

August 10, 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, and Ed Franceschi. Also present is Secretary-Bookkeeper Vanessa Schmoker and John Studarus. Trustee Steve Barsoom is absent.

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

The minutes of the June 8, 2023, meeting were approved as presented. (M- J. Merwin S- Franceschi) Unanimous.

President Slater highlighted the financials for the months of June & July. President Slater offered further explanation of the Unfunded Accrued Liability payment to CalPERS. The payment was made for the entire fiscal year 2023-24 at a 5% discount versus paying in monthly installments.

RESOLUTION 2023-08-10-1 to approve expenditures of \$86,163.79 and \$164,815.46 for the operation and maintenance of said District, for the month of June and July, respectively, 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- G. Merwin) Unanimous.

President Slater reviewed the Elk Slough project and reports that there hasn't been much progress since the last meeting. President Slater expects more progress to be made going in to fall. The district has submitted the Q2 invoices for reimbursement and that payment should arrive in September. The original projections indicate the project should be complete by the end of year.

President Slater reviews the 2022 Assessment. The remaining balance due is \$11,968.57. All delinquencies have been submitted to Yolo County to be placed on the landowner's county tax roll. The tax department has approved the submittal.

In preparation for the fiscal year 2023-24 FMAP funding, President Slater presents the following resolution to complete the Fiscal Year 2023-24 Proposal Solicitation Package:

Local Maintaining Agency Authorizing Resolution

Resolution No. 2023-08-10-2

A Resolution by the Board of Directors of the Reclamation District No. 999 Authorizing a Proposal for funding from the Department of Water Resources and Designating a Representative to Execute the Agreement and any Amendments thereto, for the 2024-FMAP-RD999-01 Project

WHEREAS the Reclamation District No. 999 is a California Public Agency with responsibility for flood maintenance and authority of the Project facilities.

WHEREAS the Reclamation District No. 999 acknowledges that it must submit a new operations, maintenance, repair, rehabilitation, and replacement agreement with the Central Valley Flood Protection Board prior to the receipt of Flood Maintenance Assistance Program funds.

WHEREAS the Reclamation District No. 999 is authorized to enter into an agreement with the Department of Water Resources and the State of California.

THEREFORE, BE IT RESOLVED by the Board of Directors of the Reclamation District No. 999 as follows:

That pursuant and subject to all the terms and conditions of the Budget Act of 23, the Board of Directors authorize the Tom Slater, President, or designee, to execute the funding agreement with the Department of Water Resources and any amendments thereto.

That ~~the~~ Tom Slater, President, or designee, shall prepare the necessary data, make investigations, and take other such actions as necessary and appropriate to obtain funding for the 2024-FMAP-RD999-01 Project.

CERTIFICATION

I hereby certify that the foregoing Resolution was duly and regularly adopted by the Board of Directors of the Reclamation District No. 999 at the meeting held on August 10, 2023, motion by Jeffrey Merwin and seconded by Edward Franceschi, motion passed by the following vote:

AYES: 4

NOES: 0

ABSENT: 1

Attest:

Tom Slater, President Reclamation District No. 999

President Slater presents a fiscal year Subventions reimbursement program review for the years 2013 to current. The information in the spreadsheet includes the levee mile deduction, any DWR adjustment deductions and the final reimbursement amount. For comparison purposes the spreadsheet also reflects the reimbursement amount if the program reimbursed at an 80-90% rate. Overall, after all adjustments are considered, the average reimbursement is 59%.

The Board has 3 expiring terms this year. The Board reviews the timeline & protocols. The publication for a "Call for Nominating Petitions" has been published and will run twice. If no petitions are received, the district will publish a "Notice of No Election" and submit all proof of publication to the Yolo County Board and ask that they appoint the current trustees in-lieu of election for a new 4-year term.

President Slater brings the Board up to speed on possible future plans for the district and possibility to incorporate engineering skills into the open District Manager position. Currently, the District is using MBK Engineers, but while other options are considered all billing from MBK for the District has been halted. One option going forward is to have an engineer employed by the district, versus paying a firm. Soon, it is likely that MBK will resume their normal duties, but the Board gives President Slater the green light for researching all options for the District Manager position. President Slater confirms with the Board that he is not unhappy with MBK work and has never been disappointed, however, feels it is prudent to look at all options while we still have a vacant District Manager position. If that includes discussion with other RD's then that is where we will investigate. He will report back at the next Board meeting.

President Slater reviews issues with the 307 siphon and Pump 5. Divers were hired to inspect both sites. The Pump 5 motor is having issues and appears to need to be rebuilt or replaced. Initial estimate for the motor rebuild is roughly \$7,000.00. The Board has agreed to research the cost of a new motor. The pump is also in need of work and President Slater will get information on how much a new pump will cost and report back. The siphon is having a leak issue. The diver could not pinpoint a leak or obstruction. Because of the issue, and the summer heat, the pump has been switched to run at night to avoid overheating. If it fails, an emergency pump rental will need to be addressed.

Yolo County needs an annual authorization form on file. The Board completes the form and signs for President Slater and Secretary-Bookkeeper Schmoker to handle Yolo County transactions.

The 2021 audit has been completed, and President Slater offers the Board copies of the report. The 2022 audit will be underway soon and will get the district current.

The Board goes into closed session at 9:47 am to discuss anticipated litigation. No action was taken.

The Board resumes open session at 10:18 am.

President Slater reviews issues with DWR reimbursing the district for funds spent on the Delta Barriers. The district received advice that money spent on the Barriers would be reimbursed by DWR, and over the course of 2-3 years the district spent approximately \$16,000.00. When the invoices were submitted to DWR, their contact informed President Slater that there was no contract on file, and therefor the district could not apply for reimbursement. After a discussion with legal counsel, it appears that the District is not the only RD to receive that advise and be denied reimbursement. While legal will investigate further, there is essentially nothing the district can do if DWR denies the reimbursement.

President Slater reviews the Open ET Reporting system for the Board. This is an alternate reporting option for water licensing and usage reports and will likely be used following the annual 2022 reporting. Ideally, this will coincide with the GIS platform that Jason Bone with GeoSpatial Clarity has been developing for the District, showing District pump stations and diversion points and will make reporting a little bit easier.

The next Board meeting will take place September 15, 2023.

Meeting adjourned at 10:50 am

Vanessa Schmoker - Secretary