

MINUTES OF THE MEETING
OF THE BOARD OF TRUSTEES OF
RECLAMATION DISTRICT NO. 756 (BOULDIN ISLAND)
HELD ON WEDNESDAY, OCTOBER 19, 2022

Upon Notice to and consent by the Trustees of Reclamation District No. 756 (Bouldin Island), 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, October 19, 2022, at 10:30 A.M.

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 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 and upon motion made and seconded, it was:

RESOLUTION APPROVING MINUTES

RESOLVED AND ORDERED by the Board of Trustees of Reclamation District No. 756 (Bouldin Island), as follows:

1. That the Minutes of the meeting of the Board of Trustees of Reclamation District No. 756 (Bouldin Island) 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 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 Reclamation District No. 756 (Bouldin Island), as follows:

1. That the Warrants and Checks written since the meeting held 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 \$4,470.43. The Trustees were further advised that there was a balance on hand in the District's account with the Bank of Stockton for special project BO-19-1.1 held the sum of \$5,887,680.88 and the Bank of Stockton special project BO-17-1.0 held the sum of \$1,000,000.00.

Following a review of the District's expenses, the Trustees next discussed the adoption of a budget for the next fiscal year. The Trustees were previously provided with a copy of a draft budget for purposes of making comments and corrections. The final draft of the Fiscal Year 2022-23 was presented to the Trustees at this Board meeting. Upon motion duly made and seconded, it was:

RESOLUTION APPROVING
BUDGET FOR YEAR FISCAL YEAR 2022-2023

RESOLVED AND ORDERED by the Board of Trustees of Reclamation District No. 756 (Bouldin Island), as follows:

1. That the budget for this Reclamation District for the Fiscal Year 2022-23 be and the same hereby is approved and adopted; 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 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 \$631,000. 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 \$631,000. \$12 million was recently approved by the Central Valley Flood Protection Board for the Program for FY 2022-23.
2. Annual Maintenance: The Engineer provided the Trustees with a list of the current maintenance items that the District is tracking. District forces will be repairing minor cracking in the levee crown on the southern and eastern levees.
3. Regional Flood Fight Supply Depot: The security fence, gates, screen, barbed wire, and razor wire have been installed, completing the construction of the flood fight supply depot.

4. Special Projects: The District is preparing for construction of the Directed Action project to rehabilitate the north levee (BO-19-1-SP). The Project SOW has been approved by DWR, and the District has received advance funds for construction. Notice to proceed has been issued and a pre-construction meeting has occurred. The Engineer is coordinating with the Contractor and are anticipating a start to demolition and vegetation clearing towards the end of October.
5. 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 incorporated the comments received to date. A draft was also sent to DWR staff for review and comment. 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.
6. 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 District superintendent reported to the Trustees on the following matters: (1) a portion of the levee on the south side of the District has some sloughing occurring, the District directed the Engineer to work with the Superintendent to repair it prior to the rainy season; (2) the new boat ramp has been completed and the Trustees report that they are pleased with the work; (3) district gates have been vandalized, the Superintendent was directed to procure a company to repair them; and (4) the District is still working on finding a company to drill the new well.

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 \$969,930. 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. 756 (Bouldin Island) 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 \$969,930.00; 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 San Joaquin, in the matter of the fund of Reclamation District No. 756 (Bouldin Island) 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. 756 (Bouldin Island), as follows:

1. That \$969,930.00 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 \$969,930.00 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. 756 (Bouldin Island) be, and the same is hereby fixed and determined to be the sum of \$969,930.00, and there is hereby levied an assessment on all of the lands located within the boundaries of said Reclamation District No. 756 (Bouldin Island), in the sum of \$969,930.00, and that the sum of \$969,930.00 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 \$767,709.00, and the second installment, if needed, in the amount of \$194,721.00.
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. 756 (Bouldin Island)", is here by ordered paid in two installments, the first installment in the amount of \$767,709.00 within sixty (60) days of the date of said "Assessment Roll No. 2023, Reclamation District No. 756 (Bouldin Island)", is filed in the office of the County Treasurer of San Joaquin 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 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
Reclamation District No. 756
(Bouldin Island)

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

Trustees of Reclamation
District No. 756 (Bouldin Island)

RECLAMATION DISTRICT 756
WARRANT LIST

From: 09/20/2022 through 10/17/2022

Date	Num	Payee	Account	Payment
09/22/2022	4007	Bouldin Farming Company	55180 Levee Patrol	1,598.67
			55402 Mileage	1,254.82
09/22/2022	4008	Bouldin Farming Company	55155 Equipment Rental Support	180.50
			50190 Canal Maintenance	11,628.00
			50402 Mileage	1,939.28
09/22/2022	4009	Bouldin Farming Company	55155 Equipment Rental Support	2,684.61
			50190 Canal Maintenance	15,304.50
			50402 Mileage	1,868.76
			55155 Equipment Rental Support	3,873.29
			55402 Mileage	1,259.38
			55180 Levee Patrol	1,598.67
09/27/2022	4010	Rec Dist. No. 756 - Payroll Acct	15100 Bank of Stockton-Payroll	25,000.00
09/27/2022	4011	MBK Engineers	57185 BO-18-1 5YR Plan	275.50
			55140 Engineering Serv	8,132.50
10/04/2022	4012	Brink Electric	57100 Flood Fight Depot - Eng	4,908.38
10/04/2022	4013	PG&E	50185 Other Maintenance	832.87
10/04/2022	4014	Asta Construction	50212 Utilities	4,116.05
10/06/2022	4015	Petrini Land Company LLC	55190 Levee Maintenance	19,763.06
			50220 Pipes & Crossings	2,393.35
			50170 Levee Maintenance-Non Sub	6,210.00
10/06/2022	4016	MBK Engineers	57219 BO-19-1 Engineering	16,975.04
10/17/2022	4017	Pacific Storage Company	50411 Storage	90.00
			Total	\$ 131,887.23
		Account Balances 10/17/2022		
		General Fund		
		Delta 2 Flood Project (included in the General Fund Balance)		
		Bank of Stockton - Payroll		\$ 4,470.43
		Outstanding Registered Warrants		\$ -
		BO-19-1 Bank of Stockton Acct		\$ 32,391.01
		PB#12		\$ -
10/6/2022	1011	BO-17-1 Bank of Stockton Acct		\$ 5,887,680.88
				14,208.11
				\$ 1,000,000.00

RECLAMATION DISTRICT BUDGET					
RD 756 (Bouldin Island)					
		PRIOR BUDGET	YEAR-TO-DATE	APPROVED BUDGET	Comments
GL CODE	INCOME	FY 21-22	6/30/2022	FY 22-23	
40100	Assessments	\$ 752,630	\$ 944,630.00	\$ 767,709	FY 21/22 3% increase (not incl. \$250,000 SP) + \$250,000 SP
49200	Interest Income	\$ 1,200	\$ 714.00	\$ 1,200	
43100	Miscellaneous Income	\$ -	\$ -	\$ -	
45014	Subventions FY 19-20 (DWR 75%)	\$ 135,847	\$ 135,847.00	\$ -	75% of FY 21-22 actuals, less \$1,000 per mile
45015	Subventions FY 20-21 (DWR 75%)	\$ 193,268	\$ 160,041.00	\$ -	
45016	Subventions FY 20-21 (DWR 75%)	\$ -	\$ -	\$ 237,229	
47195	Sp Proj BO-19-1 [North Levee]	\$ 1,245,000	\$ 362,408.97	\$ 4,565,000	Actual expenses, less 10% retention, 93% cost share
47175	Sp Proj BO-17-1 [Camp 5]	\$ 400,000	\$ -	\$ 425,000	Actual expenses, less 10% retention, 95% cost share
47001	Emergency Response Planning	\$ -	\$ -	\$ -	
47518	Special Project BO-18-1 5YP	\$ -	\$ 7,831.35	\$ -	
47815	CAL OES (FEMA)	\$ -	\$ -	\$ -	
41190	SJC Grant Phase 2	\$ -	\$ 12,226.83	\$ -	
47002	SJC - FFSD	\$ -	\$ 15,953.70	\$ 234,000	
TOTAL INCOME		\$ 2,727,945	\$ 1,639,652.85	\$ 6,230,138	
GL CODE	EXPENSES				
50000	G&A				Increased 10% from FY 20-21 budget
50100	Accounting	\$ 5,520	\$ 205.00	\$ 6,000	
50110	Fuel & Oil	\$ 756	\$ 865.50	\$ 900	
50121	Dues	\$ 2,400	\$ 2,346.00	\$ 2,400	Increased 5% from FY 21-22 actuals
50130	Other Assessments	\$ -	\$ -	\$ -	
50140	Engineering - G&A	\$ 1,008	\$ 122.50	\$ 1,008	
50150	Insurance	\$ 20,496	\$ 22,026.00	\$ 23,136	Includes Well & Water System Health/Safety Dock and gangway repairs, including security gate
50160	Legal/Administration	\$ 28,476	\$ 27,809.92	\$ 28,476	
50161	Legal - Outside Counsel	\$ -	\$ -	\$ -	
50170	Levee Maintenance - Non-Subventions	\$ 2,400	\$ -	\$ 2,400	Increased to FY 21-22 actuals
50180	Pump Maintenance	\$ 30,000	\$ 31,509.27	\$ 30,000	
50181	Water Supply	\$ -	\$ -	\$ 260,000	
50182	Marine Access	\$ -	\$ -	\$ 81,200	
50185	Other Maintenance	\$ 20,160	\$ 15,027.86	\$ 20,160	
50190	Canal Maintenance	\$ 48,000	\$ 55,048.59	\$ 48,000	
50211	Security Services	\$ 18,000	\$ 36,998.34	\$ 18,000	
50212	Utilities - PG&E	\$ 90,000	\$ 96,337.11	\$ 90,000	
50213	Water Right Fees	\$ 3,600	\$ 3,755.80	\$ 3,756	
50220	Pipes & Crossings G&A	\$ 24,000	\$ 23,768.96	\$ 24,000	
50320	Pest Control - Non Sub	\$ -	\$ 400.00	\$ -	
50330	Vegetation Control - Non Sub	\$ 5,004	\$ -	\$ 5,004	
50400	Miscellaneous - G&A	\$ 5,004	\$ 1,118.33	\$ 5,004	
50402	Mileage - G&A	\$ 600	\$ 1,859.65	\$ 600	
50403	Office Supplies	\$ 600	\$ 991.60	\$ 600	
50404	Permits - EPA	\$ -	\$ -	\$ -	
50406	Publications	\$ 204	\$ -	\$ 204	
50408	Licenses	\$ -	\$ -	\$ -	
50410	Parts and Supplies	\$ 1,008	\$ -	\$ 1,008	
50411	Storage	\$ 324	\$ 360.00	\$ 360	
50414	Assessment Formation	\$ -	\$ -	\$ -	
50500	Payroll Account - G&A				
50501	Payroll	\$ 10,008	\$ 10,353.55	\$ 10,008	
50502	Payroll Services	\$ -	\$ -	\$ -	
50503	Payroll Taxes	\$ 1,200	\$ 1,093.24	\$ 1,200	
50504	Worker's Comp	\$ 480	\$ 487.32	\$ 480	
55000	Subventions				
55110	Toe Ditch Cleaning	\$ 15,000	\$ 33,831.46	\$ 36,000	
55140	Engineering - Routine	\$ 40,000	\$ 37,489.43	\$ 40,000	
55150	Equipment Rental	\$ -	\$ 1,209.94	\$ 1,200	
55155	Equipment Rental Support	\$ -	\$ 7,615.35	\$ 7,620	
55160	Emergency Flood Fight	\$ -	\$ -	\$ -	
55161	High Water Patrol	\$ -	\$ -	\$ -	
55180	Levee Patrol	\$ 12,000	\$ 19,806.55	\$ 19,812	
55190	Levee Maintenance - Routine	\$ 60,000	\$ 2,598.68	\$ 25,008	
55190	Levee Profile & Inspections	\$ -	\$ -	\$ -	
55220	Pipe & Drain Crossings - Subventions	\$ 3,000	\$ 10,682.00	\$ 3,000	
55230	Professional Fees	\$ -	\$ -	\$ -	
55270	Road Repair	\$ 12,000	\$ -	\$ 12,000	
55280	Repair Levee Erosion	\$ 48,000	\$ -	\$ 48,000	

RECLAMATION DISTRICT BUDGET					
RD 756 (Bouldin Island)					
		PRIOR BUDGET	YEAR-TO-DATE	APPROVED BUDGET	Comments
GL CODE	INCOME	FY 21-22	6/30/2022	FY 22-23	
55320	Pest Control	\$ -	\$ 188.79	\$ 300	
55330	Vegetation Control	\$ 60,000	\$ 48,256.89	\$ 60,000	
55340	Miscellaneous - Subventions	\$ 1,008	\$ -	\$ 1,008	
55402	Mileage - Subventions	\$ 9,000	\$ 21,544.37	\$ 12,000	
55410	Parts, Tools & Supplies	\$ 1,008	\$ 581.71	\$ 1,008	
55422	Labor Compliance	\$ -	\$ -	\$ -	
55500	Payroll Account - Subventions				
55501	Payroll	\$ 69,996	\$ 132,611.50	\$ 69,996	
55502	Payroll Services	\$ -	\$ -	\$ -	
55503	Payroll Taxes	\$ 7,000	\$ 12,123.73	\$ 7,000	
55504	Worker's Comp	\$ 4,000	\$ 5,764.64	\$ 4,000	
57000	Special Projects				
57001	Emergency Response Engineering	\$ -	\$ -	\$ -	
57100	SJC FFSD - Engineering	\$ -	\$ 15,953.70	\$ -	
57103	SJC FFSD - Construction	\$ -	\$ -	\$ 234,000	
57185	Sp Proj BO-18-1 SYP Engineering	\$ -	\$ 1,456.75	\$ -	
57219	Sp Proj BO-19-1 SP Engineering [North Levee]	\$ 500,000	\$ 432,985.62	\$ 500,000	
57220	Sp Proj BO-19-1 SP Construction	\$ 1,000,000	\$ -	\$ 5,000,000	Construction Begin - Fall 2022
57175	Sp Proj BO-17-1 SP Engineering [Camp 5]	\$ 500,000	\$ -	\$ 500,000	
57176	Sp Proj BO-17-1 SP Construction	\$ -	\$ -	\$ -	
	Sp Proj BO-17-1 SP Habitat	\$ -	\$ -	\$ -	
	Sp Proj BO-17-1 SP Pump Station	\$ -	\$ -	\$ -	
59000	Other Expenses				
	Retired Warrants	\$ -	\$ -	\$ -	
59001	Interest Paid on Registered Warrants	\$ 19,406	\$ 6,934.94	\$ 28,125	Assumes additional \$1 mil debt held 9 months
59002	County Fees	\$ -	\$ -	\$ -	
	Capital Asset Reserve Fund	\$ -	\$ -	\$ -	
TOTAL EXPENSES		\$ 2,680,666	\$ 1,124,120.59	\$ 7,273,981	
NET INCOME & EXPENSES		\$ 47,279	\$ 515,532.26	\$ (1,043,843)	

Account Balance as of end of FY

General Fund #50701	\$ (2,317)	\$ 369,182.41	\$ (4,661)
Payroll Account	\$ 16,736	\$ 13,571.85	\$ 13,572
Disaster Fund #50743		\$ 10.00	\$ 10
Debt Serv Fund #50761		\$ 4,738.58	\$ 4,739
Beginning Reg'd Warrants	\$ 150,000	\$ 150,000.00	\$ -
Ending Reg'd Warrants	\$ 100,000	\$ -	\$ 670,000
Special Project Account BO-19-1	\$ 500,000	\$ 509,927.71	\$ 509,928
Special Project Account BO-17-1	\$ 500,000	\$ -	\$ -

Notes:

- 1 Subventions assumes levee maintenance YTD - \$1000/mi * 75%
- 2 Budget includes BO-17 and BO-19 Special Projects funded work
BO-19-1 93/7% project \$16,989,247
BO-17-1 100/50/95/5% project \$10,000,000
- 3 Maximum allowable assessment for FY 22/23 is \$969,930