

MINUTES OF THE MEETING
OF THE BOARD OF TRUSTEES OF
RECLAMATION DISTRICT NO. 2026 (WEBB TRACT)
HELD ON TUESDAY, SEPTEMBER 10, 2019

Upon Notice to and consent by the Trustees of Reclamation District No. 2026 (Webb Tract), 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 Tuesday, September 10, 2019, at 2:30 P.M. Trustee Randall Neudeck participated via teleconference, from 700 N. Alameda Street, Conference Room 9-199, Los Angeles, California.

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

PRESENT

DAVID A. FORKEL

RUSSELL RYAN

ABSENT

RANDALL NEUDECK (participating via
teleconference)

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

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 August 16, 2019, were considered were considered, and upon motion made and seconded, it was:

RESOLUTION APPROVING MINUTES

RESOLVED AND ORDERED by the Board of Trustees of Reclamation District No. 2026 (Webb Tract), as follows:

1. That the Minutes of the meeting of the Board of Trustees of Reclamation District No. 2026 (Webb Tract) held on August 16, 2019 be and the same are hereby approved.

ROLL CALL:

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

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

The Attorney gave to the Trustees 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 Reclamation District No. 2026 (Webb Tract), as follows:

1. That the Warrants and Checks written since the meeting held on August 16, 2019 and presented to the Trustees at this September 10, 2019 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.

ROLL CALL:

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

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

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 \$445,902.37.

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 \$400,000. DWR has indicated that \$12 million has been approved for program funding for FY 2018-19, consistent with recent years.
 - B. Fiscal year 2019-20: The District submitted an application in the Program in the amount of \$500,000. DWR has lowered the Program funding amount to \$10 million for FY 2019-20. The Engineer does not believe this amount will be sufficient to fund the Program and have expressed their concerns to DWR and the Central Valley Flood Protection Board.
2. Annual Maintenance: The Engineer advised the Trustees of the maintenance items that the District is currently tracking.

3. Jersey Island Bridge: Bridge repairs are in progress. The latest schedule indicates the repairs will be complete and load restrictions lifted sometime in late September or early October. The Engineer continues to monitor the situation closely.
4. DWR Emergency Response Grant: The District is still waiting to see the final version of the Local Flood Safety Plan.
5. Five Year Plan: The District received a fully executed agreement for updating the District's Five-Year Plan (FYP). Up to \$35,000 with 100% State funding is available for the update. The Engineer has started work on the Plan update and the District has received advance funds in the amount of \$26,250.00.
6. SB 88: Work under Phase 2 of the measurement experiment (work plan for 2019) is progressing and coordination with the Delta Measurement Experimentation Consortium continues. An additional test site was added during August at Bouldin Island Siphon No. 24. One more additional test site is planned for installation at Bouldin Island Siphon No. 27 during September. At the current time, 8 of 11 test sites appear to be functioning properly and collecting flow data. Coordination with contractors is ongoing to correct problems at the non-operational test sites.
2019 siphon logs have been received for the month of July and collection of August logs is in progress. Portable meter testing was performed on several new siphons during August is scheduled to continue throughout the irrigation season and during fall flooding.
Site visits were conducted on Bacon Island on August 23, 2019 and September 5, 2019 to troubleshoot data logger and other sensor-related issues. Site visits were conducted on Bouldin Island on 8/9/2019, 8/14/2019 and 8/29/2019 for equipment installation and to continue troubleshooting various issues. Common issues being experienced include loss of power, corrosion, and communication related issues.

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.

The Attorney advised the Board that this was the time for them to consider the levy and call of the District's annual assessment for the year 2020. Under the Prop 218 election, the District's maximum annual assessment may be adjusted by an amount equal to the change in the Consumer Price Index, Pacific Cities & U.S. City Average, All Items Index (1982-84=100), All Urban Consumers, San Francisco-Oakland-San Jose (herein referred to as the "CPI"), between December 2017 and December 2018. Following a discussion of this matter, upon motion duly made and seconded, it was:

RESOLUTION ESTABLISHING
MAXIMUM ASSESSMENT RATE

WHEREAS, the maximum assessment rate that this District can levy was established by the Prop 218 election, subject to an annual adjustment based upon the change in the Consumer Price Indexes, Pacific and U.S. City Average, All Items Indexes (1982-84 = 100), All Urban Consumers, San Francisco-Oakland-San Jose, for December 2017 with a base figure of 277.414; and,

WHEREAS, CPI figure for December 2017, the base period, was 277.414; and,

WHEREAS, the CPI figure for December 2018, the current period, is 289.896; and,

WHEREAS, the increase in the CPI is determined by the percentage difference between the base period CPI figure and the current period CPI figure.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Trustees of Reclamation District No. 2026 (Webb Tract), as follows:

1. That the maximum assessment rate for the assessment year 2020 is \$77.74 per acre of vacant land.
2. That the maximum assessment rate for the assessment year 2020 is \$90.41 per acre of agricultural land use.
3. That the maximum assessment rate for the assessment year 2020 is \$149.11 per acre of commercial/industrial land use.
4. That the maximum assessment rate for the assessment year 2020 is \$566.79 per acre of single-family residence land use.

ROLL CALL:

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

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

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 2020 for such purposes is approximately \$497,033. Following a consideration of this matter, upon motion duly made, seconded and unanimously carried, it was:

RESOLUTION FIXING OPERATION AND
MAINTENANCE ASSESSMENT FOR
2020 AND PROVIDING
FOR THE COLLECTION THEREOF

WHEREAS, the Board of Trustees of Reclamation District No. 2026 (Webb Tract) has elected for the year 2020 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 2020 for such purposes is \$497,033; and,

WHEREAS, a public hearing was held before the Board of Trustees on September 10, 2019, 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 Reclamation District No. 2026 (Webb Tract), as follows:

1. That the maximum assessment rate for the assessment year 2020 is \$77.74 per acre of vacant land, the maximum assessment rate is \$90.41 per acre of agricultural land use, the maximum assessment rate is \$149.11 per acre of commercial/industrial land use, and the maximum assessment rate is \$566.79 per acre of single-family residence land use.
2. That \$497,033 is hereby fixed as the estimate of the funds needed during the year 2020 for the payment of maintenance, repair, operation, and incidental expenses, and supplemental construction and replacement expenses.
3. That for purpose of raising said sum of \$497,033 this Board of Trustees does hereby elect for the year 2020 to fix and collect the operation and maintenance assessment pursuant to Section 50904 of the Water Code.
4. 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.
5. That each and every assessment shown on that certain assessment list of this Reclamation District, being known and designated as "Assessment Roll No. 2020, Reclamation District No. 2026 (Webb Tract)", is here by ordered paid in two installments as follows: (a) the first installment thereof in the amount of \$248,516.50 within sixty (60) days of the date of said

“Assessment Roll No. 2020, Reclamation District No. 2026 (Webb Tract)”, is filed in the office of the County Treasurer of Contra Costa County, namely December 1, 2019; and (b) the second installment thereof in the amount of \$248,516.50 within sixty (60) days of the date of said “Assessment Roll No. 2020, Reclamation District No. 2026 (Webb Tract)”, is filed in the office of the County Treasurer of Contra Costa County, namely June 1, 2020.

ROLL CALL:

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

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 further business to come before the Board, the meeting was adjourned.

PAMELA A. FORBUS, Assistant Secretary
Reclamation District No. 2026 (Webb Tract)

Minutes of the Meeting
held on September 10, 2019,
are hereby approved.

Trustees of Reclamation
District No. 2026 (Webb Tract)

Reclamation District No. 2026**Warrant List**

From: 08/16/19 through 09/09/2019

<u>Date</u>	<u>Num</u>	<u>Payee</u>	<u>Account</u>	<u>Payment</u>
08/16/2019	3268	PG&E	50212 Utilities	202.28
08/16/2019	3269	MBK Engineers	57185 WB-18-1 5YP Engineering	3,187.00
08/16/2019	3267	MBK Engineers	55140 Engineering Serv	4,060.25
08/21/2019	3272	Bouldin Farming Co.	-SPLIT-	38,779.22
08/21/2019	3271	Bouldin Farming Co.	-SPLIT-	24,689.06
08/23/2019	3273	Ca Central Valley Flood Control Assn.	50121 Dues	1,954.00
08/23/2019	3274	Delta Ferry Authority	50130 DFA Assessments	8,200.00

Account Balances**General Fund****\$ 445,902.37****Bank of Stockton - Payroll****\$ 30,587.15**