

MINUTES OF THE MEETING  
OF THE BOARD OF TRUSTEES OF  
RECLAMATION DISTRICT NO. 756 (BOULDIN ISLAND)  
HELD ON WEDNESDAY, SEPTEMBER 16, 2020

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, as well as various teleconference locations in accordance with Paragraph 11, Executive Order N-25-20, Executive Department, State of California, on Wednesday, September 16, 2020, at 11:00 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 and Ann Williams, of the firm MBK Engineers, the District's Engineer; Ralph Heringer, the District's Superintendent; and Andrew Petrini, the District's Assistant 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 12, 2020, 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 August 12, 2020 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 Chairman 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. 756 (Bouldin Island), as follows:

1. That the Warrants and Checks written since the meeting held August 12, 2020 and presented to the Trustees at this September 16, 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 \$18,835.40 and held \$200,000.00 in registered warrants with the Bank of Stockton.

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 2020-21 was presented to the Trustees at this Board meeting. Upon motion duly made and seconded, it was:

RESOLUTION APPROVING  
BUDGET FOR YEAR FISCAL YEAR 2020-2021

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 2020-21 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, which included the following:

1. The Engineer reported on the District's participation in the Delta Levee Subventions Program, as follows:
  - A. Fiscal year 2019-20: The District submitted an application in the Program in the amount of \$750,000. DWR has lowered the Program funding amount to \$10 million for FY 2019-20. The Engineer is working on compiling the District's final claim, which is due November 1.
  - B. Fiscal year 2020-21: The District submitted an application in the Program in the amount of \$1,595,000. DWR has indicated that \$12 million is being committed to the Program for FY 2020-21.
2. Special Projects: A letter was submitted to DWR requesting reconsideration of the decision to withdraw the funding agreement for the levee setback and habitat enhancement project on the west levee. The District is waiting on a response from DWR.  
The District has received a fully executed funding agreement for the design portion of the Directed Action project to rehabilitate the north levee. The District has requested an advance of funds from DWR. Work is on hold until the advance funds are received.
3. Annual Maintenance: The Engineer presented the Trustees with a list of the maintenance items that the District is currently tracking. Items previously recommended for repair were addressed with a maintenance project in August.
4. Five Year Plan: Work on the Five-Year Plan is currently in progress. The Engineer distributed a draft of the Plan to the Trustees and have incorporated many of the comments received to date. A draft has also been sent to DWR staff for review and comment. The Plan must be completed by the end of 2020.

5. SB 88: Work under Phase 3 of the measurement experiment (Feb 2020 through Feb 2021) is underway, as outlined in the approved Request for Additional Time. Phase 3 efforts primarily involve installing 8 additional flange magnetic meters on the water side of the highest siphons, with at least one flow meter on each island. MWD has obtained funding approvals for Phase 3, however is currently investigating flow meter issues prior to approving the new equipment quotes and setting up a bid process for installation. After the invoices are submitted, there is up to a 6-week lead time for new equipment to be delivered. MBK conducted site visits to both Bacon and Bouldin Islands in July to check existing meters and conduct portable meter tests on running siphons. Observation at Bouldin Island Siphon No. 24 showed issues with the McCrometer flange magnetic meter (Ultra Mag), which was not identifying flow through the pipe at the time of the visit, despite the siphon running and obtaining portable meter flow measurements near the flange magnetic meter location. This issue was unable to be resolved in the field. It was confirmed that the pipe is full at the meter location by using the FLEXIM portable meters upstream and downstream of the flow meter. Additional suggestions from McCrometer did not produce any resolution to the issue. In August, the unit was sent to McCrometer. The technical support staff identified that water intrusion into the unit caused an issue with the internal circuit boards and this condition is not covered under warranty. Due to this issue, the purchase of new equipment (which includes 4 Ultra Mags) is temporarily on hold until methods to prevent this issue from occurring with other Ultra Mag meters in the future is determined.

The next Delta Measurement Experiment Consortium meeting is scheduled for Thursday, October 15. MBK and MWD will continue to participate in the Consortium and provide feedback on the draft work plan and future development of the ACP.

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 2021. 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 2019. 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 2019, the current period, is 297.007; 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. 756 (Bouldin Island), as follows:

1. That the maximum assessment rate for the assessment year 2021 is ~~\$71.60~~ per acre of vacant land. 70.92  
82.47
2. That the maximum assessment rate for the assessment year 2021 is ~~\$83.26~~ per acre of agricultural land use. 136.02
3. That the maximum assessment rate for the assessment year 2021 is ~~\$137.31~~ per acre of commercial/industrial land use. 517.04
4. That the maximum assessment rate for the assessment year 2021 is ~~\$521.96~~ per acre of single-family residence land use.

ROLL CALL:

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

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 2021 for such purposes is approximately \$487,990. Following a consideration of this matter, upon motion duly made, seconded and unanimously carried, it was:

RESOLUTION FIXING OPERATION AND  
MAINTENANCE ASSESSMENT FOR  
2021 AND PROVIDING  
FOR THE COLLECTION THEREOF

WHEREAS, the Board of Trustees of Reclamation District No. 756 (Bouldin Island) has elected for the year 2021 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 2021 for such purposes is \$487,990; and,

WHEREAS, a public hearing was held before the Board of Trustees on September 16, 2020, 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. 756 (Bouldin Island), as follows:

1. That the maximum assessment rate for the assessment year 2021 is ~~\$70.94~~<sup>70.92</sup> per acre of vacant land, the maximum assessment rate is \$82.47 per acre of agricultural land use, the maximum assessment rate is \$136.02 per acre of commercial/industrial land use, and the maximum assessment rate is \$517.04 per acre of single-family residence land use.
2. That \$487,990 is hereby fixed as the estimate of the funds needed during the year 2021 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 \$487,990 this Board of Trustees does hereby elect for the year 2021 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. 2021, Reclamation District No. 756 (Bouldin Island)", is here by ordered paid in two installments as follows: (a) the first installment thereof in the amount of \$243,995.50 within sixty (60) days of the date of said "Assessment Roll No. 2021, Reclamation District No. 756 (Bouldin Island)", is filed in the office of the County Treasurer of the County of San Joaquin, namely December 1, 2020; and (b) the second installment thereof in the amount of \$243,995.50 within sixty (60) days of the date of said "Assessment Roll No. 2021, Reclamation District No. 756 (Bouldin Island)", is filed in the office of the County Treasurer of the County of San Joaquin, namely June 1, 2021.

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.

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PAMELA A. FORBUS, Secretary  
Reclamation District No. 756  
(Bouldin Island)

Minutes of the Meeting  
held on September 16, 2020,  
are hereby approved.

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Trustees of Reclamation  
District No. 756 (Bouldin Island)

**RECLAMATION DISTRICT 756**

**WARRANT LIST**

From: 8/10/20 through 9/11/2020

<u>Date</u>	<u>Num</u>	<u>Payee</u>	<u>Account</u>	<u>Payment</u>
8/12/2020	3769	PG&E	50212 Utilities	89.51
8/28/2020	3770	Ca Valley Central Flood Control Assn	50121 Dues	2,181.00
8/28/2020	3771	MBK Engineers	55140 Engineering Services	4,451.53
			50140 Engineering - Routine	117.25
			57185 BO-18-1 5YP Engineering	319.50
		<u>Account Balances</u>		
		General Fund		\$ 18,835.40
		Bank of Stockton - Payroll		\$ 21,839.65
		Outstanding Registered Warrants		\$ 200,000.00
8/4/2020		RW# 3768		\$ 25,000.00



**RECLAMATION DISTRICT BUDGET**

RD 756 (Bouldin Island)					
		PRIOR BUDGET	YEAR-TO-DATE	APPROVED BUDGET	Comments
GL CODE	INCOME	FY 19-20	6/30/2020	FY 20-21	
40100	Assessments	\$ 473,777	\$ 660,717	\$ 487,990	Increased 3% (per CPI) from FY 19-20 budget
49200	Interest Income	\$ 1,200	\$ 1,445	\$ 1,200	
43100	Miscellaneous Income	\$ -	\$ 4,340	\$ -	
45013	Subventions FY 18-19 (DWR 75%)	\$ 155,799	\$ 172,142	\$ -	75% of FY 19-20 actuals, less \$1,000 per mile Actual expenses, less 10% retention
45014	Subventions FY 19-20 (DWR 75%)	\$ -	\$ -	\$ 171,498	
47195	Sp Proj BO-19-1	\$ -	\$ -	\$ 225,000	
47001	Emergency Response Planning	\$ -	\$ -	\$ -	
47518	Special Project BO-18-1 SYP	\$ 8,750	\$ -	\$ 8,750	
47815	CAL OES (FEMA)	\$ -	\$ -	\$ -	
<b>TOTAL INCOME</b>		<b>\$ 639,526</b>	<b>\$ 838,644</b>	<b>\$ 894,438</b>	
GL CODE	EXPENSES				
50000	G&A				
50100	Accounting	\$ 4,500	\$ 4,990	\$ 4,500	
50110	Fuel & Oil	\$ 360	\$ 746	\$ 360	
50121	Dues	\$ 2,808	\$ 2,739	\$ 2,808	
50130	Other Assessments Ferry	\$ -	\$ -	\$ -	
50140	Engineering - G&A	\$ 6,000	\$ 1,039	\$ 6,000	
50150	Insurance	\$ 16,008	\$ 17,061	\$ 17,568	Increased 3% from FY 19-20 actuals
50160	Legal/Administration	\$ 20,004	\$ 28,481	\$ 28,476	Increased to FY 19-20 actuals
50161	Legal - Outside Counsel	\$ 2,004	\$ -	\$ -	
50170	Levee Maintenance - Non-Subventions	\$ 2,400	\$ -	\$ 2,400	
50180	Pump Maintenance	\$ 30,000	\$ 50,828	\$ 30,000	
50185	Other Maintenance	\$ 20,160	\$ 20,000	\$ 20,160	
50190	Canal Maintenance	\$ 20,004	\$ 34,840	\$ 20,004	
50211	Security Services	\$ -	\$ 3,367	\$ -	
50212	Utilities - PG&E	\$ 90,000	\$ 87,507	\$ 90,000	
50213	Water Right Fees	\$ 2,808	\$ 3,267	\$ 3,276	Increased to FY 19-20 actuals
50220	Pipes & Crossings G&A	\$ 10,008	\$ 72,934	\$ 10,008	
50330	Vegetation Control - Non Sub	\$ 5,004	\$ -	\$ 5,004	
50400	Miscellaneous - G&A	\$ 1,008	\$ 2,042	\$ 2,040	Increased to FY 19-20 actuals
50402	Mileage - G&A	\$ 600	\$ -	\$ 600	
50403	Office Supplies	\$ 600	\$ 601	\$ 600	
50404	Permits - EPA	\$ -	\$ -	\$ -	
50406	Publications	\$ 204	\$ -	\$ 204	
50408	Licenses	\$ -	\$ -	\$ -	
50410	Parts and Supplies	\$ -	\$ -	\$ -	
50411	Storage	\$ 300	\$ 315	\$ 300	
50414	Assessment Formation	\$ -	\$ 11,827	\$ -	
50500	Payroll Account - G&A				
50501	Payroll	\$ 10,008	\$ 8,900	\$ 10,008	
50502	Payroll Services	\$ -	\$ -	\$ -	
50503	Payroll Taxes	\$ 2,004	\$ 990	\$ 2,004	
50504	Worker's Comp	\$ 1,200	\$ 680	\$ 1,200	
55000	Subventions				
55110	Toe Ditch Cleaning	\$ 15,000	\$ 40,902	\$ 15,000	
55140	Engineering - Routine	\$ 40,000	\$ 46,678	\$ 40,000	
55160	Emergency Flood Fight	\$ -	\$ -	\$ -	
55161	High Water Patrol	\$ -	\$ -	\$ -	
55180	Levee Patrol	\$ 12,000	\$ 15,729	\$ 12,000	
55190	Levee Maintenance - Routine	\$ 60,000	\$ 9,027	\$ 60,000	
55190	Levee Profile & Inspections	\$ -	\$ -	\$ -	
55220	Pipe & Drain Crossings - Subventions	\$ 3,000	\$ 21,095	\$ 3,000	
55230	Professional Fees	\$ -	\$ -	\$ -	
55270	Road Repair	\$ 24,000	\$ 2,286	\$ 12,000	Reduced 50% from FY 19-20 budget
55280	Repair Levee Erosion	\$ 24,000	\$ -	\$ 48,000	Increased 100% from FY 19-20 budget
55320	Pest Control	\$ -	\$ 86	\$ -	
55330	Vegetation Control	\$ 45,000	\$ 28,560	\$ 45,000	

**RECLAMATION DISTRICT BUDGET**

RD 756 (Bouldin Island)					
		PRIOR BUDGET	YEAR-TO-DATE	APPROVED BUDGET	Comments
GL CODE	INCOME	FY 19-20	6/30/2020	FY 20-21	
55340	Miscellaneous - Subventions	\$ 1,008	\$ 1,025	\$ 1,008	
55402	Mileage - Subventions	\$ 3,000	\$ 4,575	\$ 3,000	
55422	Labor Compliance	\$ -	\$ -	\$ -	
55500	Payroll Account - Subventions				
55501	Payroll	\$ 60,000	\$ 65,925	\$ 69,996	Increased for new Asst. Superintendent
55502	Payroll Services	\$ 100	\$ -	\$ 100	
55503	Payroll Taxes	\$ 7,000	\$ 6,384	\$ 7,000	
55504	Worker's Comp	\$ 4,000	\$ 4,391	\$ 4,000	
57000	Special Projects				
57001	Emergency Response Engineering	\$ -	\$ -	\$ -	
57185	Sp Proj BO-18-1 Engineering	\$ 26,616	\$ 25,127	\$ -	
57219	Sp Proj BO-19-1 SP Engineering	\$ -	\$ -	\$ 250,000	Assume 25% of advance funds expended
59000	Other Expenses				
	Retired Warrants	\$ -	\$ -	\$ -	
59001	Interest Paid on Registered Warrants	\$ 28,779	\$ 36,681	\$ 20,125	Assumes warrants held 9 months
59002	County Fees	\$ -	\$ -	\$ -	
	Capital Asset Reserve Fund	\$ -	\$ -	\$ -	
<b>TOTAL EXPENSES</b>		<b>\$ 601,494</b>	<b>\$ 661,624</b>	<b>\$ 847,749</b>	
<b>NET INCOME &amp; EXPENSES</b>		<b>\$ 38,031</b>	<b>\$ 177,020</b>	<b>\$ 46,689</b>	

Account Balance as of end of FY

General Fund #50701	\$ 40,987	\$ 21,175	\$ 17,864
Payroll Account	\$ 13,155	\$ 10,390	\$ 10,390
Disaster Fund #50743		\$ 10	
Debt Serv Fund #50761		\$ 4,698	
Beginning Reg'd Warrants	\$ 500,000	\$ 500,000	\$ 150,000
Ending Reg'd Warrants	\$ 460,000	\$ 150,000	\$ 100,000

Notes:

- 1 Subventions assumes levee maintenance YTD - \$1000/mi \* 75%
- 2 Budget excludes Special Projects funded work
- 3 Budget includes new Asst. Superintendent