

MINUTES OF THE MEETING
OF THE BOARD OF TRUSTEES OF
RECLAMATION DISTRICT NO. 2025 (HOLLAND TRACT)
HELD ON WEDNESDAY, JANUARY 19, 2022

Upon Notice to and consent by the Trustees of Reclamation District No. 2025 (Holland 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, as well as various teleconference locations in accordance with Paragraph 11, Executive Order N-25-20, Executive Department, State of California, on Wednesday, January 19, 2022 at 11:30 A.M.

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

PRESENT

DAVID A. FORKEL
RANDALL NEUDECK
RUSSELL E. RYAN

ABSENT

NONE

There was also present Pamela A. Forbus, of the Law Offices of Hoslett and Forbus, Attorneys for the Reclamation District; and Nate Hershey, of the firm MBK Engineers, the District's Engineer; Andrew Petrini, the District's Assistant Superintendent; Ralph Heringer; landowner Clark Misner; and Anna Olvera, from MWD.

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 15, 2021, 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. 2025 (Holland Tract), as follows:

1. That the Minutes of the meetings of the Board of Trustees of Reclamation District No. 2025 (Holland Tract) held on December 15, 2021 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. 2025 (Holland Tract), as follows:

1. That the Warrants and Checks written since the meeting held on December 15, 2021 and presented to the Trustees at this January 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 \$214,289.68 and held \$925,000.00 in registered warrants with the Bank of Stockton.

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 2020-21: The District submitted an application for participation in the Program in the amount of \$845,000. DWR has approved Program funding amount of \$12 million for FY 2020-21. The District submitted a final claim in the amount of \$81,813.28.
 - B. Fiscal year 2021-22: The District submitted an application for participation in the Program in the amount of \$465,000. DWR has

indicated that \$10 million is being committed to the Program for FY 2021-22.

3. Annual Maintenance: The Engineer provided the Trustees with a list of maintenance items that are currently being tracked.
4. 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 many of the comments received. 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, 2021. At DWR's request, the Engineer will be submitting the anticipated total cost of improvements for planning purposes by the end of the month.
5. SB 88: Work under Phase 3 of the measurement experiment has been completed. Phase 3 efforts primarily involve installing 8 additional flange magnetic meters on the water side of the highest use siphons, with at least one flow meter on each island. Work on Phase 4 of the measurement experiment is expected to begin in the near future. MWD has authorized the purchase of 25 flow meters along with telemetry units to be installed on all four islands. The flow meters, flanges, bolts, and job boxes were delivered by Technoflo earlier this month. MWD has begun their inspection of the delivered equipment and will reach out to Technoflow if anything is missing and/or damaged. MWD has also begun the process of selecting a contractor to perform the installations of this equipment. The installations are estimated to be completed before the end of 2022. MBK has conducted visits to the proposed sites to identify work that needs to be completed prior to installing the flow meters. MBK will work with MWD and the selected contractor to complete these preparations.
After reviewing the notes and photos from MBK's visits to the Phase 4 sites, 4 siphons were identified as potentially having asbestos or had a tar coating on the pipe exterior. These hazardous materials could harm the contractor and the environment if not disposed of properly. MBK visited these sites with an environmental consultant, Bovee Environmental Management, on December 30th to determine if any hazardous materials are present. These tests showed hazardous materials were present at 3 of the 4 sites. MWD has already contracted with W.C. Maloney to remove the materials in the area where the flow meter would be installed. MBK will be joining W.C. Maloney at the first site to ensure there is enough material for the flow meter installation to continue.
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. RD staff are currently in the process of creating place of use polygons for each of the islands. MBK and MWD continue to participate in the Consortium.

The Trustees discussed the District's intent to participate in the Delta Levee Subventions Program for the Fiscal Year 2022-2023 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 2022-2023
SUBVENTIONS PROGRAM

RESOLVED AND ORDERED by the Board of Trustees of Reclamation District No. 2025 (Holland 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 2022-2023.

ROLL CALL:

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 2022-2023, 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. 2025 (Holland Tract), as follows:

1. RESOLVED, that the work described in the 2022-2023 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, 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 2022-2023 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 2022-2023; 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. 2025 (Holland 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 2022-2023.
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, Neudeck and Ryan

Noes: None

Absent: None

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

The Trustees discussed the proposed MOU regarding access across RD 2025 during evacuation events. The Trustees discussed the particulars of entering into this MOU and directed the Engineer and Attorney to proceed with working with the City of Oakley with respect to this matter.

RESOLUTION AUTHORIZING THE APPROVAL AND EXECUTION OF MEMORANDUM OF AGREEMENT

WHEREAS, the City of Oakley has indicated that during the event of an emergency, access across Reclamation District No. 2025 may be necessary to evacuate nearby residents; and,

WHEREAS, the City of Oakley has indicated that said access may be necessary across the property of landowner Gary and Barbara Rowland and across the Reclamation District facilities; and,

WHEREAS, the City of Oakley has requested the District to execute a Memorandum of Agreement.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Trustees of Reclamation District No. 2025 (Holland Tract), as follows:

1. That that certain Memorandum of Agreement with the City of Oakley and landowners Gary and Barbara Rowland to allow access across RD 2025 during emergency evacuation events is hereby approved.
2. That the officers of the District, the Chairman, and/or the Secretary, be, and either of them individually are, hereby authorized and directed to execute on behalf of this Reclamation District, the said Memorandum of Agreement and any and all other agreements, addenda or other documents associated with the said Memorandum of Agreement between this Reclamation District and Sacramento County.

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, at this point in the meeting. Clark Misner addressed the Trustees regarding the property that houses the pot farm. He stated that the pot growing operation is currently shut down and they are slowly cleaning up the property. He advised the Trustees that there is renewed interest in the fate of the Holland Tract sign. The Trustees stated that if the landowners want it restored, the reclamation district will have it done. There being no one else wishing to address the Board of Trustees, the Public Comment session was closed.

PAMELA A. FORBUS, Secretary
Reclamation District No. 2025 (Holland Tract)

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

Trustees of Reclamation
District No. 2025 (Holland Tract)

RECLAMATION DISTRICT 2025

WARRANT LIST

From: 12/15/2021 through 01/18/2022

<u>Date</u>	<u>Num</u>	<u>Payee</u>	<u>Account</u>	<u>Payment</u>
01/03/2022	2154	PG&E	50212 Utilities	7,288.54
01/03/2022	2155	Rec Dist. No. 2025 - Payroll Acct	15100 Bank of Stockton-Payroll	25,000.00
01/03/2022	2156	MBK Engineers	55140 Engineering Serv	2,848.10
			50140 Engineering	173.75
			57185 HL-18-1 SWP Engineering	175.50
01/03/2022	2157	Delta Pump Inc.	50180 Pump Maintenance	<u>21,091.38</u>
		Total		\$ 56,577.27
		<u>Account Balances as of 01/18/2022</u>		
		General Fund Account Balance		\$ 214,289.68
		Bank of Stockton Payroll Acct Balance		\$ 36,692.55
		Outstanding Registered Warrant Acct Balance		\$ 925,000.00