

June 8, 2023

President Tom Slater opened the meeting of the board of Trustees at 8:00 A.M.

The Trustees in attendance are Jeff Merwin, Gary Merwin, Steve Barsoom, and Ed Franceschi. Also present is Secretary-Bookkeeper Vanessa Schmoker, Tina Anderson, and Gil Cosio.

The agenda was approved as presented. (M- G. Merwin S- Barsoom) Unanimous.

The minutes of the May 18, 2023 meeting were approved as presented. (M- Barsoom S- J. Merwin) Unanimous.

President Slater highlighted the financials for the month of May. The Board reviews the check register and inquires about the Pacific Agrilands & PG&E costs. PG&E continued to be high in April, but seems to have returned to normal for May. President Slater reviews the past assessment rate and the District's capital investments over the years and suggests a budget review closer to October before the assessment rate is set.

RESOLUTION 2023-06-08-1 to approve expenditures of \$168,538.83 for the operation and maintenance of said District, for the month of May as set forth in the Revolving Fund with proceeds from borrowing from the note at Bank of Stockton, California, at a balance of \$0 be paid and the same are hereby unanimously ratified, approved and confirmed. (M- Franceschi S- J. Merwin) Unanimous.

President Slater invited Tina Anderson to present the Engineer's Report. Tina begins with a reminder that the end of the fiscal year is approaching and the District should try to start compiling subvention documents. Tina lets the Board know that MBK is reviewing new equipment rates so that they're prepared for the new subvention claim. Fiscal year 2021-22 has been approved and the check should be arriving soon. Tina updates the Board on the FEMA claim. There will be a final sign-off, and to keep an eye out for an email as the deadline approaches. FSRP is moving forward, and DWR returned a few comments and a new agreement will be released before the release of funds.

Gil Cosio continues the Engineer's Report by discussing the barriers. DWR is moving forward, however they've run in to budgeting issues and will have to complete environmental documentation and permitting after the 2024-25 budget is

finalized. Gil also reviews state budget revisions that will increase funds for flood control projects. The overall proposal reflects approximately \$290 million added to the budget for various flood control programs. However, very little of that money is designated for the Delta.

Gil also updates the Board on the appointment of Dr. Laurel Larsen as the lead scientist for Delta Stewardship Council for one more term at the recommendation of the Delta Independent Science Board. DSC reviewed at their meeting the funding adjustments revised in May and how it effects the barrier project, as well as funding to monitor water quality and fishery benefits from the Sacramento Regional Sanitation District. Lastly, Gil reviews the Delta Conservancy's \$20 million grant to Webb Tract for the development of up to 3,500 acres of managed flooded wetlands, and up to 1,500 acres of rice. This grant is part of an effort to encourage nature-based solutions. MBK has been asked to pass along this information to the District in an effort to get District input on our own thoughts about nature-based solutions.

President Slater gives an update on the Assessment delinquencies. There is roughly \$12,000.00 left outstanding for the 2022 assessment. Bookkeeper Schmoker has prepared the remaining delinquencies for liens, in accordance with the Yolo County Direct Charge procedures. While the District will probably wait a few more weeks for some stragglers before recording the liens at the county, the District wants to prepare for the Direct Charge deadline in early August. In an effort to be prepared for this process, President Slater presents the following resolution:

RESOLUTION NO. 2023-06-08-2

(M - Barsoom S - G. Merwin

REQUESTING COLLECTION OF CHARGES ON TAX ROLL

Whereas, the Reclamation District 999 (hereinafter "District/City ") requests the County of Yolo collect on the County tax rolls certain charges which have been imposed pursuant to section _ of Code by the District/City, attached hereto, and

Whereas , the County has required as a condition of the collection of said charges that the District/City warrant the legality of said charges and defend and indemnify the County from any challenge to the legality thereof,

Now, Therefore, Be It Hereby Resolved by the Board/Council of District/City that:

1. The Auditor-Controller of Yolo County is requested to attach for collection on the

County tax rolls those taxes, assessments, fees and/or charges, attached hereto.

2. The District/City warrants and represents that the taxes, assessments , fees and/or charges imposed by the District/City and being requested to be collected by Yolo County comply with all requirements of state law, including but not limited to Articles XIIIC and XIIID of the California Constitution (Proposition 218).

3. The District/City releases and discharges County , and its officers, agents and employees from any and all claims, demands, liabilities, costs and expenses, damages, causes of action, and judgments , in any manner arising out of the collection by County of any taxes, assessments, fees and/or charges on behalf of District/City.

4. The District/City agrees to and shall defend, indemnify and hold harmless the County, its officers, agents and employees (the "Indemnified Parties") from any and all claims, demands, liabilities, costs and expenses, damages, causes of action, and judgments , in any manner arising out of the collection by County of any of District's/City 's said taxes, assessments, fees and/or charges requested to be collected by County for District/City , or in any manner arising out of District 's/City 's establishment and imposition of said taxes, assessments , fees and/or charges. District/City agrees that, in the event a judgment is entered in a court of law against any of the Indemnified Parties as a result of the collection of one of District's/City's taxes, assessments , fees and/or charges, the County may offset the amount of the judgment from any other monies collected by County on behalf of District/City , including property taxes.

5. The District/City agrees that its officers, agents and employees will cooperate with the County in answering questions

referred to District/City by County from any person concerning the District 's/City's taxes, assessments , fees and/or charges, and that District/City will not refer such persons to County officers and employees for response.

6. The District/City agrees to pay such reasonable and ordinary charges as the

County may prescribe to recoup its costs in placing on the tax rolls and collecting the taxes, assessments , fees and/or charges , as provided by Government Code sections 29304 and 51800.

PASSED AND ADOPTED by District/City this 8th day of 2023, by the following vote on roll call:

day of

AYES Boardmembers/Councilmembers : 5

NOES Boardmembers/Councilmebers: 0

ABSENT Boardmembers /Councilmembers: 0

Chairperson/Mayor _____

Thomas Slater

ATTEST:

District/City Clerk _____

Vanessa Schmoker

President Slater reviews the assessment rate since the 218 Election in 2016. While the initial rate set was \$2.58/\$100 of assessed valuation, the Board ultimately voted to decrease it to \$2.45/\$100 in 2018. It has remained that rate each year since, however the Board continues to approve the CPI increase by deferring the increase to the maximum allowed rate. The information provided in the spreadsheet will be reviewed in the upcoming months as the District reviews the annual budget and costs incurred by the District over the past few years.

President Slater reviews upcoming legislation put forward by CCVFCA - AB 638 (Eggman), AB 389 (Allen), AB 460 (Bauer Kahan), AB 1337 (Wicks). These 4 bills could have negative implications to Water Rights, specifically Pre-1914 rights. The

assembly is currently reviewing the amendments provided by the senate before taking a vote.

Bookkeeper Schmoker reviews the FY 2022-23 Unfunded Accrued Liability bills from CalPERS. CalPERS allows districts to pay monthly, or pay in full at a small discount. Bookkeeper Schmoker presents the 2022-23 annual bills as a reference and asks that, if the amount doesn't increase extravagantly, she be allowed to pay in full for the sake of billing convenience. The Board approves her request.

Lastly, the 2021 audit is set to begin June 12, 2023. Leslie Eisenhart from Perry, Bunch & Johnston, Inc. will have her onsite visit that day and is hoping to gather the necessary documents for both 2021 & 2022 so that she can get the District's audits caught up before the end of summer.

The next Board meeting will take place July 13, 2023

Meeting adjourned at 10:50 am

Vanessa Schmoker - Secretary