connection with assessments, elections, audits and other District matters), compensation at the rate of \$248.33 per hour.

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 February 12, 2020,
are hereby approved.

Trustees of Delta Farms
Reclamation District No. 2028

RECLAMATION DISTRICT 2028
WARRANT LIST

a: 1/15/2020 through 02/07/2020

Date	Num	Payee	Account	Payment
1/15/2020	4887	Pacific Storage Compapny	50411 Storage	\$ 75.00
1/28/2020	4888	Delta Pump Co	-SPLIT-	\$ 953.75
1/28/2020	4889	MBK Engineers	-SPLIT-	\$ 4,890.25
1/28/2020	4890	Dave Forkel	50400 Miscellaneous	\$ 80.00
1/28/2020	4891	CA Association of Mutual Water Companies	50150 Insurance	\$ 100.00
1/28/2020	4892	PG&E	50212 Utilities	\$ 7,819.62
2/7/2020	4893	34 North	50400 Miscellaneous	\$ 1,375.00
<u>Account Balances</u>				
		General Fund Account Balance		\$ 12,223.93
		Bank of Stockton Payroll Acct Balance		\$ 10,006.36
		Outstanding Registered Warrant Acct Balance		\$ 525,000.00
		Retired RW (16)		\$ 425,000.00
1/9/2020		RW#4872		\$ 25,000.00
		BN-15-1 Bank of Stockton Acct Balance		\$ 3,379,967.68