

MINUTES OF THE MEETING  
OF THE BOARD OF TRUSTEES OF  
RECLAMATION DISTRICT NO. 2026 (WEBB TRACT)  
HELD ON WEDNESDAY, JANUARY 15, 2020

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 Wednesday, January 15, 2020, at 12:00 Noon.

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

PRESENT

ABSENT

DAVID A. FORKEL  
RANDALL NEUDECK  
RUSSELL RYAN

NONE

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.

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 December 11, 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 December 11, 2019 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 December 11, 2019 and presented to the Trustees at this January 15, 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.

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 \$82,226.68 and \$250,335.09 was being held at the County Treasurer in the District's Local Agency Investment Fund (LAIF) account.

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. District's final claim has been submitted in the amount of \$209,466.23 DWR and CDFW have performed their annual inspection and the claim is currently being processed.

- 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.
2. Annual Maintenance: The Engineer advised the Trustees of the maintenance items that the District is currently tracking.
  3. DWR Emergency Response Grant: The District is still waiting to see the final version of the Local Flood Safety Plan.
  4. 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 through Feb 2020) is wrapping up. All of the data collected through the summer irrigation season has been reviewed and analyzed. MBK is currently preparing a report to update the experiment summary report (final dated March 2019). A draft will be provided to MWD this month, 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. The District has not yet received formal approval of the request but have direction to consider the extension continued during the period of review of the Request. MBK is in the process of drafting a workplan for 2020 efforts, as they are outlined in the Request. This will primarily involve installing eight additional flange magnetic meters on the water side of the highest use siphons, with at least one meter on each island. These sites will include telemetry equipment, with the intent to post data on the Bay Delta Live Website.  
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 not damaged and remain in place. Future site visits to the islands are currently on hold until diversions increase and/or activities related to the next phase of the Measurement Experiment start.

Dave Forkel, the District's representative on the Delta Ferry Authority, advised the Trustees that the ferry has a hazmat materials inspection went well. He further advised those present that the monthly assessment for the ferry has been increased to \$9,000.00 per month as of January 2020.

The Trustees next discussed the possibility of conducting another Prop 218 election to increase the reclamation district assessment to address certain issues that have come to the attention of the Board. The Board directed the Chairman to move forward with securing SCI Consultants to prepare a Prop 218 Engineer Report.

The Trustees next discussed the District's intent to participate in the Delta Levee Subventions Program for the Fiscal Year 2020-2021 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 2020-2021  
SUBVENTIONS PROGRAM

RESOLVED AND ORDERED by the Board of Trustees of Reclamation District No. 2026 (Webb Tract) 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 2020-2021.

ROLL CALL:

Ayes: Trustees Forkel and Neudeck  
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 2020-2021, 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 Reclamation District No. 2026 (Webb Tract), as follows:

1. RESOLVED, that the work described in the 2020-2021 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 Contra Costa the appropriate notice of exemption on behalf of the District.

ROLL CALL:

Ayes: Trustees Forkel and Neudeck  
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 2020-2021 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 2020-2021; 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 Reclamation District No. 2026 (Webb Tract), 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 2020-2021.

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 and Neudeck

Noes: None

Absent: None

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

The Chairman of the Board advised those present that at a meeting of the Board of Trustees held on December 11, 2019, the Board of Trustees did, in closed session, approve the Settlement Agreement in regard to the case of JA Solari vs Wilbur Ellis, et al., to which this reclamation was a named party. The agreed upon Settlement resulted in zero monetary liability for the District.

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.

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

Minutes of the Meeting  
held on January 15, 2020,  
are hereby approved.

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Trustees of Reclamation  
District No. 2026 (Webb Tract)

## WARRANT LIST

From: 11/14/19 through 01/14/2020

| <u>Date</u>             | <u>Num</u> | <u>Payee</u>               | <u>Account</u>                 | <u>Payment</u> |
|-------------------------|------------|----------------------------|--------------------------------|----------------|
| 11/19/2019              | 3291       | PG&E                       | 50212 Utilities                | 5,396.34       |
| 12/4/2019               | 3292       | Delta Ferry Authority      | 50130 DFA Assessments          | 8,200.00       |
| 12/4/2019               | 3293       | MBK Engineers              | 55140 Engineering Serv         | 3,622.18       |
|                         |            |                            | 57185 WB-18-15YP Engineering   | 312.00         |
| 12/4/2019               | 3294       | Al Warren Hoslett          | 50160 Legal/Administration     | 1,200.00       |
| 12/19/2019              | 3296       | PG&E                       | 50212 Utilities                | 4,909.07       |
| 12/19/2019              | 3295       | PG&E                       | VOID                           | -              |
| 12/20/2019              | 3297       | Delta Ferry Authority      | 50129 DFA After-Hours Services | 4,850.00       |
| 12/31/2019              | 3298       | MBK Engineers              | 55140 Engineering Serv         | 987.33         |
|                         |            |                            | 57185 WB-18-15YP Engineering   | 507.00         |
|                         |            |                            | 50140 Engineering Routine      | 37.75          |
| 1/9/2020                | 3299       | Delta Ferry Authority      | 50130 DFA Assessments          | 9,000.00       |
| 1/9/2020                | 3301       | Al Warren Hoslett          | 50160 Legal/Administration     | 5,801.46       |
| <u>Account Balances</u> |            |                            |                                |                |
|                         |            | General Fund               |                                | \$ 82,226.68   |
|                         |            | Bank of Stockton - Payroll |                                | \$ 18,394.66   |
|                         |            | LAIF Investment Fund       |                                | \$ 250,335.09  |