

**RECLAMATION DISTRICT NO. 828  
AGENDA FOR  
BOARD OF TRUSTEES  
8:30 A.M. APRIL 28, 2016  
509 WEST WEBER, 5TH FLOOR  
STOCKTON, CALIFORNIA**

**AGENDA**

1. Call to Order/Roll Call.
2. Public comment: Under Government Code section 54954.3, members of the public may address the Board on any issue in the District's jurisdiction. The public may address any item on the agenda at the time it is taken up.
3. Consider for approval minutes of the regular meeting of January 28, 2016.
4. Financial Report.
  - a. Adopt Resolution 2016-03 Designating Signatories for District Warrants.
  - b. Insurance for Secretary Signing Warrants.
  - c. Approve Storage Sharing Agreement with RD 2126, 1614, 1608.
5. Engineers' Report; request for direction.
  - a. Adopt Emergency Operation Plan and Flood Contingency Map
6. Correspondence and meeting attendance reports.
  - a. Disclosure of Enterprise System Information.
7. District Calendar
  - a. AB1234 Ethics Training Opportunity
8. Approval of bills to be paid.
9. Adjournment.

*This agenda shall be made available upon request in alternative formats to persons with a disability, as required by the Americans with Disabilities Act of 1990 (42 U.S.C. § 12132) and the Ralph M. Brown Act (California Government Code §54954.2). Persons requesting a disability related modification or accommodation in order to participate in the meeting should contact Daniel J. Schroeder at 209/948-8200 during regular business hours, at least twenty-four hours prior to the time of the meeting.*

*Materials related to an item on this Agenda submitted to the Trustees after distribution of the agenda packet are available for public inspection in the office of the District Secretary at Neumiller & Beardslee, 509 W. Weber Avenue, 5th Floor, Stockton, California during normal business hours.*

**AGENDA PACKET  
RECLAMATION DISTRICT 828  
April 28, 2016**

<b><u>ITEM</u></b>	<b><u>COMMENTARY</u></b>
1.	Self-explanatory.
2.	Self-explanatory.
3.	Please see attached.
4.	Please see attached.
5.	Self-explanatory.
6.	Please see attached.
7.	Please see attached.
8.	Self-explanatory.
9.	Self-explanatory.

# ITEM 3

**Minutes of Regular Meeting of  
Reclamation District 828  
Held on January 28, 2016**

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The regular meeting of the Board of Trustees of Reclamation District 828 was held at 8:30 p.m. on January 28, 2016 at 509 West Weber Avenue, 5th Floor, Stockton, California 95203.

**Item No. 1:** Call to Order. The meeting was called to order at 8:31 p.m. Present were President Bill Mendelson, Trustee Robert Merdinger and Trustee Debbie Provost. Also present was Dan Schroeder, District Counsel, and Chris Neudeck, District Engineer, Brenna Howell of Howell Consulting and Jason Tokheim of KSN.

**Item No. 2:** Public Comment. There was no public comment.

**Item No. 3:** Election of Board President. Trustee Bill Mendelson was nominated for President by Trustee Bill Mendelson, seconded by Trustee Merdinger. Trustee Bill Mendelson was elected as President of Reclamation District 828 unanimously by the Trustees present on a motion by Trustee Robert Merdinger, seconded by Trustee Bill Mendelson.

**Item No. 4:** Approval of Minutes. The minutes of the October 22, 2015 regular meeting were approved unanimously by the Trustees present on a motion by Trustee Robert Merdinger, seconded by Trustee Debbie Provost.

**Item No. 5:** Financial Report. Mr. Schroeder reported on the financial status of the District.

a. 2014-2015 Audit Report. Mr. Schroeder reviewed the 2014-2015 Audit with the Trustees and reported that there were no negative comments in the report. The 2014-2015 Annual Audit Report was accepted unanimously by the Trustees present on a motion by Trustee Robert Merdinger, seconded by Trustee Debbie Provost.

b. Ratify Auditor's Representation Letter. Mr. Schroeder reported on the timing of the auditor's representation letter and that it was a normal part of the process of the audit. After consulting with the President, it was decided that a special meeting didn't need to be called and to rather seek ratification at the January 2016 Regular Board meeting to avoid the need for a special meeting. The executed representation letter with the Auditor Motion was ratified by the Trustees present on a motion by President Bill Mendelson, seconded by Trustee Robert Merdinger.

**Item No. 6:** Engineer's Report. Mr. Neudeck provided the Trustees with a written and oral report. Mr. Neudeck reported on the status of the Levee Subventions projects addressing vegetation maintenance along Shimizu drive. He also reported on the effect on the levee due to the presence of homeless people under Interstate 5 and that Caltrans was taking responsibility for and addressing the problem at this time. Mr. Neudeck next

reported on the ongoing efforts of beaver trapping in the Smith Canal and Louis Park area. He next reported that Smith Canal Inspection Notification letter was sent to 29 property owners and that the responses received from the property owners have been very positive. Mr. Neudeck next reported on the SJAFCA Smith Canal Closure Project and that two lawsuits have been filed challenging the project's environmental impact report. He reported that SJAFCA has commenced the full design of the project so that funding sources for the project are not jeopardized by delays in the project's progress.

Mr. Neudeck also reported on the current state of the precipitation this season and that there was no indication of any problems due to El Nino this year.

Mr. Neudeck and his staff then presented a draft of the District's Emergency Response Plan and development of an Emergency Warning and Evacuation Plan. He then reviewed in detail the draft plan with the Trustees. The funding for the plan and its development is being provided through the Department of Water Resources Emergency Response Grant awarded to and administered by the County. He also reviewed the evacuation map with the Trustees and explained that the location of the problem could affect how the evacuation routes would be determined by those responsible for making evacuation decisions.

**Item No. 7:** Adoption Resolution 2016-01 Approving And Authorizing Execution Of Delta Levee Maintenance Subventions Program Work Agreement Fiscal Year 2015-2016. Mr. Schroeder reported on the Levee Subventions Program and the requirement of entering into an Annual Levee Subventions Agreement and the requirement that the District adopt a resolution authorizing the President to sign the agreement. Resolution 2016-01 was adopted unanimously by the Trustees present on a motion by Trustee Robert Merdinger, seconded by President Bill Mendelson.

**Item No. 8:** Adoption Resolution 2016-02 Revising District Bylaws. Mr. Schroeder reported that the existing bylaws of the District have not been amended for a substantial period of time and that at the direction of the President and Board he reviewed and revised the bylaws. With a minor typographical correction to Section 7, Resolution 2016-02 was adopted unanimously by the Trustees present on a motion by Trustee Robert Merdinger, seconded by Trustee Debbie Provost.

**Item No. 9:** District Website. Mr. Schroeder asked the Trustees whether they wanted to include trustee contact information on the website. The Trustees decided to leave the decision of each Trustee on whether they want their contact information on the website by unanimous vote of the Trustees present on a motion by Trustee Debbie Provost, seconded by President Bill Mendelson.

**Item No. 10:** Correspondence. There were no comments or discussions on this item.

**Item No. 11:** Calendar. Mr. Schroeder reviewed the calendar with the Trustees and reminded them to submit their Form 700 before April, 2016.

**Item No. 12:** Approval of Bills. Mr. Schroeder reported on the outstanding bills that had been received and the status of the District's accounts. The payment of the attached

bills was approved unanimously by the Trustees on a motion by a motion by Trustee Debbie Provost, seconded by Trustee Robert Merdinger. Mr. Schroeder reported that at the next Board meeting that an agenda item will be included to add Trustee Provost as a person who can sign the District's warrants.

**Item No. 13:** Adjournment. Trustee Provost commented on her activity to get assistance from the appropriate agency in addressing the trash dumping problem in the area. The meeting was adjourned at 9:53 a.m. unanimously by the Trustees on a motion by Trustee Robert Merdinger, seconded by Trustee Debbie Provost.

Respectfully submitted,

A handwritten signature in blue ink, consisting of a series of loops and a long horizontal stroke that tapers to the right.

Daniel J. Schroeder, District Secretary

**RECLAMATION DISTRICT 828**  
**BILLS TO BE PAID**  
**January 2016**

NAME	INVOICE #	AMOUNT	TOTAL \$	WARRANT #	SUB FUND	5 YR PLAN
Kjeldsen, Sinnock, & Neudeck, Inc.	17999	\$1,132.50				
	18000	\$603.75			x	
	18001	\$5,040.13				
	18002	\$7,544.08				
	18003	\$1,877.50				
	18133	\$365.00			x	
	18134	\$416.50				
	18135	\$981.25				
	18308	\$20.00				
	18309	\$638.75			x	
	18310	\$2,116.55				
	18311	\$368.09				
	18312	\$1,512.50				
			<b>\$22,616.60</b>			
D.A. Archer Excavation, Inc.	15-76	\$3,197.36				
			<b>\$3,197.36</b>			
Neumiller & Beardslee	273101	\$3,916.56				
	273633	\$4,535.39				
	274427	\$460.00				
			<b>\$8,911.95</b>			
Election Staff - 11/10/2015	Jean Knight	\$160.00				
	Rhonda Olmo	\$160.00				
	Kellie Maghoney	\$160.00				
			<b>\$480.00</b>			
Schwartz Fiannini Lanstberger & Adamson	45202	\$3,100.00				
			<b>\$3,100.00</b>			
Judith Buethe Communications	4968	\$136.00				
	5004	\$34.00				
			<b>\$170.00</b>			
Trustee Stipends - 1/28/2016	Bill Mendelson	\$50.00				
	Bob Merdinger	\$50.00				
	Deborah Provost	\$50.00				
			<b>\$150.00</b>			

TOTAL: **\$38,625.91**

**NOTES:**

Anticipated Fund Balance :	\$547,655.61	5 Year Plan Balance:
Less Submitted Bills for Payment:	<u>\$38,625.91</u>	
Total:	<u>\$509,029.70</u>	

notes

\*as of December 2015 reports

**BILLS PAID October 2015**

<b>NAME</b>	<b>INVOICE #</b>	<b>AMOUNT</b>	<b>TOTAL \$</b>	<b>WARRANT #</b>	<b>SUB FUND</b>	<b>5 YR PLAN</b>
Kjeldsen, Sinnock, & Neudeck, Inc.	17660	\$46.36				
	17661	\$1,384.65			x	
	17662	\$2,721.30				
	17663	\$947.50				
	17847	\$265.00				
	17848	\$145.00			x	
	17849	\$3,058.28				
	17850	\$1,025.00				
	17851	\$435.74				
			<b>\$10,028.83</b>	<b>1216</b>		
Neumiller & Beardslee	272409	\$4,697.88				
			<b>\$4,697.88</b>	<b>1217</b>		
Dohrmann Insurance Agency	14208	\$500.00				
			<b>\$500.00</b>	<b>1211</b>		
Trustee Stipends - 10/22/2015	Bill Mendelson	\$50.00		1218		
	Bob Merdinger	\$50.00		1219		
	Paul Marsh	\$50.00		1220		
			<b>\$150.00</b>			

**TOTAL: \$15,376.71**

\*Paid 9/25/15 - ratified



# ITEM 4

**RECLAMATION DISTRICT 828**

**RESOLUTION 2016-03  
DESIGNATING SIGNATORIES FOR DISTRICT WARRANTS**

WHEREAS, there has been a change in membership on the Board of Trustees of Reclamation District 828, with Debbie Provost having been appointed to fill the position previously held by Paul Marsh.

WHEREAS, the County of San Joaquin requires that authorized signatories for district warrants be designated by the Board of Trustees.

NOW, THEREFORE, BE IT RESOLVED that all of the Trustees of the Reclamation District 828, namely, Bill Mendelson, Robert G. Merdinger, and Debbie Provost, and the District Secretary, namely, Daniel J. Schroeder, are hereby authorized to sign warrants and checks drawn on the District's funds (two signatures required).

PASSED AND ADOPTED by the Board of Trustees of Reclamation District 828, at a regular meeting thereof, held on April 28, 2016, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTENTION:

RECLAMATION DISTRICT 828  
A Political Subdivision of the  
State of California

By: \_\_\_\_\_  
PRESIDENT

ATTEST:

\_\_\_\_\_  
SECRETARY

CERTIFICATION

I, \_\_\_\_\_, Secretary of Reclamation District 828, do hereby certify that the foregoing is a full, true and correct copy of a resolution of Reclamation District 828 duly passed and adopted at a meeting of the Board of Trustees thereof held on the 28th day of April, 2016.

Dated: \_\_\_\_\_, 2016

\_\_\_\_\_  
SECRETARY, Reclamation District 828

**COUNTY OF SAN JOAQUIN  
AUDITOR-CONTROLLER  
AUTHORIZED SIGNATURES FOR  
ACCOUNTS PAYABLE, JOURNAL ENTRIES, AND SERVICE AND STORE FUND TRANSFERS**

**DISTRICT / AGENCY NAME:** Reclamation District 828

**FUND NUMBERS:**

<u>Fund No.</u>	<u>Fund No.</u>	<u>Fund No.</u>	<u>Fund No.</u>	<u>Fund No.</u>	<u>Fund No.</u>	<u>Fund No.</u>
50901						

**AUTHORIZED SIGNERS FOR THE ABOVE LISTED FUNDS ONLY:**

1. Bill Mendelson, President/Trustee
2. Robert Merdinger, Trustee
3. Deborah "Deby" Provost, Trustee
4. Daniel J. Schroeder, Attorney/Secretary
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_
9. \_\_\_\_\_
10. \_\_\_\_\_

**DISTRICT/ AGENCY HEAD APPROVAL:** Daniel J. Schroeder, Secretary January 1, 2016  
**Effective Date**

**INSTRUCTIONS:**

1. Type name of District or Agency with Authority over listed funds.
2. Type each fund number assigned to District or Agency.
3. Type Name of persons with authority over listed funds. Separate form must be submitted for signers with limited authorization. Limitation must be noted.
4. To the right of their typed name, each authorized person should sign all signatures they may use in approving transactions of listed funds. Initials are not acceptable for last name.
5. Enter the effective date. These signatures are valid until December 31 of the year submitted, unless updated prior to that time. Signatures authorized shall be resubmitted annually to be effective each January 1.
6. This form must be approved by the district or agency head.
7. Additional forms may be used if necessary to accommodate all funds under your authority.

# ITEM 6

**Disclosure of Enterprise System Information**

**Government Code § 6270.5**

Updated March 2016

Reclamation District No. 828 does not utilize an “enterprise system” within the meaning of Government Code section 6270.5.

<b>Vendor</b>	<b>Product</b>	<b>Purpose</b>	<b>Data Type</b>	<b>Custodian</b>	<b>Freq Collected</b>	<b>Freq Updated</b>
N/A	N/A	N/A	N/A	N/A	N/A	N/A

**DEPARTMENT OF WATER RESOURCES**

1416 NINTH STREET, P.O. BOX 942836  
SACRAMENTO, CA 94236-0001  
(916) 653-5791



February 19, 2016

Mr. Dan Schroeder, Secretary  
Reclamation District No. 828 (Weber Tract)  
Post Office Box 20  
Stockton, California 95201

Delta Levees Special Flood Control Projects Program – Projects Solicitation Package

Dear Mr. Schroeder:

**Introduction**

The Delta Levee Special Flood Control Projects Program (Program) is pleased to announce the release of the February 2016 Multi-Benefit Projects Solicitation Package (PSP). This PSP provides \$60,000,000 in local assistance funding from Propositions 1E and 84 for multi-benefit projects that integrate levee and habitat improvement while protecting discrete and identifiable public benefits in the Delta.

**Background**

The Program was established in 1988 by Senate Bill 34, and continues to operate under subsequent legislation that extends and provides funding for the Program. Originally, the Program was authorized to address flooding on the Eight Western Islands, Thornton, New Hope and Walnut Grove. In 1996, the Program was expanded to the entire Delta and to portions of Suisun Marsh. The passage of Proposition 1E and Proposition 84 in November 2006 significantly increased the amount of money available for levee projects in the Delta. The Department has invested over \$350 million dollars in flood control and habitat projects through the Program, carried out by local levee maintaining agencies in the Delta.

**Projects Solicitation Package for Multi-Benefit Projects**

This PSP solicits eligible projects that integrate levee improvement (up to the DWR Bulletin 192-82 template), habitat enhancement, emergency response, seismic resiliency, and export water supply reliability. The PSP is available on the Department's website at:

[http://www.water.ca.gov/floodsafe/fessro/deltalevees/special\\_projects/docs/special\\_PSP2016.pdf](http://www.water.ca.gov/floodsafe/fessro/deltalevees/special_projects/docs/special_PSP2016.pdf)

The PSP follows criteria under the current Program Guidelines: 2014 Guidelines for Providing Funding to Local Public Agencies. The Guidelines are available at:

[http://www.water.ca.gov/floodsafe/fessro/deltalevees/special\\_projects/special\\_guidelines.cfm](http://www.water.ca.gov/floodsafe/fessro/deltalevees/special_projects/special_guidelines.cfm)

Mr. Schroeder

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The PSP has a two phase process. The first phase requires the submittal of a Concept Proposal. Applicants who submit a Concept Proposal that successfully meets the PSP requirements may be asked by the Program to participate in phase two, and provide a Full Application for the Program's review and consideration. The PSP details the scoring for the criterion discussed in the Guidelines, and the submittal process. The Concept Proposal submittal form is available at:

[http://www.water.ca.gov/floodsafe/fessro/deltalevees/special\\_projects/docs/special\\_PSP\\_concept\\_form\\_program\\_final.pdf](http://www.water.ca.gov/floodsafe/fessro/deltalevees/special_projects/docs/special_PSP_concept_form_program_final.pdf)

Concept Proposals may be submitted to the Program electronically (ADOBE pdf format using the form provided) or by United States Post Office. **The deadline to submit Concept Proposals, under this PSP, to the Department of Water Resources is March 18, 2016.** Completed Concept Proposals may be mailed or hand delivered to:

**Andrea L. Lobato, P.E., Manager  
Delta Levees Program  
Department of Water Resources  
1416 Ninth Street, Room 1641-2  
Sacramento, California 95814**

Submittal by US Post Office **must be postmarked no later than March 18, 2016.**

For electronic submittals, please send Concept Proposal form to:

[DeltaLeveesProgram@water.ca.gov](mailto:DeltaLeveesProgram@water.ca.gov).

If you have any questions please call me at (916) 651-9295. You may also call Jon Wright at (916) 651-7010 or Rebecca Barrón at (916) 651-0868.

Sincerely,



Andrea L. Lobato, P.E., Manager  
Delta Levees Program



# ITEM 7

## RD 828: MASTER CALENDAR

### JANUARY

- Board Meeting – 4<sup>th</sup> Thursday at 8:30 a.m.
- Adopt Subventions Agreement Resolution
- Election of Officers

### FEBRUARY

- Send out Form 700s, remind Trustees of April 1 filing date
- Update Document Retention Policy

### MARCH

### APRIL

- April 1: Form 700s due
- Board Meeting – 4<sup>th</sup> Thursday at 8:30 a.m.

### MAY

### JUNE

### JULY

- Board Meeting – 4<sup>th</sup> Thursday at 8:30 a.m.
- Approve Audit Contract for expiring fiscal year
- Adopted Annual Budget
- Adopt Resolution for setting Assessments and submit to County Assessor's Office
- Adopt Notice of Exemptions Resolution

### AUGUST

- August 1: Deadline to certify assessments for tax-roll and deliver to County (duration of current assessment: Indefinite).
- August 1: Insurance renewal
- Send handbills for collection of assessments for public entity-owned properties
- In election years, opening of period for secretary to receive petitions for nomination of Trustees (75 days from date of election.) (*Cal. Wat. Code §50731.5*)

### SEPTEMBER

- In election years, last legal deadline to post notice that petitions for nomination of Trustees may be received (7 days prior to close of closure.) (*Cal. Wat. Code §50731.5*).
- In election years, closing of acceptance of petitions for nomination of Trustees (54 days from date of election.) (*Cal. Wat. Code §50731.5*).

**OCTOBER**

- Publish Notice of Election, odd numbered years (once per week, 4 times, commencing at least 1 month prior to election).
- Board Meeting – 4th Thursday at 8:30 a.m.

**NOVEMBER**

- Election.

**DECEMBER**

- New Trustee(s) take office, outgoing Trustee(s) term(s) end on first Friday of each odd-numbered year.

**Term of Current Board Members:**

<b>Name</b>	<b>Term Commenced</b>	<b>Term Ends</b>
Bill Mendelson	First Friday 12/2013	First Friday of 12/2017
Debbie Provost	First Friday 12/2015	First Friday of 12/2019
Robert G. Merdinger	First Friday 12/2015	First Friday of 12/2019

**No Expiration on Assessment**