

MINUTES OF THE MEETING
OF THE BOARD OF TRUSTEES OF
RECLAMATION DISTRICT NO. 756 (BOULDIN ISLAND)
HELD ON WEDNESDAY, JANUARY 18, 2023

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, January 18, 2023, 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; Nate Hershey, of the firm MBK Engineers, the District's Engineer; Jack Cronin with MWD; and Andrew Petrini, the District's Superintendent. Angela Carter, the District's bookkeeper, joined the call via video conference.

Following the Roll Call, a quorum was declared present, and the meeting was called to order.

The Minutes of the meetings of the Board of Trustees held on November 16, 2022 and January 6, 2023, 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 meetings of the Board of Trustees of Reclamation District No. 756 (Bouldin Island) held on November 16, 2022 and January 6, 2023, 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 November 16, 2022, and presented to the Trustees at this January 18, 2023, 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 \$<495.54> and held \$250,000.00 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 for special project BO-19-1.1 held the sum of \$5,851,803.74 and the Bank of Stockton special project BO-17-1.0 held the sum of \$994,514.42.

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. A final claim was submitted in the amount of \$292,577.83.

- 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: Construction of the Directed Action project to rehabilitate the north levee (BO-19-1-SP) is in progress. The Contractor has performed structure demolition, tree removal, and has trenched the seepage site at Station 856+00 to 857+00. The Engineer is coordinating with the Contractor on siphon pipe procurement and the start of next construction season's activities.
 5. Five Year Plan: Work on the Five-Year Plan is in progress. DWR has extended the expiration date of the funding agreements to March 31, 2023. The District is working to address DWR's comments and finalize the Plan.
 6. SB 88: Work under Phase 4 of the measurement experiment is complete. All Phase 4 meters have been installed and have been certified by MBK Engineers. Data is now being collected at 38 sites across all four islands.
Of all 25 meters installed, only one (Holland Tract Siphon No. 1) was unable to be properly programmed and connected to the Wildeye telemetry system MBK is still investigating this issue with the flow meter manufacturer (McCrometer).
Flow meters for the remaining siphons will be installed over the next two years. MBK is obtaining quotes for the equipment required at the approximately 50 remaining sites. In addition, MBK is identifying 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 that with the continued high tides, he is continuing with the extra levee patrols during the last legs of these storms. He will report in if the extra patrols find any problems or concerns along the district levee systems. He further reported that he would like to place cameras at various locations around the district. He will work with District personnel to determine the number and placement location of the new cameras.

The Trustees next considered the many years of service that Ralph Heringer has given to this reclamation district as its Superintendent. Following a discussion of this matter and upon motion by Trustee Neudeck, and seconded by Trustee Ryan, and unanimously passed and adopted, it was:

RESOLUTION OF APPRECIATION

WHEREAS, RALPH HERINGER has for many years served as the Superintendent of and for Reclamation District No. 756 (Bouldin Island) and the Board of Trustees of this reclamation district; and,

WHEREAS, RALPH HERINGER has throughout this period of time devoted his time and energies to Bouldin Island and to representing this District and its Board of Trustees as to the many issues facing this reclamation district; and,

WHEREAS, the knowledge and expertise of RALPH HERINGER with respect to the issues and management facing this District will be missed by this Board of Trustees; and,

WHEREAS, the Board of Trustees of Reclamation District No. 756 (Bouldin Island) and the landowners within this District are appreciative of the time and energies devoted by RALPH HERINGER.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Trustees of Reclamation District No. 756 (Bouldin Island), that this reclamation district does hereby commend and acknowledge the dedicated services of RALPH HERINGER to Reclamation District No. 756 (Bouldin Island), and to the lands and landowner therein.

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 Chairman advised the Trustees that since the last meeting of the Board of Trustees on January 6, 2023, the emergency conditions have continued to exist. The District has continued to experience high water along its levees. The District has conducted emergency safety inspections of the District levees. As a result of these conditions, the Chairman recommended that the District continue with its acquisition of equipment and supplies on an emergency basis, without using competitive solicitation of bids. Following a discussion of this matter, upon motion duly made and seconded, it was:

RESOLUTION APPROVING CONTINUED
PROCUREMENT UNDER EMERGENCY CONDITIONS

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

1. That an emergency condition continues to exist in connection with the maintenance and repair of the District's levees.
2. That the District should continue to acquire and use the equipment and materials needed to maintain the integrity of the District's levees without using competitive solicitation of bids.

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 next discussed the Annual Water Right License Reporting, the Chairman advised those present that the District's annual reporting will comply with all state requirements and will be submitting the data prior to the due date.

The Trustees discussed the District's intent to participate in the Delta Levee Subventions Program for the Fiscal Year 2023-2024 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 2023-2024
SUBVENTIONS PROGRAM

RESOLVED AND ORDERED by the Board of Trustees of Reclamation District No. 756 (Bouldin Island) 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 2023-2024.

Ayes: Trustees Forkel, Neudeck and Ryan
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 2023-2024, 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. 756 (Bouldin Island), as follows:

1. That, all repair of wave wash and erosion protection, all levee crown restoration which is not in excess of the 100 year flood elevation plus (2) feet and all levee section restoration including adding material to back slopes, construction of toe berms and construction of seepage berms, drains and other measures to control seepage exit gradients to less than 0.5 and including the work described in the Fiscal Year 2023-2024 Delta Levee Subventions Program Applications consists of routine maintenance to existing levee improvements and falls within the categorical exemptions to the California Environmental Quality Act pursuant to Section 15301 (Class I) of the Guidelines for the California Environmental Quality Act, California Administrative Code of Regulations, Title 14, Chapter 3, Article 19.
2. That the District finds that the proposed work will not have a material adverse effect upon the environment.

3. That said work does not constitute an exception to the exemptions of the California Environmental Quality Act.
4. That the District Secretary and Engineer, or either of them, hereby are directed to prepare and file with the County Clerk of San Joaquin County for posting, a "Notice of Exemption" pursuant to California Administrative Code, Title 14, Chapter 3, Section 15062 and 15261.

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 the District would be required to execute agreements with the California Central Valley Flood Protection Board for participation in the 2023-2024 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 2023-2024; 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. 756 (Bouldin Island), 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 2023-2024.
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.

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 January 18, 2023,
are hereby approved.

Trustees of Reclamation
District No. 756 (Bouldin Island)

RECLAMATION DISTRICT 756
WARRANT LIST

From: 11/15/2022 through 01/13/2023

Date	Num	Payee	Account	Payment
11/22/2022	4029	MBK Engineers	57219 BO-19-1 Engineering	16,971.34
11/22/2022	4030	Rec Dist No. 756 Payroll Acct	15100 Bank of Stockton-Payroll	50,000.00
11/22/2022	4031	Robert Burns Constructions	57103 Flood Fight Depot - Const	11,206.53
11/22/2022	4032	Hoslett and Forbus, Attorneys at Law	50160 Legal/Administration	10,375.36
11/22/2022	4033	MBK Engineers	55140 Engineering Serv	8,702.48
11/30/2022	4034	Bouldin Farming Company	50190 Canal Maintenance	6,156.00
			55402 Mileage	1,300.01
			55155 Equipment Rental Support	1,481.76
11/30/2022	4035	Bouldin Farming Company	55190 Levee Maintenance	11,135.27
			55180 Levee Patrol	1,598.67
			55155 Equipment Rental Support	1,697.49
			55402 Mileage	2,518.75
12/06/2022	4036	PG&E	50212 Utilities	2,129.41
12/08/2022	4057	MBK Engineers	57227 BO-17-1 Engineering	6,415.88
12/13/2022	4058	Petrini Land Company, LLC	50220 Pipes & Crossings	3,448.00
12/13/2022	4059	MBK Engineers	50140 Engineering - Routine	38.75
			55140 Engineering Serv	7,909.88
			57185 BO-18-1 5YR Plan	1,882.00
12/16/2022	4060	Bouldin Farming Company	55190 Levee Maintenance	14,619.02
			55180 Levee Patrol	1,547.10
			55155 Equipment Rental Support	2,321.06
			55402 Mileage	2,843.75
12/21/2022	4061	Petrini Land Company, LLC	50220 Pipes & Crossings	6,000.00
01/06/2023	4062	PG&E	50212 Utilities	9,519.50
01/11/2023	4064	MBK Engineers	57219 BO-19-1 Engineering	25,892.63
01/11/2023	4065	Delta Growers, Inc.	55330 Vegetation Control	20,475.99
01/13/2023	4067	CA Dept of Tax and Fee Administration	50213 Water Right Fee	4,000.15
01/13/2023	4068	MBK Engineers	50140 Engineering - Routine	77.50
			55140 Engineering Serv	1,987.75
			57185 BO-18-1 5YR Plan	845.00
01/13/2023	4069	Delta Pump Co	50180 Pump Maintenance	502.41
01/13/2023	4070	Pacific Storage Company	50411 Storage	143.40
Total				\$ 235,742.84
<u>Account Balances 01/13/2022</u>				
General Fund				\$ (495.54)
Delta 2 Flood Project (included in the General Fund Balance)				\$ 18,652.74
Bank of Stockton - Payroll				\$ 29,572.55
Outstanding Registered Warrants				\$ 250,000.00
01/06/2023		RW #4063		25,000.00
01/13/2023		RW #4066		25,000.00
BO-19-1 Bank of Stockton Acct				\$ 5,851,803.74
11/22/2022	1012	PB #13		14,205.01
01/11/2023	1013	PB #14		21,672.13
BO-17-1 Bank of Stockton Acct				\$ 994,514.42
01/06/2023	101	PB #1		5,485.58