

MINUTES OF THE MEETING
OF THE BOARD OF TRUSTEES OF
RECLAMATION DISTRICT NO. 2026 (WEBB TRACT)
HELD ON WEDNESDAY, OCTOBER 19, 2022

Upon Notice to and consent by the Trustees of Reclamation District No. 2026 (Webb Tract), of the County of Contra Costa, 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, October 19, 2022, at 12 Noon.

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; Andrew Petrini, the District's Assistant Superintendent; Jack Cronin with MWD; and Angela Carter, the District's bookkeeper. Ralph Heringer, the District's Superintendent and Anna Olvera, with MWD 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 September 21, 2022, 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 September 21, 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 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 September 21, 2022, and presented to the Trustees at this October 19, 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.

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, 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 \$25,294.41 and held \$375,000.00 in registered warrants with the Bank of Stockton. \$7,880.09 was being held at the County Treasurer in the District's Local Agency Investment Fund (LAIF) account.

The Trustees next discussed the FY 2022-2023 Budget and following a review and discussion of the proposed Budget, the Trustees tabled this matter until the next meeting.

The Engineer presented the Trustees with a written report prior to the meeting, which included the following matters:

1. The Engineer reported on the District's participation in the Delta Levee Subventions Program, as follows:
 - A. Fiscal year 2021-22: The District submitted an application in the Program in the amount of \$665,000. An additional \$2 million was recently approved by the Central Valley Flood Protection Board, for a total of \$12 million for FY 2021-22. The final claim is in the process of being compiled and will be submitted prior to November 1.

- B. Fiscal year 2022-23: The District submitted an application in the Program in the amount of \$665,000. \$12 million was recently approved by the Central Valley Flood Protection Board for the Program for FY 2022-23.
2. Annual Maintenance: The Engineer advised the Trustees of the maintenance items that the District is currently tracking.
 3. 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 addressed the internal comments received to date and are currently working to address DWR's comments. DWR has extended the expiration date of the funding agreements to December 31, 2022. At DWR's request, the Engineer submitted the anticipated total cost of improvements for planning purposes.
 4. SB 88: Work under Phase 4 of the measurement experiment is underway. All Phase 4 meters have been installed and most have been certified by MBK Engineers. The remaining certifications are expected to occur next week.
Flow meters for the remaining siphons will be installed over the next two years. Prior to the end of this year, MBK will obtain quotes for the remaining measurement equipment and identify any sites that need to be tested for asbestos or tar coating. MBK and MWD will work with Bovee Environmental Management to test sites that are suspected to contain asbestos or tar coating on the pipe exterior. Any sites that test positive for test hazardous materials will be abated by W.C. Maloney 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. Place of use polygons for each island have been completed and will be used in conjunction with Open ET to report on diversions. MBK and MWD continue to participate in the Consortium.

The Superintendent reported to the Trustees that the levees look good and are in good shape for the coming rainy season.

Dave Forkel, the District's representative on the Delta Ferry Authority, advised the Trustees that Bradford Reclamation District No. 2059 wants to increase the ferry service to every day, which would increase the District's budget for the ferry by approximately \$16,000 per year. Following a discussion, the Trustees concluded that RD 2026 does not need service every day of the week and were not in favor of this proposal.

The Secretary 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 Secretary 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 2023 for such purposes is approximately \$958,227. Following a consideration of this matter, upon motion duly made, seconded and unanimously carried, it was:

RESOLUTION FIXING OPERATION AND
MAINTENANCE ASSESSMENT FOR
2023 AND PROVIDING
FOR THE COLLECTION THEREOF

WHEREAS, the Board of Trustees of Reclamation District No. 2026 (Webb Tract) has elected for the year 2023 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 2023 for such purposes is \$958,227; and,

WHEREAS, a public hearing was held before the Board of Trustees on October 19, 2022, at which time no person appeared to speak in favor of or in opposition to the levy and call of an assessment; and,

WHEREAS, there are not sufficient funds in the hands of the County Treasurer of the County of Contra Costa, in the matter of the fund of Reclamation District No. 2026 (Webb Tract) for the maintenance, repair and operation of the works of reclamation, or for incidental expenses of said District; 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 \$958,277.00 is hereby fixed as the estimate of the funds needed during the year 2023 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 \$958,277.00 this Board of Trustees does hereby elect for the year 2023 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 that the total amount to be raised for the maintenance, repair and operation of the works of reclamation and for the incidental expenses of said Reclamation District No. 2026 (Webb Tract) be, and the same is hereby fixed and determined to be the sum of \$958,277.00, and there is hereby levied an assessment on all of the lands located within the boundaries of said Reclamation District No. 2026 (Webb Tract), in the sum of \$958,277.00, and that the sum of \$958,277.00 be, and the same is hereby fixed and designated as the amount to be called in two installments, the first installment in the amount of \$543,121.00, and the second installment, if needed, in the amount of \$415,156.00.
5. That each and every assessment shown on that certain assessment list of this Reclamation District, being known and designated as "Assessment Roll No. 2023, Reclamation District No. 2026 (Webb Tract)", is here by ordered paid in two installments, the first installment in the amount of \$543,121.00 within sixty (60) days of the date of said "Assessment Roll No. 2023, Reclamation District No. 2026 (Webb Tract)", is filed in the office of the County Treasurer of Contra Costa County, namely December 1, 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.

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, Secretary
Reclamation District No. 2026 (Webb Tract)

Minutes of the Meeting
held on October 19, 2022,
are hereby approved.

Trustees of Reclamation
District No. 2026 (Webb Tract)

**RECLAMATION DISTRICT 2026
WARRANT LIST**

From: 09/20/22 through 10/17/22

Date	Num	Payee	Account	Payment
09/22/2022	3587	PG&E	50212 Utilities	51.02
09/28/2022	3588	Vaqueros Livestock, LLC	50212 Utilities	827.21
			50403 Office Supplies	263.68
09/28/2022	3589	Bouldin Farming Co.	50211 Security Services	6,902.52
			55110 Toe Ditch Cleaning	11,642.40
			55155 Equipment Rental Support	3,711.29
			55402 Mileage	3,325.00
			55180 Levee Patrol	1,598.67
09/28/2022	3590	MBK Engineers	55140 Engineering Services	6,251.50
			57185 WB-18-1 5YP Engineering	334.50
09/28/2022	3591	Delta Pump Inc.	50180 Pump Maintenance	269.38
09/28/2022	3594	Bouldin Farming Co.	50425 Emergency Standby Equip.	15,685.19
10/13/2022	3595	Vaqueros Livestock, LLC	50212 Utilities	1,261.09
			50403 Office Supplies	195.76
			50211 Security Services	7,390.81
			50320 Pest Control	640.00
10/13/2022	3596	Western Poly Pipe	50400 Miscellaneous	600.00
10/13/2022	3597	Pacific Storage Company	50411 Storage	133.70
10/13/2022	3598	Delta Ferry Authority	50130 DFA Assessments	18,000.00
			Total	\$ 79,083.72
Account Balances as of 10/17/2022				
General Fund				\$ 25,294.41
Bank of Stockton - Payroll				\$ 24,233.18
LAIF Investment Fund				\$ 7,880.09
Outstanding Registered Warrants				\$ 375,000.00
10/4/2022		RW# 3573, #3574		50,000.00
10/13/2022		RW# 3592, #3593		50,000.00